



ACME TOWNSHIP REGULAR BOARD MEETING
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
Tuesday, May 11, 2010 7:00 P.M.

MEETING CALLED TO ORDER AT 7:00 P.M.

Members present: D. Dunville, R. Hardin, W. Kladder, P. Scott, E. Takayama, L. Wikle, F. Zarafonitis
Members excused: None
Staff present: S. Vreeland, Township Manager and Recording Secretary
M. Radtke Jr., Temporary Deputy Zoning Administrator
T. Henkel, Buildings & Grounds Manager
J. Jocks, Legal Counsel

A. STUDY SESSION: None

B. LIMITED PUBLIC COMMENT:

Kladder welcomed the 5 students from Mrs. Leeuwenberger's Central High School Civics class in attendance this evening.

C. APPROVAL OF AGENDA: Kladder suggested moving consideration of support for Watershed Center Coastal Zone Management grant application from New Business 2 to Special Presentations 2, adding consideration of an Acme Township Coastal Zone Management Grant Application as Special Presentations 3, moving consideration of the proposed amendment to the Zoning Ordinance to New Business 2 from Public Hearings if there is no public objection, and adding consideration of a proposed new fee schedule from Olson, Bzdok & Howard as New Business 1.b.5.

Motion by Zarafonitis, support by Dunville to approve the agenda as amended to move consideration of support for Watershed Center Coastal Zone Management grant application from New Business 2 to Special Presentations 2, add consideration of an Acme Township Coastal Zone Management Grant Application as Special Presentations 3, move consideration of the proposed amendment to the Zoning Ordinance to New Business 2 from Public Hearings and add consideration of a proposed new fee schedule from Olson, Bzdok & Howard as New Business 1.b.5. Motion carried unanimously.

D. INQUIRY AS TO CONFLICTS OF INTEREST: None noted.

E. CONSENT CALENDAR: Dunville asked that the April board meeting minutes be removed from the Consent Calendar for discussion and Kladder asked that the Parks & Recreation proposed mission statement be removed for discussion.

Motion by Wikle, support by Takayama to approve the Consent Calendar as amended to remove approval of the 04/06/10 Board meeting minutes to Old Business 3 and to remove approval of the Parks & Recreation Advisory's proposed mission statement to New Business 3, including:

RECEIVE AND FILE:

1. [Treasurer's Report](#) as of 03-31-10
2. [Clerk's Report](#) as of 04-27-10
3. Draft Unapproved Meeting Minutes:
 - a. [03-24-10](#) GT County Road Commission
 - b. [03-23-10](#) Metro Emergency Services
 - c. [04-09-10](#) Heritage Advisory
 - d. [04-21-10](#) Shoreline Advisory Notes

- e. [04-19-10](#) YCNA Steering committee
4. [Parks and Maintenance](#) – Tom Henkel
5. [Metro Emergency Services Newsletter April 15, 2010](#)
6. [Status Update – VGT-Phase I SUP Application #2009-01P](#)

ACTION – Consider approval:

7. [Township Board meeting minutes of 04-06-10](#)
8. [Accounts Payable](#) of \$ 424,300.99 through 04-27-10 (recommend approval: Dunville)
9. [Resolution](#) supporting official electronic publication of required public notices

Motion carried by unanimous roll call vote.

F. SPECIAL PRESENTATIONS/DISCUSSIONS:

1. [Shoreline Preservation Project Update](#): Kladder stated that we need to raise an additional \$129,000 by June 1 to complete phase 1 of our shoreline acquisition project. The GT Regional Land Conservancy is being extremely helpful in this effort. Kladder is managing a “green deconstruction” of the former Shoreside Inn site. The sewer lines have been cut and capped and the wells will be closed soon. Several contractors have expressed interest in bidding on the green deconstruction process and SEEDS has volunteered to bring in youth to assist. A sale of remaining items in the buildings will be held this Saturday, May 15; both volunteers and shoppers are welcome. Various people would like portions of buildings, and one individual would like the entire owner’s residence. Finally, Steve Smith made a generous donation of \$100,000 to fully match a challenge grant received from the Carls Foundation. Kladder personally thanked Mr. Smith for his gift. He noted that donations are being solicited and received through the Conservancy and not the township, and that the township was unaware of this gift until informed by the Conservancy. Some concerns have been expressed about possible conflicts of interest related to this gift and some past and continuing development proposals, so the township wanted to provide an opportunity for the public to comment.

