

**SPRINGFIELD TOWNSHIP BOARD MEETING**  
**January 13th, 2005**  
**SYNOPSIS**

CALL TO ORDER: 7:30 p.m. by Supervisor Walls

PUBLIC COMMENT: None

CONSENT AGENDA:

- a) Approved Minutes: December 9, 2004 Regular Meeting with bills and additional disbursements of \$264,224.89
- b) Accepted December Treasurer's Report
- c) Received December Reports: Building, Electrical, Plumbing, Mechanical; Litigation; Fire; Ordinance & Assessing
- d) Authorized payment of bills as presented, total \$410,516.87
- e) Approved Springfield Township Board of Review – 2005 Property Tax Exemption Standards
- f) Approved re-appointment of BOR members: Cheryl Wendt, Ron Eaton & Beth Lavallee for a two (2) year term.
- g) Received memo from Onalee Carnes Re: Revised IY 2005 CDBG Allocations
- h) Received letter from Howard Friedlander and acknowledged expiration of Forest Hills Special Land Use 1-14-05
- i) Authorized General Fund transfer of \$15,000.00 to Library Fund per 2005 Budget
- j) Received communications and placed on file

OLD BUSINESS:

- 1. Pine Valley Development vs Springfield Settlement: Moved to convene to Closed Session immediately following other agenda items

NEW BUSINESS:

- 1. Elections
  - a) Equipment – Help America Vote Act: Adopted Resolution authorizing equipment purchase grant program participation and authorizing Clerk and/or Supervisor to execute contract
  - b) School Election Administration: Received Clerk's report and supported Clerk's action to opt out of conducting school district elections.
- 2. ZBA: Appointed Frank Aiello to term expiring 12/31/07
- 3. Planning Commission: Appointed Bill Leddy to vacant term expiring November 2005
- 4. Authorized grant application submittal for tornado siren
- 5. Authorized hiring Susan Weaver as flexible part time employee, at \$15.00/hr.
- 6. Approved revised fee schedule for Carlisle/Wortman Associates

PUBLIC COMMENT: None

OLD BUSINESS:

- 1. Pine Valley Development vs Springfield: Convened to Closed Session at 8:12 p.m. and reconvened to Open Session at 8:40 p.m., Conditionally approved Special Land Use and Concept plan dated January 4, 2005

ADJOURNED: 8:50 p.m.

NANCY STROLE, Clerk

**Call to Order:** Supervisor Collin Walls called the January 13, 2005 Regular Meeting of the Springfield Township Board to order at 7:30 p.m. at the Springfield Township Civic Center, 12000 Davisburg Road, Davisburg, MI 48350.

**Roll Call:**

**Board Members Present**

Collin W. Walls	Township Supervisor
Jamie Dubre	Township Treasurer
Nancy Strole	Township Clerk
Dennis Vallad	Township Trustee
David Hopper	Township Trustee
Roger Lamont	Township Trustee
Marc Cooper	Township Trustee

**Others Present**

Greg Need	Township Attorney
Leon Genre	Planning Director
Charlie Oaks	Township Fire Chief

**Agenda Additions & Changes:**

Supervisor Walls asked to add to the agenda **Tornado Sirens as Item #4 under New Business** and **Cable TV as Item #5 under New Business**. Trustee Cooper asked to discuss **Consent Item I: Carlisle Wortman Fees as item #6 under New Business**. There were no objections to these additions and changes.

