

**ANN ARBOR CHARTER TOWNSHIP
BOARD OF TRUSTEES
MINUTES OF MEETING - MONDAY, AUGUST 21, 2017**

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 7:32 p.m.

Present: Supervisor Michael Moran, Clerk Rena Basch, Treasurer Della DiPietro, Trustees John Allison and Claudia Sedmak.

Absent: Ken Kohrs and Randolph Perry

Also Present: Township Attorneys Sandy Sorini and Sarah Williams, Township Planner Dick Carlisle, Comptroller Becky Jacques, Farmland Consultant Barry Lonik and Utilities Director Rick Judkins.

II. CITIZEN PARTICIPATION - No citizen signed up for participation.**III. APPROVAL OF MINUTES**

Corrections to 7/17/17 minutes: on page 2, item V.A., 5th line change “one in” to “nearly”. On page 3, item G, 3rd line strike “be able to seek reimbursement from the County” and replace with “Will have that \$300,000”; strike “Connecting Communities grant” and replace with “trail.”

DiPietro moved approval of the July 17, 2017 meeting minutes as amended. Moran seconded the motion which was adopted unanimously.

IV. INITIAL PRESENTATION OF 2018 BUDGET

Becky Jacques gave the highlights of the current draft 2018 budget. Under Revenues, State Revenue sharing is the second highest source of revenue to the General Fund; what’s listed is our best estimate at this time. The interest listed is a very conservative estimate. Property taxes/taxable value comprise the largest share of revenue. Recall that there is a time lag such that December 2016’s taxable value becomes 2018’s tax. The Building Department has been booming, but again there is a long time lag before new construction leads to new tax revenue. Annexations to the City are still not likely to be a big item in 2018.

Regarding expenses, wages are the largest piece. The Fire Union contract calls for a 3% increase this year, so most other increases are based on that rate. Health insurance is the next largest expense. There is \$60,000 allocated for a broad band feasibility study although the broad band committee has not yet recommended moving forward. The Building Department budget reflects bringing the Building Official back in-house as an employee. Capital expenditures include moving the parking lot expansion into 2018. The Township’s portion of the Tech Park Roads special assessment (\$13,000) is in the Fire Department budget. The Utilities Department may have a large request for a capital improvement - \$2.5M for a new water tank and booster station, but it depends upon U of M East Medical Center’s development plans. This improvement does not show in the budget as an expense, but appears on the asset list. The Public Safety Fund funds the Fire Department and contracted Sheriff’s deputies. Washtenaw County has put a millage on the upcoming election; if it does not pass the cost of deputies will increase. The Sheriff’s Department currently claims their cost is \$31k per year per contracted deputy higher than what

we contracting communities pay. A contingency is added to the Public Safety Fund expenses to cover this possible cost increase for our 4 contracted deputies.

Moran reported that this budget presentation is preliminary, and is not statutorily required until September, but since he might be away in September we're getting an early start. No action is needed tonight on the draft budget.

Allison moved to amend the agenda to consider item "VI.A. Update Regarding Preliminary Study Committee Report on Proposed Mid-Century Modern Historic District" next; DiPietro seconded. Motion passed.

VI. A. Update Regarding Preliminary Study Committee Report on Proposed Mid-Century Modern Historic District

Melissa Milton-Pung from the Washtenaw County Office of Community and Economic Development – Historic District Commission, gave an update on the Thornoaks neighborhood historic neighborhood designation project, and also provided a comprehensive handout. The handout has a summary of the project, where it stands, and next steps; the handout is also a draft of a flyer. Milton-Pung reviewed some of the Board's previous concerns, specifically that since 2005 all but 1 of the requests from homeowners to modify their historic homes have been approved by the Washtenaw Historic District Commission (HDC). Also, she has done as much as possible to assure that when Thornoaks is eventually annexed into the City of Ann Arbor, that Washtenaw HDC (and not the City's HDC) will retain jurisdiction over the historic neighborhood. We are currently in the 60-day public comment period. There is a list of upcoming meetings in the handout, such as the Public Hearing on September 12 at WLRC; the Thornoaks Neighborhood Association will also have a private meeting September 17.