Dunville stated that Mr. Smith’s gift in memory of his late wife is extremely generous and a fitting memorial in Carla Smith’s honor.

One member of the public asked if the shoreline preservation area could be described for the students in the audience, and Kladder explained using pictures of the area posted on the wall.

Pat Salathiel, 4888 Five Mile Road, stated that she has known Mr. Smith for a few years. If he were here she is sure he would say that they haven’t always agreed on various issues and that the disagreements have been heated at times. She is very appreciative of the gift he has made, which is a tremendous honor to his late wife, and she knows that they both love this area and had planned to make their home here. Mrs. Salathiel said she was “humbled” by the support the community has given to this project in the form of gifts both large and small from foundations, citizens and even children. She thanked Mr. Smith for his generous donation to the township.

Scott thanked Mr. Smith for his generous gift.

2. [Resolution](#) supporting Watershed Center Coastal Zone Management Grant application: Ellen Kohler, Policy Specialist with The Watershed Center, has been meeting with our Parks & Recreation Advisory regarding the Center’s “Healthy Beaches” initiative. An opportunity exists to apply for this year’s round of Coastal Zone Management Grants (CZM), a program that could provide funds that would help us as we move forward in incorporating our newly acquired shoreline land into our parks system. The goals of the CZM program involve designing and developing systems that protect and enhance water quality.

Water quality is heavily impacted by runoff of nutrients and sediments from land uses with

large impervious surface areas. Management is accomplished by using low impact development (LID) principles to develop and redevelop sites, including minimizing impervious surface, minimizing runoff and sediment, and using native and other low-impact vegetation with varying root depths to absorb water and nutrients. Biodetention/retention areas are created to capture stormwater and direct it to natural plantings. Plantings can also capture water on-site from impervious areas. Semi-pervious pavement, rain barrel collection of roof runoff and sometimes green roofs are also good management tools. Acme's shoreline could be a good place to use porous pavement because it probably would not have to be plowed in the wintertime, reducing the potential of damage through maintenance. 12 maple trees at a 4" caliper can manage up to 1,400 gallons of runoff per year.

The Center's action plan for healthy beaches includes helping to create new ordinances, offer public education and encourage behavioral changes. Phase 2 includes a detailed sanitary survey and runoff source tracking, and phase 3 involves creation of additional contamination controls (such as eliminating waterfowl feeding to minimize *E coli* contamination from bird wastes). The Center is working with our Buildings & Grounds manager to establish signage in township parklands existing through early 2011 to educate the public about not feeding waterfowl and picking up pet wastes.

Beach grooming can disturb the food chain for our fish, so natural shoreline areas with minimal beach grooming is important. Such areas are also important bird habitats at various lifecycle stages, and birds can require more territory than people might suspect to thrive. Bird watching and fishing are important public recreation components. Fostering plant diversity helps with disease resistance, biodiversity and minimizes erosion by stabilizing shorelines.

The Center is thinking that a partnership for a CZM grant would help to do some planning for how we would design things like parking areas if and when we wish to place them along the shoreline in the future, and plan for protecting and restoring natural vegetation. The plan would create templates for how we would eventually undertake such activities, and as we expand the shoreline we could apply for additional grants to apply these principles. The Center has not applied for many of these particular grants before but will be looking more to this source in the future. They are excited about partnering with the township on our shoreline acquisition project, and feel this project and this program fit together very well. The requested grant amount size would be small, and the application must be submitted by the end of the week. There would be a summer site visit and any money awarded would be available starting in January 2011 which seems like a good fit for the township's shoreline redevelopment timeline. A township resolution of support, including a commitment of in-kind and/or cash match would be appreciated this evening. The in-kind match can include the value of elected and/or official meeting time on this issue.

Kladder indicated that planning for removal of a seawall on the newly acquired property and handicap access to the beach and water are important components of our planning. Hardin asked about porous pavement, and as Ms. Kohler described it she mentioned that it has to be vacuumed at least once a year so that the porous areas don't clog with sediment and essential become non-porous.

