

**ANN ARBOR CHARTER TOWNSHIP
BOARD OF TRUSTEES MEETING
MINUTES OF SPECIAL MEETING - MONDAY, APRIL 24, 2023
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 Special Meeting to order at 7:30pm on April 24, 2023. Per the Open Meetings Act members of the public could either participate in person or participate via ZOOM webinar platform. Members of the Board of Trustees must be physically present to participate as Members at the meeting.

Present: Supervisor Diane O’Connell
Clerk Rena Basch
Trustee John Allison
Trustee Michael Moran
Trustee Rodney Smith

Absent: Treasurer Carlene Colvin-Garcia
Trustee Kristine Olsson

Also Present: Township Attorneys Sarah Williams and Sinead Redmond (Bodman Law)
Assessor Doug Shaw and Certifying Assessor Tracy Hayley (WCA Assessing)

II. CITIZEN PARTICIPATION

7:30 – 7:45. Citizen Participation on Agenda Items only.

None.

III. ANNEXATIONS, ORDINANCES, ZONING, RESOLUTIONS

A. Dhu Varren Public Roadway Special Assessment Roll Under Michigan Act 188 of the Public Acts of 1954, As Amended

Township Supervisor O’Connell explained that the purpose of this Special Meeting is to continue discussion from the April 10 meeting on the Dhu Varren Public Roadway Special Assessment Roll under Michigan Act 188 of Public Acts 1954. On April 10 2023 the Board tabled this item to give Board Members time to review additional materials that had been presented.

Assessor Doug Shaw said that he had visited Dhu Varren Road and Dhu Varren Court last week. Noting that he had been an assessor for 35 years, Mr. Shaw said that based on his opinion as Assessor, all the properties that have access or future access to Dhu Varren Road and Dhu Varren Court will have equal benefits from the improvements to the road.

Township Attorney Redmond reviewed the draft RESOLUTION CONFIRMING DHU VARREN PUBLIC ROADWAY SPECIAL ASSESSMENT ROLL UNDER MICHIGAN ACT 188 OF THE PUBLIC ACTS OF 1954, AS AMENDED.

Discussion included:

- This resolution was modelled after the Newport Road Special Assessment District resolution.
- Corrections and amendments to the resolution are as noted in the Motion to adopt the Resolution (below).
- Trustee Smith noted that the 10 year term will reduce the annual payment amount to the extent possible.
- Members of the Board noted that per State Statute, up to 8% interest could be charged. This District will charge a 1.5% interest rate.
- Trustee Allison agreed with the Assessor that all the lots in the District benefit equally.
- Clerk Basch said that after speaking to other townships and attending a panel on special assessments at the recent Michigan Townships Association meeting, she continued to support an equal per lot assessment. Using any other method was highly unusual.
- Clerk Basch said that relative to the vacant land parcels, sometimes large vacant parcels are charged a higher assessment, based on potential future lot splits. The owners of the big parcel could have constructed a road to Whitmore Lake Road, if they did not want the benefit of being part of the Dhu Varren District.
- Clerk Basch noted that the Newport Road Special Assessment District had also included equal assessments per lot, including properties that did not directly front on to Newport Road. Given the configuration of the road system within the proposed Dhu Varren Public Roadway District, equal assessments per lot was the fairest way to assess, as there was clearly an equal benefit for every driveway and every parcel that is accessing their land off of Dhu Varren Road.

MOTION by Basch, support by Allison, that the Ann Arbor Charter Township Board of Trustees adopt RESOLUTION CONFIRMING DHU VARREN PUBLIC ROADWAY SPECIAL ASSESSMENT ROLL UNDER MICHIGAN ACT 188 OF THE PUBLIC ACTS OF 1954, AS AMENDED, dated APRIL 24, 2023, with corrections and amendments as follows:

- a. In Exhibit B, Clerk's Warrant, the second paragraph dates of first collection should be changed from February 14, 2023 to February 14, 2024.
- b. Under recitals, add new subpar P: "The special meeting was preceded by proper notice, as required under the Open Meetings Act, by posting public notice on the Township website more than 18 hours before the meeting."
- c. Under Resolution, amend subparagraph 1, 2nd line, to read: "a copy of which is attached to this Resolution as Exhibit A, . . ."
- d. The term of the District will be 10 years.
- e. The interest rate will be set at 1.5%, and the penalty rate for late payment will be set at 1%.

Noting that he lives on Dhu Varren Road, Trustee Smith abstained from the vote.

Roll call vote:

Ayes: Allison, Basch, Moran, O'Connell

Nays: None

Abstain: Smith

Absent: Colvin-Garcia, Olsson

Motion passed 4-0-1.

IV. NON-AGENDA ITEMS

None.

V. PUBLIC COMMENT

A resident thanked the Board for adopting the Dhu Varren resolution.

VI. ADJOURNMENT

Motion by Smith, support by ~~Colvin-Garcia~~Smith, to adjourn the meeting at 7:51pm.

Motion passed by voice vote.