

**ANN ARBOR CHARTER TOWNSHIP
BOARD OF TRUSTEES MEETING
MINUTES OF MEETING – MONDAY NOVEMBER 20, 2023, 7:30 PM
TOWNSHIP OFFICES - 3792 PONTIAC TRAIL, ANN ARBOR MI**

I. CALL TO ORDER, ESTABLISH QUORUM

Supervisor O’Connell called the Ann Arbor Charter Township Board of Trustees meeting to order at 7:30pm on November 20, 2023.

Present: Supervisor Diane O’Connell
Treasurer Carlene Colvin-Garcia
Trustee John Allison
Trustee Kristine Olsson
Trustee Rodney Smith

Absent: Clerk Rena Basch
Trustee Michael Moran

Also Present: Township Attorneys Gabis, Lehman, and Redmond, Bodman PLC
Fire Chief Nicholai
Comptroller Coogan, Woodhill Group
Accounting Manager Iomar Whitt
Assessors Hayley and Shaw, WCA Assessing

II. APPROVAL OF BOARD OF TRUSTEES MINUTES

A. Regular Meeting October 16, 2023.

MOTION by Allison, support by Colvin-Garcia, to amend and approve the October 16, 2023 regular meeting minutes as follows:

- **P. 7, 2nd bullet point, correct: ~~PACER~~ PASER**
- **P. 16, next to last paragraph, correct to read:**

“Trustee Allison said that ~~unpaved subdivision roads should be treated similarly to paved subdivision roads; residents should have some skin in the game.~~ the Township has historically invested about \$10K a year in what are now being called unpaved subdivision roads; the Township should continue to do this. If more extensive work is desired, then these roads should be treated similarly to paved subdivision roads.”

Motion passed unanimously by voice vote.

B. Special Meeting October 17, 2023

Motion by Smith, support by Olsson, to approve the October 17, 2023 special meeting minutes as submitted.

Motion passed unanimously by voice vote.

C. Special Meeting October 25, 2023

Motion by Allison, support by Smith, to approve the October 25, 2023 special meeting minutes as submitted.

Motion passed unanimously by voice vote.

D. Special Meeting October 31, 2023

Motion by Olsson, support by Allison, to approve the October 31, 2023 special meeting minutes as submitted.

Motion passed unanimously by voice vote.

E. Special Meeting Open Session, November 6, 2023

Motion by Smith, support by Olsson, to approve the November 6, 2023 open session special meeting minutes as submitted.

Motion passed unanimously by voice vote.

F. Special Meeting Closed Session November 6, 2023

Motion by Colvin-Garcia, support by Allison, to approve the November 6, 2023 special meeting closed session minutes as submitted.

Motion passed unanimously by voice vote.

G. Special Meeting Open Session November 7, 2023

Motion by Smith, support by Olsson, to approve the November 7, 2023 special meeting open session minutes as submitted.

Motion passed unanimously by voice vote.

H. Special Meeting Closed Session November 7, 2023

Motion by Allison, support by Colvin-Garcia, to approve the November 7, 2023 special meeting closed session meeting minutes as submitted.

Motion passed unanimously by voice vote.

III. CITIZEN PARTICIPATION - None.

IV. APPROVE THE AGENDA AND CONSENT AGENDA

MOTION by Allison, support by Olsson, to amend and approve the agenda and consent agenda as follows:

- **Move IV.G. Approve and Ratify the Tetra Tech Contract to Measure Water Levels for an amount not to exceed \$9,000 from Consent Agenda to Supervisor's Report**

Motion passed unanimously by voice vote.

- A. Claims Listing 10-13-23 to 11-16-23 for \$900,372.74**
- B. Reappoint Carlene Colvin-Garcia as delegate to Washtenaw Regional Resource Management Authority (WRRMA).**
- C. Appoint Cynthia Stiles to serve on the Farmland and Open Space Preservation Board (FOSPB) for a term ending on July 1, 2027.**
- D. Appoint Emily Palacios to serve on the Board of Review for a term ending on January 1, 2026.**
- E. Approve the ESRI renewal quote for \$1,980.**
- F. Approve 2024 membership invoice for MAPERS.**
- G. (moved to Supervisor's Report)**
- H. Approve the Middle Huron Partnership Professional Services Contract with Huron River Watershed Council**

V. ANNEXATIONS, ORDINANCES, ZONING, RESOLUTIONS

A. Resolutions for Assessing – Doug Shaw and Tracy Hayley, WCA Assessing

Assessor Shaw explained that Ann Arbor Township needed to prepare for Public Act 660 of 2018 (Property Assessing Reform), which will be coming next year to all communities in Washtenaw County.