The proposed grant request is \$5,000. Board member time can be calculated for match at \$20/each/hour for time spent discussing the matter at Board meetings. Staff time can be billed at actual hourly employment costs. The Watershed Center is prepared to provide up to \$1,000 in match. The way the grant will be written there will be no current commitment to a specific engineering firm or the engineering of any specific design features; it would generally allow us to pursue smart growth planning of low impact design. The township may also be able to provide some match from other grants we are applying for such as the Tribal 2% grant.

Motion by Wikle, support by Scott to adopt Resolution R-2010-10 supporting Watershed Center Coastal Zone Management Grant Application, including an in-kind

and/or cash match in the amount \$4,000 of and a requested grant amount of \$5,000. Motion carried by unanimous roll call vote.

3. **Resolution supporting Acme Township Coastal Zone Management Grant application:** Mark Breederland from the MSU Extension/Sea Grant Program has offered to work with the township for an additional CZM grant for shoreline smart growth and marina feasibility planning. Both the CZM and Sea Grant Funding comes from federal funds through NOAA. CZM grants range from \$0 - \$60,000, with most falling in the under \$20,000 category. NMC recently received two small CZM grants. Mr. Breederland has been assisting the township with our marina feasibility study and he recommends asking for \$20,000 for additional smart growth planning. He may be able to bring some matching funds from the Sea Grant program. The township would commit to a match of \$20,000, and he is willing and able to draft the application for us before the deadline at the end of the week. This application will also ask for a potential waiver of the 1:1 match requirement. Funds would be available for any shoreline-related planning work performed after January 1, 2011 if the grant is awarded. Simple, 1-page quarterly reports are required. If only part of the match can be provided, we can receive only a portion of the grant requested on a reduced scope of services.

Motion by Wikle, support by Dunville to adopt Resolution R-2010-11 supporting a township Coastal Zone Management Grant Application, including an in-kind and/or cash match in the amount \$20,000 of and a requested grant amount of \$20,000. Motion carried by unanimous roll call vote.

G. REPORTS:

1. **Sheriff's Deputy – Mike Matteucci:** Deputy Matteucci read the statistics for the month of April. 232 total calls for service included 32 criminal complaints and 5 traffic crashes. A large number of calls for service involve follow-up worth. The radar trailer has been repaired so the seals aren't leaking water and it will be going into service for the season tonight on Audubon Trail.
2. **Deputy Zoning Administrator's Report – Marvin Radtke:** Kladder introduced our new Deputy Zoning Administrator, who offered a verbal report. 4 land use permits have been issued to date in 2010 and 3 sign permits. He is investigating 3 junk ordinance complaints and several zoning ordinance violation complaints. 2 sign ordinance violations have been resolved. He is assisting Horse Shows by the Bay with a potential office structure replacement, and working on catching up and organizing paperwork.
3. **County Commissioner's Report – Larry Inman:**

H. CORRESPONDENCE:

1. **05/11/10 e-mail from Virginia Tegel** asking about the township's plans for broadcasting meeting video and asking how cable franchise fees are currently used. The township currently receives approximately \$60,000 per year in cable franchise fees, which is added to the General Fund for unrestricted use. When we signed our last 10-year franchise agreement with Charter Communications in 2007, we elected not to collect an additional fee that could only be used for expenses related to governmental broadcasting. At that time the local public access channel was in management transition and the township was unsure if and when it would want to partner with the new UpNorth2. It has long been the goal of some township officials to purchase equipment for broadcasting (estimated cost of \$15,000 - \$20,000) and airtime. It is also recognized that only cable customers can view UpNorth2, so broadcasting there would not serve the increasing number of satellite TV subscribers. We have also looked into web podcasting. It was suggested that we consider beginning to at least upload meeting audio to the web, perhaps breaking down larger meetings and indexing them in smaller files by agenda item.