**Public Comment:**           **None**

**Consent Agenda:**

- **Trustee Hopper moved to approve the Consent Agenda as amended. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Dubre, Strole, Vallad, Hopper, Lamont and Cooper; No: none. The motion carried by a 7 to 0 vote.**
- a)     Approved Minutes: December 9th, 2004, Regular Meeting with bills and additional disbursements of \$264,224.89.
- b)     Accepted December Treasurer's Report
- c)     Received December Reports: Building, Electrical, Plumbing, Mechanical, Litigation, Fire, Ordinance, Assessing

- d) Authorized payment of bills as presented, total \$410,516.87.
- e) Approved Springfield Township Board of Review - 2005 Property Tax Exemption Standards
- f) Approved re-appointment of BOR members: Cheryl Wendt, Ron Eaton & Beth LaValley for a two (2) year term.
- g) Received Memo from Onalee Carnes Re: Revised PY 2005 CDBG Allocations
- h) Received letter from Howard Friedlander and acknowledged expiration of Forest Hills Special Land Use 1-14-05.
- i) Authorized General Fund transfer of \$15,000.00 to Library Fund per 2005 Budget.
- j) Receipt of Communications
  - Independence Township Senior Center Transportation Report - November
  - Letter from North Oakland Headwaters Land Conservancy dated 12-7-04.
  - Letter from Parks Commission re: Election of Officers
  - Letter from Township Supervisor re: Senate Bill 1266 - Lake Boards
  - Independence Township Senior Center Transportation Report - December

## **Old Business:**

### **1. Pine Valley Development vs Springfield Settlement**

- **Supervisor Walls moved that the Board go into Closed Session to discuss this litigation with attorneys immediately following the other items on the agenda in accordance with our policy. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Dubre, Strole, Vallad, Hopper, Lamont and Cooper; No: none. The motion carried by a 7 to 0 vote.**

## **New Business:**

### **1. Elections**

#### **a) Equipment - Help America Vote Act**

Clerk Strole explained that under the "Help America Vote Act" Congress has appropriated funds for the purchase of and upgrades of election equipment, specifically the optical scan equipment. We will be funded up to replacement of our existing numbers of precincts plus the counting board. In order to receive the funding the municipalities must adopt a resolution to submit to the county and enter into a grant agreement with the state.

- **Trustee Vallad moved to adopt the resolution (prepared by the Clerk and attached to these minutes) Trustee Cooper supported the motion. Vote on the motion. Yes: Walls, Dubre, Strole, Vallad, Hopper, Lamont and Cooper; No: none. The motion carried by a 7 to 0 vote.**

## **b) School Election Administration**

Clerk Strole said this item deals with administration of school elections. Legislation enacted by the State now requires City, Township or County Clerks to administer school district elections. The school districts could select from among a set number of dates and virtually all of them have chosen annual May elections. Springfield Township contains three school districts: Brandon, Clarkston and Holly. Because these school districts cross municipal boundaries, the County Clerk serves as the Election Coordinator. The law allows a local Clerk to opt-in and assume all of the duties of running an election within that municipality, but they cannot do so prior to consulting with City Council or Township Board. The law also allows a County Clerk to delegate some or all of his or her responsibilities to a local Clerk but only with the agreement of that local Clerk. Clerk Strole said everyone has been led to believe and was operating under the assumption, until this week, that the local clerk with the majority of a school district within their boundaries would take the lead and others would support. She said she learned that the County Clerk has decided to implement a different process whereby each local clerk would be responsible for running that part of the school district election within his or her boundaries. For example, within the Holly School District, there would be five municipal clerks involved in this process. Clarkston School District would be five also. This is a lot of redundancy and she believes for this reason this is not cost effective and would be extremely costly and she does not think it will come with a benefit to the voters. She is also concerned that if we opt in to the process proposed by the County Clerk, we could wind up overriding the secrecy of an individual's ballot simply because, in some areas, there are so few voters. For instance, Brandon School District has 39 registered voters in Springfield Township and only a small amount vote. Clerk Strole said Independence Township offered to run the Clarkston School District election with some slight variations from what the County Clerk wants and she offered to support that and work closely with Independence Township to do that. She has offered alternatives for the Holly School District and has ideas for avoiding problems with the small portions of school districts located within municipalities. But the County Clerk is pursuing something else. If we opt out, which is what Clerk Strole is proposing to do, the County Clerk can order local clerks to perform certain limited tasks. The remaining tasks would be the responsibility of the County Clerk.