1) Exemption Policy

The exemption process is for religious or charitable types of property tax exemption requests. The requests involve a lengthy, detailed process that needs to be followed before an exemption is granted. Public Act 660 requires that once a determination is made, the property owner shall be notified of the decision prior to the mailing of the annual assessment.

In response to questions, Assessor Shaw said certain entities did not require an exemption application, such as property belonging to municipal or state governments. For instance, the historical cemetery owned by Ann Arbor Township would not require an application. On the other hand, some nonprofits as defined by the Federal Government would not receive a property tax exemption.

MOTION by Smith, support by Allison, that the Ann Arbor Charter Township Board of Trustees approve the Exemption Application ("Application for Exemption from

Property Taxes”) and Exemption Policy (“Exempting Properties Exemption Application”) as submitted this evening.

Motion passed unanimously by voice vote.

2) Assessors Availability Policy

The Assessors Availability Policy is also part of the requirements under Public Act 660. The requirement to have an availability policy is intended for smaller jurisdictions, requiring them to post through their website or other means the known hours of operation of the Assessor, clearly stating contact information, hours of operation, whether the Assessor is available upon request, and so on.

The Availability Policy will be presented to State Inspectors upon request.

The Ann Arbor Charter Township Policy listed availability as being Tuesdays and Thursdays, between 8:00am and 4:30pm. The Board suggested changing this to reflect the lunch hour, when Township Hall is locked.

Mr. Shaw advised that when the Assessor is out for field work, she always makes sure to return earlier in the day to return calls and emails. Township staff can also take messages for the Assessor when she is in the field.

MOTION by Allison, support by Olsson, that the Ann Arbor Charter Township Board of Trustees approve the Public Act of 2018, Property Assessing Reform Published Policy, as amended to list the availability hours on Tuesdays and Thursdays as 8:00am to 12pm, and 1pm to 4:30pm.

Motion passed unanimously by voice vote.

3) Resolution to set Alternative Meeting Dates for the July and December Board of Review Meetings

This item is not a part of preparing for Public Act 660, but rather is a request from the Assessor to have the ability to set an alternate date in the same week that the current Board of Reviews occur. Local jurisdictions can deviate from the standard Tuesday following the third Monday in July and the Tuesday following the second Monday in December meeting dates. This allows assessors who serve multiple jurisdictions to have some flexibility to complete their certifying duties throughout the week, rather than all in one day. WCA Assessing has made it a goal to have all their jurisdictions approve this alternate date possibility.

MOTION by Smith, support by Allison, that the Ann Arbor Charter Township Board of Trustees approve A RESOLUTION TO SET ALTERNATIVE MEETING DATES FOR THE JULY AND DECEMBER BOARD OF REVIEW MEETINGS, with the following changes:

- **Remove as PRESENT and list under ABSENT: Rena Basch and Mike Moran**

Motion passed unanimously by voice vote.

B. Approve Public Act 660 of 2018 Property Assessing Reform - Doug Shaw and Tracy Hayley, WCA Assessing

Assessor Shaw said that this was actually an information/discussion item only regarding State Audits of Minimum Assessing Requirements (AMAR). WCA Assessing's municipalities did not fail their reviews, but historically there were many municipalities that did fail and had their assessment rolls seized.

The purpose of AMAR was to try to get the basics of assessing consistent throughout the State, and municipalities most often failed the review because internal policies and procedures were not set up or followed. Much positive progress had been made. Specifically, the State wanted to make sure that jurisdictions know when they are being audited, as sometimes Supervisors or City Managers did not know the audit was taking place until they were being told they failed.

