

**ANN ARBOR CHARTER TOWNSHIP
BOARD OF TRUSTEES
MINUTES OF MEETING
MONDAY, MARCH 21, 2016**

I. CALL TO ORDER

The regular monthly meeting of the Ann Arbor Charter Township Board of Trustees was called to order by Supervisor Moran at 7:33 p.m.

Present: Supervisor Michael Moran, Clerk Rena Basch, Treasurer Della DiPietro, Trustees John Allison, Ken Kohrs and Randolph Perry.

Absent: Trustee Claudia Sedmak.

Also Present: Township Attorney Matt Rechten and Utilities Director Rick Judkins.

II. CITIZEN PARTICIPATION - No citizen signed up for participation.

III. APPROVAL OF MINUTES

Perry moved approval of the February 15, 2016 meeting minutes as drafted. DiPietro seconded the motion which was adopted unanimously.

IV. ANNEXATIONS, ORDINANCES, CONDITIONAL USES, ZONING -None

V. APPOINTMENTS, RESOLUTIONS, REPORTS, DISCUSSIONS**A. Resolution Supporting Petition to USEPA to Designate PALL/Gelman 1 -4 Dioxane Site as a Superfund Site**

Dan Bicknell with Global Environment Alliance, LLC reported he has been working with [the Coalition for Action on Remediation of Dioxane \(CARD\)](#) for the past three years, and they are looking at other options to remediate the Gelman site which includes designating the area an USEPA Superfund site. Bicknell reported the MDEQ acknowledged at a recent BOC meeting that they are going to allow the dioxane plume to expand using a dilution/dispersion remedy with no offsite groundwater extraction. Bicknell reported the plume is moving towards Scio Township and Ann Arbor Township residential wells [and potentially towards Barton Pond](#), with no existing alternative water supply ~~and potentially towards Barton Pond~~. Bicknell explained by designating the site a USEPA Superfund site they will be able to obtain proper clean-up levels, proper drinking water levels, and active groundwater extraction and treatment. Bicknell stated the MDEQ has failed in court to get PALL to do the right thing, and that they have misapplied the groundwater-surface water interface [criteria, and the with](#) drinking water criteria higher than it should be. ~~T~~there has [also](#) been no extraction to remove the plume. Bicknell reported the USEPA Superfund Program has a proven track record of obtaining administrative orders which protect the public health and the natural resources with the potentially responsible party conducting and paying for the remediation under USEPA oversight. Bicknell summarized the main benefits of a USEPA Gelman Superfund Site and the basic process and steps to designate

the Gelman Site as a USEPA Superfund Site.

DiPietro recommended a change to the resolution to acknowledge MDEQ's recent announcement of their intent to revise their out-of-date ~~generic~~ residential drinking water clean-up criteria. The Board discussed DiPietro's recommendation and agreed upon additional language to include in the resolution to address the issue. **Perry moved approval of Resolution Supporting a Petition to USEPA for the Gelman Sciences, Inc., Site to be Designated as a USEPA Superfund Site with the following change after the sixth whereas: "Whereas the MDEQ has just recently proposed a drinking water standard of 7.2 parts per billion there is no guarantee that this standard will be implemented in a timely fashion and there are concerns that this proposed standard would not adequately protect the public health."** Kohrs seconded the motion which was adopted unanimously.

B. Continued Discussion Regarding Broadband – Formation of Committee AND Feasibility Study

Moran reported he has been keeping the Board abreast of his thoughts on whether the Township would be well served installing fiber optic cable to provide broadband services. Moran indicated he has heard from a number of Board members with detailed concerns, and from Kohrs and Perry regarding the proposed business model, and if the Township could work with an existing provider. Moran reported he asked Kohrs and Perry to form a committee and to commission a feasibility study with Board approval. Moran noted the company they were previously considering to conduct the feasibility study also installs the network and may pose a conflict of interest. Moran indicated another company has been identified that strictly conducts feasibility studies but he has not yet obtained a proposal from them. DiPietro stated because the cost of the feasibility study is approximately \$15,000 it requires the Board to authorize the expenditure. Moran explained the feasibility study would include the cost of installing the cable plus additional work for a take-rate survey. Basch reported she attended a MTA seminar on municipal telecommunications which included a session on municipal broadband which gave her a better understanding of the infrastructure whereby private companies rent and provide the service in the future. Basch noted fiber optic cable is not available in very many places in Michigan commercially and everybody is still running on copper cable. Basch stated installing fiber optic cable is a real opportunity for the Township to be ahead of the curve and strongly supported a feasibility study. **Allison moved to form a committee to study the feasibility of municipal broadband and next steps composed of Kohrs, Moran and Perry. Basch seconded the motion which was adopted unanimously.**

C. Resolution Authorizing Temporary Road Closure for Dexter-Ann Arbor Run

Perry recommend editorial changes to the proposed resolution in the first and last paragraphs. **Allison moved approval of the Resolution Authorizing a Temporary Road Closure for the Dexter Ann Arbor Run with the following changes to the first paragraph: striking "Resolution authorizing the temporary road closure of" and inserting "Whereas, it is**

proposed that”; inserting “to be closed” after “Bird Road”; and in the last paragraph striking “AND” in between “NOW” and “THEREFORE”. DiPietro seconded the motion which was adopted unanimously.

