

SPRINGFIELD TOWNSHIP BOARD MEETING
January 12, 2006
SYNOPSIS

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

PUBLIC COMMENT: None

CONSENT AGENDA:

- a) Approved Minutes: December 8, 2005, Regular Meeting with bills and additional disbursements of \$331,401.57
- b) Approved Minutes: December 30, 2005 Special Meeting
- c) Accepted December 2005 Treasurer's Report
- d) Received December 2005 Reports: Building, Electrical, Plumbing, Mechanical; Litigation; Fire & Ordinance
- e) Authorized payment of bills as presented, total \$43,254.05
- f) Authorized 2006 membership in Clinton River Watershed Council @ \$250.00
- g) Huron Creek: Granted request for extension of Final Site Plan Approval, to March 6, 2007
- h) Received communications and placed on file.

OLD BUSINESS:

- 1. Conditionally approved Wilderness Estates Final Site Plan
- 2. Adopted Retiree Benefits Policy, as amended
- 3. Community Sewer System Resolution, Sunset Bluffs: Tabled to February 9, 2006 meeting
- 4. Liquor Control Ordinance 48 Amendment: Authorized Clerk to Publish for Second Reading

NEW BUSINESS:

- 1. Second Reading, Rezoning Request, 9191 Dixie Hwy: Amended Zoning Ordinance and Map to rezone a portion of 07-14-478-037 from R-2 (Single Family Residential) to OS (Office Service)
- 2. Provided Comments on Forest Hills Public Road Concept Plan
- 3. 2006 Tri Party funding & Projects: Tabled to February 9, 2006 meeting
- 4. Approved Softwater Lake Sewer Extension Contract Subject to Final Review and Revisions acceptable to Township Attorney and Supervisor.
- 5. Defeated motion to discontinue current computer support/maintenance contract

ADJOURNED: 9:55 p.m.

NANCY STROLE, Clerk

Call to Order: Supervisor Collin Walls called the January 12, 2006 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
Charlie Oaks	Township Fire Chief

Agenda Additions & Changes: **None**

Public Comment: **None**

Consent Agenda:

Trustee Hopper moved to approve the Consent Agenda as presented. Trustee Lamont 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) Approval of Minutes: December 8, 2005 with bills and additional disbursements of \$341,401.57.
- b) Approval of Minutes: December 30, 2005 Special Meeting.
- c) Acceptance of December's Treasurer's Report.
- d) Receipt of December 2005 Reports: Building, Electrical, Plumbing, Mechanical, Litigation, Fire and Ordinance.
- e) Authorize payment of bills as presented, totaling \$43,254.05.
- f) Authorize 2006 membership in Clinton River Watershed Council @ \$250.00.
- g) Huron Creek: Grant request for extension of final site plan approval to March 6, 2007.
- h) Receipt of Communications
 - Letter from Comcast regarding programming and rates.
 - Letter from Wallace Fusilier regarding Softwater Lake water quality sampling.
 - Letter from Department of Treasury, Tax Commission notification of compliance with state policies and procedures.

Old Business:

1. Wilderness Estates: Final Site Plan

Supervisor Walls noted that shortly before the start of this meeting he received an email from the applicant's attorney that contains revised Wilderness Estates Master Deed documents and escrow instructions addressing concerns raised with those documents by Randy Ford of HRC. Supervisor Walls said he did not have a chance yet to review it or supply it to the Township attorney.

Mr. Montpass of Boss Engineering said, after reading HRC's letter and comment #1 concerning the elevation discrepancies, he failed to update the Exhibit B floodplain plan when he put in the additional culverts for the road crossing. Since receiving the letter, he did adjust the elevations. As for the weir flow and the culvert issue, he did lower the water surface as much as possible without impacting the drain.

Supervisor Walls asked Mr. Montpass if he believes the \$104,000 for the escrow is acceptable? Mr. Montpass said he believes that is a fair number. Supervisor Walls asked if the floodplain modeling does not assume any storage in the wetlands around Shiawassee Lake? Mr. Montpass said there wasn't any way to model it accurately. Supervisor Walls asked if the MDEQ permit extension has been obtained? Mr. Montpass said he has applied but has not received an approval yet. Supervisor Walls asked if the final review for the Andersonville Rd. approach has been obtained? Mr. Montpass said Andersonville Rd. has been approved and the Road Commission is still reviewing Clark Rd.