Public Act 660 required some changes in AMAR requirements, including:

- The public posting of the Assessor's phone numbers and contact information, which was addressed by motion under item 2 (above).
- Board of Review members need to be state certified via state courses. Ann Arbor Township is already compliant with this requirement.
- Municipalities need to provide language regarding how the 1% administrative fee is used. Since Ann Arbor Township does not collect the 1% fee, this is not an issue at this time.
- Communication between the Township and the public needs to include detailed information regarding land value studies, economic condition factor studies, etc., that are used to determine assessed values in different neighborhoods. This information needs to be posted on the Township website. BS&A already provides a wealth of specific information for each parcel.
- Exemption policy needs to be posted.
- There will be a new form for the Supervisor to fill out regarding the Assessor's availability, and her involvement with the Township. The State wants to see that the Assessor is actually doing her job, and that the Assessor is actively involved in the assessment roll that she certifies.

Assessor Shaw noted that the Michigan Township Association has been actively engaged in getting information out regarding Public Act 660.

C. 2024 Budget and Capital Improvement Plan – Comptroller Colleen Coogan, Woodhill Group

1) Public Hearing on 2024 Budget

a) Presentation

Referring to the 2024 Budget Narrative, Comptroller Coogan explained that tonight's

public hearing followed several discussions by the Board regarding the 2024 budget.

This year's budget reflected an expanded use of the Capital Fund to include all aspects of the Township's capital outlay, as shown in the Budget Appropriation chart in the Narrative. To do this, money was being transferred from the General Fund to the Capital Fund. This allows unused Capital Funds to be designated as reserves at the end of the year. For example, \$266K was designated for roads. If only \$100K was used, the remaining \$166K will be shown as reserved for roads.

As previously discussed, there will be an increase in the millage rate but also a decrease to the public safety millage, as shown on page 2 of the narrative. The operating millage will be the maximum allowed for an increase of .3591. The public safety millage will decrease by 0.5061, which will result in a net decrease to the taxpayers.

One reason the general fund millage rate increased was to accommodate future capital needs that are actively under discussion.

The Fire Department has six full time employees in the final budget; this had been a topic of prior discussion.

b) Public Comment

c) Public Hearing Closed

Supervisor O'Connell opened the meeting for public comment. As no public indicated they wished to speak, Supervisor O'Connell closed public comment and brought the matter back to the Board.

d) Trustees' comments and questions

In response to Board comments and questions, Comptroller Coogan gave the following additional information:

- The budget shows substantial increase in wages in the Fire Fund, reflecting one month of 7 full time employees, and 11 months with 6 full time employees, and also reflecting the terms of the union contract.
- \$3.3M was being transferred from Public Safety, with \$2.2M going to Fire Operating Fund and \$1.1M going to Capital.
- Responding to a question regarding why the Fire Fund balance was increasing by \$200K, and why more money was being transferred in than would be used, Comptroller Coogan said the figures shown did not reflect the decision to have 6 full time staff rather than 7, and she would come back with an amendment to correct the amounts.
- The spreadsheet had not added the 2032 amounts in the totals in the Capital Expenditure Plan

Comptroller Coogan suggested that the Board adopt the Appropriations Act this evening, and the entire budget, including corrections as discussed, could be approved in December.

The Appropriations Act showed \$8,215,095 in estimated revenue and \$7,916,211 in estimated expenditures.

The Board discussed specific items in the budget document, and revenues and expenditures as listed in the 2024 General Appropriations Act. It came out in discussion that line 285 American Rescue Plan Act Fund was listed twice in the estimated revenues in the General Appropriations Act.

e) Action - Approve 2024 General Appropriations Act

Motion by Allison, support by Smith, that the Ann Arbor Charter Township Board of Trustees approve the 2024 GENERAL APPROPRIATIONS ACT, with the deletion of duplicate line 285 from the estimated revenue section, and delaying the approval of the capital expenditure plan until the December 2023 meeting.

Motion passed unanimously by voice vote.

D. Presentation of the Draft Ann Arbor Township Climate Action Plan – Climate Resilience Committee and RRS

Supervisor O’Connell introduced this item. The Climate Resilience Committee has been meeting for about two years. One of the first things the Committee did was to work with the Board of Trustees to pass a climate resolution. Subsequently, under the direction of the Board, the Climate Resilience Committee put out an RFP for someone or some entity to work with the Township as it developed a climate action plan. Resource Recycling Systems was selected, and they have been working with the Committee for some time. Tonight RRS will be presenting the draft Ann Arbor Township Climate Plan.