D. Resolution Authorizing Ballot Proposal for Fire and Police Protection Millage Renewal

Moran reported the proposed ballot language has been approved by Township counsel. **Perry moved approval of Resolution Authorizing Ballot Proposal for Fire and Police Protection Millage Renewal draft dated March 9, 2016 inserting the date of August 2 under item E and item 1. DiPietro seconded the motion which was adopted unanimously.**

E. Letter in Support of Border to Border Trail

Moran reported the Planning Commission met with the WCPARC and recommended support of the Master Plan for the Border to Border Trail. Perry suggested an editorial change in the last sentence. **Perry moved to authorize the Supervisor to sign the letter as proposed supporting the Master Plan for the Border to Border Trail with the following change to the last sentence striking “that enhances non-motorized connectivity southeast Michigan and beyond.” DiPietro seconded the motion which was adopted unanimously.**

F. METRO Act Permit, KEPS Tec d/b/a ACD.net

Moran explained this is for the installation of fiber optic cable in the right of way as indicated on the enclosed map. Moran noted they have been working with this company for months to obtain a complete application with correct maps. **Perry moved approval of METRO Act Permit application filed by KEPS Tec d/b/a ACD.net and ACD Telecom Inc., in form presented to us tonight. Kohrs seconded the motion which was adopted unanimously.**

G. Proposal for Contract Renewal with Stantec

Moran reported this is an extension of the contract with Stantec for three years with a 5% increase which is not substantial. **DiPietro approval of the Agreement of General Consulting Services between Ann Arbor Township and Stantec Consulting Michigan Inc., for three years. Allison seconded the motion which was adopted unanimously.**

H. Extension of MIFFS contract/lease with Township to Operate Tilian

Moran noted changes to the resolution under items E, F, and 1. **Allison moved approval of the Fourth Amendment of the Lease to MIFFS draft dated March 21, 2016 with changes to paragraph E to insert February 16, paragraph F to change \$5 per acre to \$10 per acre for a \$445 annual total, and paragraph one changing all to \$10 per acre with annual totals of \$445 and \$336.76. DiPietro seconded the motion which was adopted unanimously.**

I. Resolution to Establish Recreation Board

Moran explained the Township is once again seeking a grant from the MDNR which requires the Township to establish a recreation board. Perry recommended an editorial change under item E.

DiPietro moved approval of the Resolution Creating a Township Recreation Board with the following change in item E striking the “s” on the last word of “Recreation”. Basch seconded the motion which was adopted unanimously.

J. Public Safety

1. Sheriff’s Office

The Board received a written report from the Sheriff’s Department.

2. Fire Department

Chief Thurston submitted a written report to the Board on the department’s activity for the month of February 2016.

K. Utilities Department

Judkins submitted a written report to the Board on the department’s activity for the month of February 2016.

L. Supervisor’s Report

Moran reported the County hired a private attorney to draft NAPP easements that include parking lots on all the parcels and all kinds of public access to non-farm parcels. Moran noted the proposed changes have caused a huge uproar with a number of jurisdictions whom have indicated they are no longer willing to work with the County on easements. Moran reported he met with Attorney General Staff, County and City representatives regarding the Attorney General’s lack of preparation in the PALL plume case, and they have agreed to assign an assistant attorney to attend every CARD meeting. Moran reported the MDEQ’s interim director will be appearing at a town hall meeting on April 18th at Eberwhite Elementary School to discuss their proposed new drinking water standard, and to listen to people’s complaints. Moran reported John Hamlin has left and Carlisle/Wortman has assigned Peter Pace for building and zoning services. Moran noted he has settled on an hourly rate with Carlisle/Wortman until terms of a contract can be agreed upon. Moran reported 50 residential units appealed their property taxes at the March Board of Review hearings. Moran also reported the WCRC will be attending the Board’s April meeting and requested Board members to send him their requested road projects. Moran noted the Township will be making the approved \$50k payment to Matthaei Botanical Gardens, which will use it to pay a part of the first invoice to the WCRC for the Dixboro Road Shared Use Trail project, and that he has had continuing discussions with the WCC regarding the hiring of additional sheriff deputies.

M. Clerk’s Report - Basch submitted a written report to the Board summarizing elections, showing participation in the March Presidential Primary and preparations for the future 2016 elections. Basch distributed forms for candidates to file.

N. Treasurer’s Report

DiPietro submitted a written report to the Board.

O. Planning Commission

Allison reported on the March 9, 2016 Planning Commission meeting. The minutes were included in the Board's packets.

P. Building Department – Standard monthly report in the packet.

Q. Farmland Preservation Committee

Allison reported on the February 23, 2016 FOSPB meeting.

R. Approval of Claims Listings

Kohrs moved approval of the claims listing dated December 31, 2015 through February 15, 2016 in the amount of \$25,118.70. Allison seconded the motion which was adopted unanimously. Allison moved approval of the claims listing dated December 31, 2015 through March 1, 2016 in the amount of \$64,852.47. Kohrs seconded the motion which was adopted unanimously. Kohrs moved approval of the claims listing dated March 15, 2016 through March 16, 2016 in the amount of \$132,926.38. DiPietro seconded the motion which was adopted unanimously.

VI. INFORMATION ONLY ITEMS - None

VII. NON-AGENDA ITEMS

Judkins suggested that the Township ask the WCRC do some additional grading and maintenance on Maple Road due to the increased traffic due to closure of M-14.

VIII. PUBLIC COMMENT - None

IX. ADJOURNMENT - DiPietro moved to adjourn the meeting at 9:40 p.m.