Supervisor Walls noted, that two months ago, the Board pointed out an inconsistency in the floodplain information on the construction plans and Exhibit B. The area west of the entry road shows as a floodplain on the construction plans but not on the Exhibit B. Mr. Montpass said he believes that is now on the Exhibit B and, if not, it should have been. Supervisor Walls asked if the construction plans show grading limits anywhere? Mr. Montpass said they are not on the overall site plans or the landscape plans but on the individual sheets, specifically sheet 4. Supervisor Walls said there is no riprap on the side slopes; and on another crossing, it shows riprap. He asked Mr. Montpass if he intends to have riprap up the 1 on 3 side slopes? Mr. Montpass said no, it is actually a pre-engineered, reinforced mat that will be permanent. Grass will grow in it but it will not biodegrade. Supervisor Walls asked the applicant if he has objection to putting in wooden posts with wooden beam guardrails rather than MDOT steel? Mr. Montpass said he would have no objections.

Supervisor Walls said in the O & M manual, he did not see a clear indication that the operator of the system is responsible for the individual unit tanks, pumps and alarms. Mr. Montpass said it is in the back with the maintenance and is also in the contract with the operator. Highland Treatment will maintain the system. Supervisor Walls said there are still revisions needed to the community sewer system agreement. Supervisor Walls said it is his opinion that the water over

the road issue should not need the box culvert. He believes there are still items that need to be addressed, corrected and revised but we should be able to take care of those administratively.

Clerk Strole said sheet 3-A, containing landscape details, is missing from the site plans and it is critical. On sheet 2, the applicant did correct the issue of showing the wetland boundary as the grading limits but the wetland boundary is not shown on the legend. On the site plan, a note indicates that markers will be placed at the unit boundaries abutting the conservation easement and set forth in the Master Deed but is not referred to in the Master Deed. Clerk Strole noted that sheet 6 did not print correctly; plan details are obscured. Regarding the conservation easement, it is in good shape except for a few corrections she noted. Clerk Strole said regarding the Master Deed and By Laws, the previous comments made by both herself and Supervisor Walls were not all reflected accurately in the Master Deed and By Laws.

Trustee Hopper commented that in the conservation easement, it does not address mountain bikes and should be added as “non-motorized.” In regard to the By Laws, page 17, at the end of Section 12, “use of native plant species is highly encouraged” could be added.

Supervisor Walls asked Board members if they feel the plan should be revised to show the box culvert? The Board members concurred it is not necessary.

- **Supervisor Walls moved to approve with conditions the Wilderness Estate’s site plans and documents, conditions being that the final documents and plan revisions will be approved by the Township Clerk and Supervisor and Attorney, that a meeting be scheduled with the applicant, the applicant’s consultants, the Township engineer, attorney, Clerk and Supervisor as soon as schedules allow to discuss the specifics of the information that is missing or needs to be corrected before any revisions are made and that an escrow fund, not a review fee, be established by the applicant to cover the cost of both that meeting and the reviews by the Township’s consultants in a beginning amount of \$1,500.00 and that the Township Board concur with the community sewer escrow amount of \$104,000.00 as recommended by the Township Board and determined to be reasonable by the applicants. 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.**

2. Retiree Benefits Policy

Supervisor Walls said item 2d requires an eligible retiree to be covered by the Township’s health insurance program for at least one year prior to retirement; he does not see the need for that criteria as long as the retiree is covered before they retire. The Board concurred with Supervisor Walls.

Clerk Strole noted a typographical error in paragraph 6, “rmain” should be “remain.”

- **Trustee Hopper moved to adopt the Retiree Employees Medical Policy as provided and revised this evening per typos and delete the “one year” statement in paragraph 2d conditioned on approval by Blue Cross Blue Shield. 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. Community Sewer System Resolution: Sunset Bluffs

Supervisor Walls said the Township attorney is of the opinion that, in light of the new statutes, we do not have to enter into a Resolution, but if the Board wishes to, he has suggested an amendment to Section 3 of the Resolution.

- **Trustee Cooper moved to table the Resolution until a revised agreement or opinion of how the Board should handle the community sewer agreement is received from the Township Attorney. 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.**

4. Liquor Control Ordinance 48: Continuation of First Reading

Clerk Strole noted on page 7, item #5, “section I” should be “section 4.i.” Trustee Vallad noted on page 12, section A 2, section 12 should be section 11. Trustee Cooper commented on page 8, item H, the word “Board” at the end of the sentence should be deleted so as not to assume the Board should review liquor licenses. Trustee Cooper noted on page 16, in the first paragraph, “section 16” should read “section 15” and on page 11, item 3 b should read “section 7” not “section 8.”