After tonight’s presentation, a public engagement meeting will be scheduled in early December, with public feedback being gathered in a variety of ways in the meantime.

The new state laws (Senate Bills 271, 273, and 502) requiring 100% clean energy by 2040 were referenced throughout this discussion.

Utilizing a PowerPoint presentation which is part of the permanent record of this meeting, and which can be found on the Township’s website, Consultants Chip Smith of Wade Trim, Matt Naud of Resource Recycling Systems, and Benjamin VanGessel, Chair of the Climate Resilience Committee, presented the draft Ann Arbor Township Climate Action Plan.

The Ann Arbor Township Climate Action Plan provides:

- A target for emission reductions that aligns with the Washtenaw County goal of reaching carbon neutrality by 2035.
- A baseline estimate of current emissions broken down by residential and non-residential sectors.
- A baseline estimate of current emissions generated by Township operations.
- A baseline estimate of emissions per square foot of residential buildings.

- An analysis that identifies how much each recommended action will reduce carbon emissions from across the Township and for Township operations.
- A set of recommended actions to reduce emissions in Township operations.
- A set of recommended actions to reduce emissions and adapt to the impacts of climate change for the entire Township.
- Recommended metrics to evaluate the progress the Township is making on its goals.

The Climate Action Plan recommends and prioritizes 29 Climate Actions that either 1) reduce greenhouse gas (GHG) emissions township wide, or Township operations, 2) supports other recommended GHG reduction actions, and/or 3) supports climate adaptation or carbon sequestration.

The goal is to reach carbon neutrality through energy efficiency, electrification, 100% renewable energy, transportation mode shift, elective vehicles, and integration of a circular economy.

The RRS team had met with stakeholders such as farmers, Township Boards and Commissions, and the public.

Recommended GHG Reduction Targets are:

- Net Zero – Township Operations by 2030
- Net Zero – Township-wide by 2035

These goals match the Resilient Washtenaw Plan adopted goals.

Climate adaptation information from the Great Lakes Climate Adaptation Partnership (GLISA) showed an increase in precipitation (20%) throughout Southeast Michigan when compared to 1951-1980, affecting storm water management throughout the area. Ann Arbor precipitation has increased 48%. Precipitation is up and is likely to get worse. At the same time, droughts are also increasing. Recommended climate adaptation changes were included in the CAP, including the need for utility reliability.

Regarding community investment:

- Most of the investment will come from residents and businesses.
- The plan recommends that the Township invest in a local partnership to support the top 4 priorities, which are:
 1. **Ongoing climate education and public engagement.** The Township needs to improve its communication with residents, but even more effectively, should work on ways to partner with the City of Ann Arbor which has a funded, staffed, communication department. Find ways to collaborate. The Township should also consider hiring someone to handle this vitally important component for a resilient community.
 2. **Home energy advisor program.** Again, the recommendation is to partner with the City of Ann Arbor, if possible. The Home Energy Advisor program functions as a one-stop-shop for all community members and institutions.

3. **Residential and commercial weatherization and energy efficiency.** Explore a partnership with the City of Ann Arbor Office of Sustainability and Innovation regarding this and other issues.
4. **Community bulk buy for solar and building electrification**

- The Township should pursue grants whenever possible. If a grant comes through for a lower prioritized project, consider doing that project now, while money is available. The Township should also enter into interlocal agreements where appropriate.

Round-table Board Discussion included:

- Recommended targets are aspirational.
- The focus needs to remain on what is best for the Township. Partnerships with other municipalities including the City of Ann Arbor could be an excellent way to provide needed improvements.
- The price tag for an all-electric Fire Engine is about \$800K more than a traditional model. If the Township did not put \$800K extra into a single fire engine, what could that \$800K be used for in terms of climate improvements?
- There were things the Township can affect and things it cannot affect. For instance, the Township cannot greatly impact people driving through the Township on highways.
- The consultant team used county population projections, not SEMCOG's; this was discussed in detail in the plan.
- Protecting the Township's water was a high priority, and historically the Township had focused on stormwater management, in order to protect the watersheds and other places. Changes/improvements in stormwater management would keep that good work going.
- Things were moving quickly right now in terms of funding opportunities.
- A key thing to know is: whose job is it to make sure these projects are done? It would be good to hire someone whose focus this is, and who may also work for other communities.
- The goal of having 100% renewable energy options available to all residents by 2027 seemed unattainable.