V. ANNEXATIONS, ORDINANCES, CONDITIONAL USES, ZONING

A. AMENDMENT TO ZONING CODE SECTIONS 74-2, 74-427, 74-461, 74-462, AND 74-463, AND ADDITION OF ZONING CODE SECTION 74-613 "CAMPGROUNDS"—Recommended for approval by Planning Commission at its meeting on March 6, 2017, tabled by Board of Trustees at April 17, 2017 meeting, removed from table and discussed by Board of Trustees at July 19, 2017 meeting.

Sorini pointed out the updates to the ordinance draft, for example on page 3, changing Recreation-conservation district (R-C) to Resource-conservation district. Moran recommended that we agree to the form and specifics of these proposed ordinance amendments, but then officially enact the set of ordinances that we're revising all together, the reason being that small updates end up cascading into multiple sections. The Board discussed specifics of permitted vs conditional uses of passive community parks and rifle/shooting ranges, but agreed to leave the draft as-is. **DiPietro moved to approve the "Campgrounds" ordinance amendments presented here but to delay enactment until all rural districts amendments are reviewed. Sedmak seconded, and motion passed unanimously.**

B. AMENDMENT TO ZONING CODE SECTIONS 74-2, 74-461, 74-547, AND 74-592 MINERAL MINING—Recommended for approval by Planning Commission at its meeting on March 6, 2017.

Township Planner Dick Carlisle provided a memo for the Board packet and gave an overview.

The 1982 Silva vs. Ada Township court decision gave special treatment to mining, creating a heavy burden on a municipality to prove “serious consequences” if the mining went forward. Cases over the years upheld this decision. Kyser vs. Kasson Township in 2010 struck the “serious consequences” language, but 2011 the MI Legislature enacted legislation to restore the Silva vs. Ada requirements. At the last minute the legislation put in a very low bar requirement that a mining applicant must show there’s a market for the resource. Sand and gravel are needed for every type of construction, so there is and will continue to be a market for these resources. All municipalities should expect to see requests for these operations, so it’s prudent to regulate this activity. Attorney Sorini reviewed the changes to the ordinance, primarily changing “quarries” to “mineral mining” and adding conditional use permit standards and market information requirements. **Allison moved to accept the proposed ordinance amendments Mineral Mining, and to delay enactment as proposed earlier this evening. Basch seconded. Motion passed unanimously.** Moran noted the next ordinance amendments will be proposed ag uses, which will likely be discussed at the October Board meeting.

VI. APPOINTMENTS, RESOLUTIONS, REPORTS, DISCUSSIONS

B. Resolution Approving Purchase of Development Rights on an Approximately 120 Acre Parcel, Negotiation of Purchase Agreement and Conservation Agreement, and Execution of Closing Documents

Sorini said some of the conditions are listed in the resolution before us tonight have already been addressed or are in-process. A land-gap of ownership in historical surveys is being corrected such that the parcel boundaries are made to follow the historical existing fence line. Three building envelopes are included in this proposal such that the farmer/developer owners could subdivide this large parcel in the future. Lonik confirmed Phase I environmental assessment has also been completed. **DiPietro moved to approve the Resolution Approving Purchase of Development Rights on an Approximately 120 Acre Parcel, Negotiation of Purchase Agreement and Conservation Agreement, and Execution of Closing Documents, authorizing Supervisor Moran to finish the negotiation and signing. Allison seconded, and motion passed unanimously.**

C. Resolution Approving PA 116 Farmland Agreement of Parcel I-09-200-002, Kenneth and Shirley Koch

A new version of the Koch’s PA 116 application was on the table. Sorini pointed out the application says “0 acres of tillable land” when the requirement is that half of the parcel must be tillable. **Allison moved to approve the Koch PA 116 Farmland Agreement contingent upon the Kochs amending page 2 to reflect the actual number of tillable acres. Sedmak seconded. Motion passed.**

D. Discussion of Regional Conservation Partnership Program and Possibility of Joining in a Partnership Led by the Ann Arbor Greenbelt Commission

A explanation of the program was provided in the packet. Moran explained the Regional Conservation Partnership Program (RCPP) is a mechanism to get funding in advance, and could result in more federal matching funds depending upon participation. We could end up paying a larger portion of farmland preservation deals, or less. Overall the benefits are the opportunity to

get higher percentage of federal money, and to have a defined regional collaboration in advance, as opposed to collaborating on a project-by-project basis. Moran prepared a letter with revised numbers for the Township - \$780,000 towards conservation easement purchase of 1 tract up to 130 acres, and \$20,000 in technical assistance. **Allison moved to authorize Supervisor Moran to sign letter before us agreeing to participate in the RCPP. DiPietro seconded. Motion passed unanimously.**