- **Supervisor Walls moved to authorize the Clerk to publish the amendments to the Liquor License Ordinance for Second Reading with the corrections and changes outlined this evening and any other typographical or clerical changes necessary. 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.**

New Business:

1. Second Reading: Rezoning Request, 9191 Dixie Highway

Clerk Strole said the 25’ x 300’ strip was excluded for publication and asked the applicants if they have use for that? Mr. Aulger said it would depend on what the property gets used for. Mrs. Aulger said they do not have any use for it. Clerk Strole asked the applicants if they have an interested developer at this time? Mrs. Aulger said, no.

Trustee Lamont commented that he thinks the removal of the 25’ x 300’ strip makes the property more congruous to the adjacent OS parcel located to the northwest. Trustee Vallad said he did

not understand the Planning Commission's recommendation. Trustee Lamont said the Planning Commission was concerned with the stone house and trying to save it and perhaps eventually get a PUD from a developer.

Mr. Matthew Earing, 9445 Softwater Woods Dr., commented that if this is rezoned to OS, the Board is isolating his residential property and is concerned with the value of the land. He noted that Softwater Woods Dr. is a private drive and the bus stop is right at the corner of Softwater Woods and Dixie Highway. He believes 80 extra trips per day by vehicles is a concern.

- **Supervisor Walls moved that the Board approve the rezoning request as published for 2nd Reading from Residential to Office/Service as the Office Service will be compatible and consistent with adjacent land uses and policies 9 and 20 of the Master Plan, the rezoning provides an opportunity to preserve a unique structure in accordance with Policy 5 of the Master Plan, the rezoning is consistent with the Dixie Highway Corridor Plan and the rezoning will not negatively impact the area or adjacent uses. 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.**

2. Forest Hills Public Road – Concept Review

Supervisor Walls said the Planning Director made a request of the applicant that some consideration be given to a slight intersection rather than a curve which would allow the east/west portion of the road to be moved northerly 50 feet. He asked the applicant if he is willing to consider that? Mr. Friedlaender said he tried many different layouts and considered that when the plan was prepared but it was not feasible. There is an existing line of trees that run east to west that he wants to preserve and have reasonably close to lot lines.

Supervisor Walls asked Mr. Friedlaender if he is willing to donate a portion of the property to the Township for the Shiawassee Basin Preserve as he previously mentioned to the Planning Commission? Mr. Friedlaender said yes, that is a possibility.

Trustee Lamont said he agrees that the minor adjustment to the road would be a good recommendation. Clerk Strole said she would agree as long as it does not affect the tree lines.

Supervisor Walls said he would recommend, in light of the changes to the Land Division Act, that the Planning Commission look at this particular ordinance provision which requires site plan review and approval for public roads over which we have no jurisdiction and acreage divisions over which we cannot subject the land divisions to site plan review and private roads, which we don't allow except in condominiums, that they consider eliminating that provision in the ordinance.

Supervisor Walls recapped for the applicant that we have no jurisdiction, we have offered a concept that saved a treeline but adjusts the road to the north for the final plan.

3. 2006 Tri Party Funding & Projects

Supervisor Walls recommended postponing this discussion until the Financial Planning Meeting on January 24th. The Board concurred.

4. Softwater Lake Sewer Extension Contract

- **Supervisor Walls moved that the Board approve the contracts and concept subject to the attorney and the Supervisor working out the final language and authorize the Clerk and Supervisor to sign it after completion. 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.**

5. Computer Maintenance/Support

Supervisor Walls explained that Clerk Strole is requesting that the current contract with our computer service company be terminated. Supervisor Walls said he does not dispute that we had a very serious issue when proprietary information was transferred from one company to another. He firmly believes it was not done with malice and was a mistake. He believes the ultimate responsibility for that mistake rests with the Township, not the service provider and it does not warrant termination. They have provided quality and timely service to us for approximately six years.

Clerk Strole commented that she doesn't see anything in the letter from RDSC that would preclude a potential repeat of what occurred. She is concerned that we should have individuals who have the common sense or insight to understand the consequences of their actions.

Supervisor Walls said policies to protect the Township should be adopted by the Township and we should not be relying on our consultants to develop policies to affect us.

- **Clerk Strole moved to recommend that we discontinue the services of RDSC pending the Supervisor securing and presenting to the Board by the April meeting proposals by alternative computer support companies for selection by the Board. Trustee Hopper supported the motion. Vote on the motion. Yes: Strole and Hopper; No: Walls, Dubre, Vallad, Lamont and Cooper. The motion failed by a 5 to 2 vote.**

Clerk Strole suggested that the Board put policies in place so we do not have this situation again. Treasurer Dubre agreed.

Public Comment: None

Adjournment:

Hearing no other business, Supervisor Walls adjourned the meeting at 9:55 p.m.

Collin W. Walls, Township Supervisor

Nancy Strole, Township Clerk