Trustee Allison said that he could not fully support this plan until he fully understood it. For instance the CAP says to adopt form-based zoning, but the Board has never had a discussion regarding what form based zoning means.

Mr. Smith pointed out that the 4 priorities listed above are most important. They are what move the needle in terms of climate resiliency and climate change, and what makes buildings more energy efficient. Acting with economies of scale in terms of negotiating with DTE was also important.

Next steps included:

1. Webpage survey and draft plan online (through early/mid December)
2. Public meeting – December
3. Collect feedback – through December 13
4. Bring final climate action plan to the Board for approval in January.

E. Approve the AT&T Metro Act Permit Extension

Township Attorney Lehman gave the background to this request for AT&T Metro Act permit extension. The original permit was issued on June 22, 2004, and multiple extensions had been granted since that time. The draft extension document is in the Board packets.

The Metro Act grants privately owned utilities the right to occupy the public right of way subject to certain conditions. In return the Township gets a small portion of the fees collected by the State (approximately \$5,400 this year).

In response to past conversations, as-built drawings, permits, updated documents of insurance, etc., were included as a condition when there are new projects, although no new projects were currently in the pipeline.

MOTION by Smith, support by Olsson, that the Ann Arbor Charter Township Board of Trustees approve EXTENSION: MICHIGAN BELL TELEPHONE COMPANY D/B/A AT&T MICHIGAN ("AT&T"), ANN ARBOR CHARTER TOWNSHIP RIGHT-OF-WAY TELECOMMUNICATIONS PERMIT METRO ACT, UNILATERAL FORM, as presented.

Motion passed unanimously by voice vote.

F. Board Comments Washtenaw Regional Resource Management Authority (WRRMA) Draft Budget

Treasurer Colvin-Garcia explained that as the Township is a member of the Washtenaw Regional Resource Management Authority, one of the annual requirements is that the member boards be presented the budget and a summary of the activities that have taken place, in order to have an opportunity to voice objections.

MOTION by Smith, support by Allison, that the Ann Arbor Charter Township Board of Trustees accept the Washtenaw County Regional Resource Management Authority (WRRMA) 2023 Summary of Activities, and DRAFT Washtenaw County Regional Resource Management Authority (WRRMA) Fiscal Year 2024 Budget, without objection.

Motion passed unanimously by voice vote.

G. Approve US 23 Resolution

Supervisor O'Connell said the City of Ann Arbor had provided a resolution to MDOT regarding the M-23 crossing at Plymouth Road. Public comments appear to be ongoing, and it seemed appropriate for the Township to comment now. There appeared to be a momentum of comments and opinions at the Road Commission relative to providing pedestrian and bicycle safe crossing, and it also appeared grants may be available to do this. The time was right to offer this resolution.

Materials regarding the US-23 project were in the Board packets, as was a copy of the draft resolution.

After discussion, the following motion was offered:

MOTION by Smith, support by Allison, that the Ann Arbor Charter Township Board of Trustees adopt RESOLUTION TO RESTORE COMMUNITY CONNECTIONS WITH CONTINUOUS, COMFORTABLE WALKING AND BIKING FACILITIES ACROSS US-23, and send the RESOLUTION to the Michigan Department of Transportation.

Motion passed unanimously by voice vote.

H. Proposed Ann Arbor Township 2024 Meeting Dates

The proposed 2024 Board of Trustees meeting dates were in the Board packets for review. The meeting dates will be approved at the December meeting.

I. Compensation Commission Report

Township Attorney Gabis said that if the Board took no action, the Compensation Commission's salary recommendations would be approved. Rejection would be by Board motion.