Supervisor Walls said, his perception is that the County Clerk is, in essence requiring things which in fact are not required by the statute. Clerk Strole said, that is correct. Clerk Strole explained that the course of action that the County Clerk is proposing is not the only course required or possible under the law. Attorney Greg Need said the proposal by Independence Township is fairly consistent with the law as well and could be done at a far lesser cost. Clerk Strole explained that Independence Township is proposing to run the Clarkston School District elections as they have in the past and, in most cases, all of the school district precincts parallel the regular precincts that are used for primary and general elections. But the proposal by Independence is not acceptable to the County.

- **Supervisor Walls moved that Springfield Township supports the Clerk's recommendations and opinion to opt out of conducting school district elections**

**under the procedures proposed and required by the County because the county plan exceeds statutory requirements, is unnecessarily costly and inconvenient to taxpayers, unnecessarily duplicates effort and processes and because reasonable alternatives exist which effectively or more effectively serve voters and comply with the existing law. Trustee Hopper supported the motion. Vote on the motion. Yes: Walls, Dubre, Strole, Vallad, Hopper, Lamont and Cooper; No: none. The motion carried by a 7 to 0 vote.**

## **2. ZBA Appointment**

Supervisor Walls explained that Dennis Strelchuk's term has expired. Mr. Strelchuk said he would serve if the Board wishes. Supervisor Walls recommended that Mr. Frank Aiello be appointed to this position on the Zoning Board of Appeals. Mr. Aiello is an attorney dealing with banking law and has expressed interest in getting involved in the community. Supervisor Walls stated that this should not be considered in any way a reflection on Dennis' performance

- **Clerk Strole moved to appoint Frank Aiello to the Zoning Board of Appeals with a request that the Supervisor issue a letter to Dennis Strelchuk on behalf of the Board thanking him for his many, many years of service to the ZBA and his continued contributions to Springfield Township. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Dubre, Strole, Vallad, Hopper, Lamont and Cooper; No: none. The motion carried by a 7 to 0 vote.**

## **3. Planning Commission Appointment**

Supervisor Walls noted that Gail Mann-Bowser had resigned from the Planning Commission. Her three-year term runs until November of 2005. Supervisor Walls said he believes the Planning Commission should have someone that represents the private sector, such as real estate. He recommended that the Township Board appoint Bill Leddy. Mr. Leddy is in realestate sales and has recently been through the Planning process for a new development. He spoke with Mr. Leddy and Mr. Leddy is agreeable to this appointment. Mr. Leddy has the combination of common sense and a very strong interest in preserving and protecting the community and environment.

- **Trustee Lamont moved to approve Bill Leddy as the additional member of the Planning Commission, appointment per the letter dated January 11, 2005, to fulfill the rest of Gail Mann-Bowser's term through November, 2005. Trustee Cooper supported the motion. Vote on the motion. Yes: Walls, Dubre, Strole, Vallad, Hopper, Lamont and Cooper; No: none. The motion carried by a 7 to 0 vote.**

#### **4. Tornado Siren**

Supervisor Walls said we discovered that there is a grant program available that we could apply for funding for tornado sirens and the application deadline is tomorrow. The grant will cover 75% of the cost, as a reimbursement and the County covers the 25% match. Therefore, we could end up with a tornado siren at no direct cost to the Township taxpayers.

Trustee Hopper said he believes this is a great opportunity and had no objections to applying for this program. The Board unanimously agreed to apply and for the northeast corner of Farley and Foster Roads.

#### **5. Cable TV**

Supervisor Walls explained that our policy allows a flexible, part-time position that can be scheduled to work less than 28 hours per week and does not qualify for benefits. Sue Weaver is willing to help with Cable and data entry at \$15.00 per hour. If approved this would allow us to hire her. Supervisor Walls suggested that we do the authorization in its broadest sense, so that, subject to her availability and interest, if other projects come up during the year and funds are in the budget, it is someone we could rely on without coming back to the Board.