E. Confirmation of Supervisor's Appointment of Ryan Ball to Compensation Commission to Replace Retired Member Wayne Jones for Term Ending 3-1-20—CV attached

Wayne Jones retired last year. The Compensation Commission needs to meet in September. Commission member Brad Thompson recruited his neighbor Ryan Ball. All agreed Ball has the perfect resume for the position. **DiPietro moved to confirm the Supervisor's appointment of Ryan Ball to the Compensation Commission for a term ending March 1, 2020. Allison seconded. Motion passed.**

F. Re-appointment of Alexandra Cacciari to a 3-year term and Re-Appointment of Otto Moehrle and Thomas Becker to 2 year terms to the Farmland and Open Space Preservation Board (FOSPB)

Moran explained the different terms are designed to get us back on track with set, staggered terms. **Allison moved to re-appoint Alex Cacciari to a 3-year term, and Otto Moehrle and Thomas Becker to 2-year terms on the FOSPB. Sedmak seconded. Motion passed.**

G. Request for 2018 Membership Dues from Washtenaw Area Transportation Study (WATS)

DiPietro moved approval \$1000 for the 2018 dues for WATS; Basch seconded. Motion passed.

H. Public Safety

- 1. Sheriff's Office** – Moran emailed the monthly reports from the Sheriff's Department.
- 2. Fire Department** - Chief Nicholai submitted a written report to the Board on the department's activity for the month of July 2017.

I. Utilities Department

Judkins submitted a written report to the Board on the department's activity for the month of July 2017. He reported doing a lot of mowing to clear 240 manholes for the planned SAW Grant TV'ing.

J. Supervisor's Report

Moran reported last year we asked WATS to pull together partners concerned about non-motorized travel safety at the Plymouth Rd-US 23 intersections; in the packet is a proposal to do a study on the options. Dixboro Trail is paved, and although not officially open people are using it. Board discussed issue of landscape screening the portion of the trail that comes close to a few Laurel Gardens residences. Trail grand opening is October 14. The Pontiac Trail bike trail

feasibility study was available for Board members to download; it is an ambitious 3-township project. Moran recommended they start with a 1-mile portion in Salem Township who's leading. The Tech Park Roads re-paving project will start in about 1 week. Moran reported attending a regional trash and recycling meeting set up by the County, just to start getting an understanding of existing contracts and begin exploring county-wide service. Our trash/recycling contract is up in 2018. The Township has hired Peter Pace as the new employee Building Official starting in September; he has been serving on a contractor basis. Regarding 1-4 dioxane, because of CARD's work and pressure, the MDEQ is now proposing a permanent rule of 7.2 ppb for 1-4 dioxane, no more waiting on the 310 chemical package. Due to the artesian conditions and unknowns in the low areas near West Park, MDEQ would not commit to CARD's levels proposed for vapor intrusion, and instead committed to 1900 ppb and to a study.

K. Clerk's Report

Basch reported the new voting equipment was used in several counties around the State in August, and *zero* jams were reported. In Washtenaw, we will be using the new equipment for the November 2017 election. Basch and Deputy Clerk Scaturro will be assisting the County with Acceptance Testing for 2 days and then taking a 2-day required training class.

L. Treasurer's Report

DiPietro reported summer tax money is coming in (and heading back out.) September 14 is the deadline to pay taxes. She requested more newsletter topics.

M. Planning Commission – Did not meet in August.

N. Building Department - Pace submitted a written report to the Board.

O. Approval of Claims Listings

Sedmak moved approval of the claims listing dated June 30, 2017 through August 16, 2017 in the amount of \$529,717.02. Allison seconded the motion which was adopted unanimously. Sedmak moved approval of the claims listing dated July 18, 2017 through August 1, 2017 in the amount of \$114,532.84. Allison seconded the motion which was adopted unanimously.

VII. INFORMATION ONLY ITEMS - None

VIII. NON-AGENDA ITEMS - None

IX. PUBLIC COMMENT - None

X. ADJOURNMENT - DiPietro moved to adjourn the meeting at 9:45 p.m.