I. PUBLIC HEARINGS: None

J. OLD BUSINESS:

1. Septage Finance Issues:

- a. **Resolution supporting division of upcoming bond payments between County and guaranteeing townships:** Special revenues from Bay Harbor waste have dwindled away. Acme Township is responsible for 6.3% of the septage plant bond payments. Up to this point the facility has generated enough revenue to cover its operating expenditures, but not to cover the bond payments. Acting DPW director K. Ross Childs is actively seeking potential additional revenue streams. Acme's share of septage bond payments for the current fiscal year amount to approximately \$36,000, with most of the money due in the fall annually. A bill for the smaller spring payment has already been presented to the township by the County. The proposed resolution asks the County to cover 50% of the current and upcoming bond payments with the five bond guaranteeing townships dividing the other 50%, which would reduce the amount Acme may have to cover at this time to approximately \$18,000/year. Other townships are considering using money from their sewer funds or their general funds to cover their shares of the bond payments. Other ideas to help cover the bond payments are being discussed at the County level, including a potential special assessment on septage tank users. Kladder believes that the township will need to address the question of these bond payments for the next 3-5 years.

There is no guarantee that the County will be willing to make a 50% contribution towards the bond payments. Investigations into potential wrongdoing and negligent misinformation in the past of the plant creation process are ongoing. Any money ultimately recovered as a result of investigations and potential litigation would go first to legal costs and then towards bond payments.

Wikle asked if adoption of the resolution would create a liability for the township that might not already exist. Jock replied that the township is already liable for 6.3% of 100% of the bond payments, and this resolution is asking for the township to become liable for 6.3% of 50% of the bond payments.

Jocks suggested that if there are concerns about the resolution waiving potential claims regarding this issue, a paragraph could be added to the resolution to address this.

The County has made bond payments on behalf of the guaranteeing townships over the past several years, many times on a 0% loan basis.

Motion by Scott, support by Takayama to adopt Resolution R-2010-12 to pay a pro-rata share of 50% of the septage bond payments with Grand Traverse County to pay the other 50% as amended to add the following paragraph: "Be it further resolved that this resolution is not a waiver of any potential claims the Township may have concerning the Septage Treatment Facility." Motion carried by unanimous roll call vote.

- b. **Resolution in support of amendment to PA 185 of 1957 to allow for expansion of GT County Board of Public Works:** The question has been raised as to how the 5 septage plant guaranteeing townships might have a more direct say in the decisions impacting the facility made by the Board of Public Works (BPW). The membership of a BPW is largely on an *ex officio* basis as established by state law. There is a local proposal to seek a potential amendment of the relevant laws that would permit expansion of the number of BPW members, which would make room for a representative of every one of the guaranteeing townships to be appointed to the board. This would not resolve other pending questions about G.T. County BPW participation by a representative of Elmwood Township, which is in Leelanau

County.

There was much discussion and confusion about how the proposed resolution would impact the structure of the BPW. After looking up the portion of the law proposed to be amended on-line, there were still unresolved questions about how big the BPW board could potentially become and how it would operate.

Motion by Wikle, support by Dunville to table consideration of the proposed resolution supporting Statutory Amendment to the Board of Public Works Act pending further review of the proposed language. Motion carried unanimously.

2. **Solid Waste Update**: Over the past few years an initiative began with Garfield Township and the City of Traverse City to investigate how we handle our solid waste and whether there are more efficient or cost effective ways. Townships were offered the opportunity to participate as well, which Acme has done. As this study progresses, several townships have taken some independent action, and even some neighborhoods within townships. Garfield Township has adopted a 1-year “preferred hauler” program whereby Garfield property owners can call a particular waste hauler and receive a special rate for their garbage services on a voluntary basis, but may contract with any company serving the area. Blair Township has requested bids for both a preferred hauler program or a township-wide contract for all houses. Bids have come in to them as low as \$10/month/household for trash and curbside recycling service, with an option for removal of one bulky item/household/month for a minimal fee. It seems like significant savings could be achieved for our residents if we seek bids for mass service. Wikle suggested that along with curbside service by parcel that we ask for an option where people bring their trash and recyclables to various centralized locations for mass collection.
3. **Township Board meeting minutes of 04-06-10**: Dunville noted a needed correction to the resolution number in the motion approving publication of intent to issue bonds repayable with proceeds from a grant for the shoreline preservation program. The correct resolution number is R-2010-08 rather than R-2010-07.

Motion by Takayama, support by Zarafonitis to approve the 04-06-10 Board meeting minutes as corrected. Motion carried unanimously.