After brief discussion, the consensus of the Board appeared to do nothing, thereby approving the Compensation Commission's salary recommendations as submitted.

VI. REPORTS, DISCUSSIONS

A. Supervisor's Report – O'Connell

- Attended the Great Lakes Water Conference, which focused on the Clean Water Act and the major cases that continue to restrict interpretations of the Act.

Trustee Olsson pointed out that Michigan is one of two states that has jurisdiction and can supersede the federal law.

- Attended SEMCOG General Assembly, which focused on placemaking. Ann Arbor Township is well into a placemaking pattern, as a rural community that prioritizes climate resilience and water protection. Also, the State has hired a Chief Growth Officer to try and bring population back to the State. The Ann Arbor area remains a high growth area in the State. SEMCOG discussions also focused on the housing shortage.

There is a phenomenal amount of money for infrastructure right now. Communities are encouraged to work together on infrastructure projects.

Discussed Ann Arbor Township road situation with SEMCOG.

- Regarding TetraTech, which was removed from the consent agenda, the amount of the contract was now no more than \$14,000 for well testing. Ann Arbor Township will pay the invoice when it is received, and be reimbursed by Mid Michigan Materials.

MOTION by Smith, support by Olsson, that the Ann Arbor Charter Township Board of Trustees Approve and Ratify the Tetra Tech Contract to Measure Water Levels for an amount not to exceed \$14,000.

Motion passed unanimously by voice vote.

- \$250K Connecting Communities grant received for the Dixboro Trail gap.
- Supervisor O’Connell was handed a large amount of material from citizens regarding the proposed fence along the Amtrak railroad corridor in the City. People were concerned that the Border2Border trail will be blocked.
- Zoning amendments regarding accessory structures and the property code will be on the December agenda. Building Official Pace requests that if people have questions about the proposed ordinance language to send them in advance, if possible.

In response to a question, Attorney Gabis said that Mid Michigan Materials was now in stage 3. Daily reports were being received from MMM.

Trustee Allison pointed out that the Township website had not been updated since the October meeting regarding the Vella Pit/ Mid Michigan Materials.

B. Clerk’s Report - Basch

Report was in the Board packets.

C. Treasurer’s Report – Colvin-Garcia

- WRRMA discussed earlier in the meeting.
- Waste Management visited Township offices last week. When asked about regionalization, the WM representative said that right now they have access to each location, as each household has a subscription to their service. WM had the ability to interact directly with customers. Regionalization would add a layer, and WM would lose that direct contact. Treasurer Colvin-Garcia noted that WM is taking their recycling to Recycle Ann Arbor.
- Tax bills going to the printer tomorrow.
- Newsletter is at the printers and should be in mailboxes soon.
- Township has signed a memorandum of understanding with Washtenaw County regarding the Low Income Water Assistance Program. People will be able to apply in December.
- Held a second staff luncheon focusing on training/education for the full group to learn together and discuss things. At the last meeting they talked about aspects of risk and risk management.

D. Planning Commission Report – November 6, 2023 - Allison

Trustee Allison reported on the November 6, 2023 Planning Commission meeting.

E. Committee Reports

1) **Farmland Open Space and Preservation Board Report** - Did not meet.

2) **Utility Committee** - No report

3) **Climate Resilience Committee**

Report was incorporated in presentation and comments regarding the Climate Action Plan.

4) **Zoning Board of Appeals** - Did not meet.

5) **Public Safety Committee** - No report.

6) **Roads Committee** - No report.

F. Utilities Department Report - Utilities report in the packets.

G. Public Safety Report

1) **Washtenaw County Sheriff's Department** - Report is in the packets.

2) **Fire Department – Chief Mark Nicholai**

October 2023 Fire Department report is in the packets. The Department has hired two additional paid-on-call members who will start training in January.

H. Building Department Report - Report is in the packet.

VII. INFORMATION ONLY ITEMS

County Health Department update regarding COVID-19 vaccines is in the packets.

VIII. NON-AGENDA ITEMS - None.

IX. PUBLIC COMMENT - None.

X. ADJOURNMENT

MOTION by Smith, support by Allison, to adjourn the meeting. Motion passed unanimously by voice vote.

The meeting was adjourned at 10:25pm.