- **Trustee Lamont moved to approve Susan Weaver as a flexible, part-time employee at the rate of \$15.00 per hour not to exceed 28 hours per week in any given week to handle cable assistance and other flexible items that may come before the Township needs. Clerk Strole supported the motion. Vote on the motion. Yes: Walls, Dubre, Strole, Vallad, Hopper, Lamont and Cooper; No: none. The motion carried by a 7 to 0 vote.**

#### **6. Carlisle/Wortman Fees**

Trustee Cooper asked if there has been any research done to see how the fees compare. He said \$5.00/hour raises two years in advance are good raises. Trustee Vallad said the proposed rates are lower than most planners charge. Clerk Strole said Dick Carlisle is known throughout the state as one of the best planners, especially for communities such as Springfield. Trustee Lamont said he likes the fact that Mr. Carlisle knows the area and is aware of all the natural features of the Township and handles many municipalities in this area.

- **Trustee Cooper moved to approve Carlisle/Wortman Fees for 2005 and 2006 according to the schedule in the letter dated 12-17-04. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Dubre, Strole, Vallad, Hopper, Lamont and Cooper; No: none. The motion carried by a 7 to 0 vote.**

**The Board convened into Closed Session at 8:10 p.m.**

**The Board reconvened into Open Session at 8:40 p.m.**

- **Supervisor Walls moved that the Township Board approve the Special Land Use for Pine Valley to develop a 22 unit site condominium in accordance with the Cluster Option Concept Plan revised and received January 4, 2005 with the following conditions:**
  - 1. The masonry sound wall located along I-75 be relocated enough to allow evergreen trees and/or other landscaping on both sides to soften the appearance and make the screening more natural.**
  - 2. That the final plan contain protection for the evergreen trees within the required front setback of units one (1) through thirteen (13) understanding that drives and utilities through these areas will be necessary and that primary septic systems will need to be relocated out of the area protected and with the understanding that unit nine (9), due to its limited depth to wetland, may not be as well protected.**
  - 3. That final storm water management systems be designed to address both water quality and quantity discharged to wetlands by utilizing best management practices.**
  - 4. That unit lines be removed from wetlands and buffer areas unless the final site plan verifies that this relocation is impractical or impossible based on minimum rear setbacks required.**
  - 5. That the final site plan be submitted pursuant to the standards and procedures found in the Township Zoning Ordinance for final cluster developments and our Design and Construction Standards.**
  - 6. That final documents, Master Deed, By Laws and Exhibit B, contain provisions customarily required by the Township for private roads and storm drainage, definitions, etc. They contain landscaping provisions and restrictions preserving the 90-foot tree preservation area along the east shown on the plan and provisions controlling invasive species. That the final documents include a conservation easement over the wetlands, wetland buffers and open space areas three (3) and four (4) on the plan to a conservancy of the developer's choice acceptable to the Township, meaning both the conservancy and the easement provisions and those final documents and plans providing markers at unit corners with conservation easement lines and at the unit line with the 90-foot tree preservation westerly point.**
  - 7. We are not approving the general notes or sequence of construction at this time.**
  - 8. That the applicant explore and discuss with the Township Engineer and Planning Commission a necessity for a center turn lane on Davisburg Road. If it is determined it to be required, we would waive the accel/decel requirement.**

**The Board would grant authority to the two attorneys and the Supervisor to negotiate and sign final consent agreement language. Trustee Hopper supported the motion.**
- **Supervisor Walls amended his motion to include a request that the gate location on the emergency drive be set at the right-of-way line. Trustee Hopper supported the**

**amended motion. Vote on the amended motion. Yes: Walls, Dubre, Strole, Vallad, Hopper, Lamont and Cooper; No: none. The motion carried by a 7 to 0 vote.**

**Public Comment: None**

**Adjournment:**

Hearing no other business, Supervisor Walls adjourned the meeting at 8:50 p.m.

---

Collin W. Walls, Township Supervisor

---

Nancy Strole, Township Clerk