K. NEW BUSINESS:

1. **Consider adoption of proposed Zoning Ordinance Amendment 007 – Signs**: Vreeland recapped the summary memo that accompanied the proposed ordinance amendment. Overall the sign regulation section of the ordinance has been updated for readability, has added illustrations and definitions for various concepts and has maintained our traditionally restrictive maximum freestanding sign sizes. We continue to ban LED, LCD and other electronic changing signs, but we would now permit off-site seasonal directional signs for agribusinesses. There are a new specified maximum number of days for temporary signage per property per year, and the rules regarding use of vehicles as signs are clarified.

Motion by Scott, support by Takayama to adopt Zoning Ordinance Amendment 007 as presented. Motion carried by unanimous roll call vote.

2. **Approve Parks and Recreation Advisory mission statement**: Kladder is concerned about the proposed statement that the advisory is *responsible* for providing parks and services, as the Board of Trustees is ultimately responsible for this. He would propose alternative wording: “The Parks & Recreation Advisory will advise the township board concerning recreational facilities and programs for township residents.” The Board felt that this objective was accomplished by adopting the proposed revised mission statement at the lower portion of the memo.

Motion by Takayama, support by Scott to approve the Parks & Recreation mission statement “The Parks & Recreation Advisory will advise the township Board concerning recreational facilities and programs for township residents.” Motion carried unanimously.

The Chair declared a brief recess from 8:15 to 8:30 p.m.

3. **Budget Discussions**: The upcoming budget year appears to be the most challenging of the past six.
 - a. **2009-10 Year-to-date**: Not discussed.
 - b. **Preliminary 2010-11 Fiscal Year**
 1. **General Fund**: The Board reviewed the proposed General Fund budget, discussing an expected decrease in budgeted revenues of approximately \$47,000. This brings our expected revenue levels down to those seen in the mid-2000’s. Other specific discussion points:
 - Senior center funding: not all townships have been providing annual funding to the Senior Center as Acme has been doing. There is a proposed 0.1 mill renewal for the Commission on Aging, and there has been discussion about a county-wide millage to support the Senior Center. This, along with Fourth of July fireworks funding is proposed for elimination
 - Road Commission: generally used to pay for road brining for the past several years. In the past the Road Commission paid for brining. They stopped paying for it, substituting a program where individuals could request and pay for brining along their property frontage. Fewer and fewer individuals were paying for this, so the Road Commission approached the townships about paying to have all of their unpaved roads brined. The township has cost-shared with the Road Commission 50/50 in the past few years; this year the Road Commission will only commit to 25% of the cost. Currently eliminated from our budget.
 - We initially budgeted \$20,000 for septage bond payments from the General Fund. After discussion the amount was raised to the “worst-case” scenario of \$37,000.
 - No salary, wage or stipend payment increases have been proposed. Proposed elimination of a budget for per diems for meetings Trustees attend over 1 per month.
 - Supervisor proposes reduction of his travel/mileage budget and education/training budget.
 - Elections expenditures estimated for 3-4 elections in the coming fiscal year.
 - Clerk’s education budget can be trimmed to \$100. There was discussion about how much time and wage is required of our deputy clerk and deputy treasurer now that our clerk and treasurer are working full-time. It is important that the deputies be well-trained to step in and perform the functions of their primary officers in the event that the latter are temporarily unable to perform them. This training takes time. Scheduling needs can vary with seasonal workflows, and the officers can work to schedule their deputies for only the hours needed at any given time and come in under the proposed budget. There can be large projects that need to be taken care of. Current maximum hours budgeted for our deputies are somewhat higher than they were a few years ago.
 - Treasurer’s Cost Center: deputy budgeted for 20 hours a week for 50 weeks, but likely to come in lower. If less than 1,000 are worked by her for a year the projected retirement costs would go down as well.

- Planning & Zoning: under Zoning Administrator salary have initially budgeted for a 24 hour/week position rather than a 40 hour/week position as the Personnel Committee response to the budget stresses. We have also budgeted for the possibility of unemployment payments to the former Zoning Administrator. For the Planning Consultant line item \$0 is budgeted, however initially \$35,000 was requested by staff to have a community survey to support a Master Plan update performed.
- Maintenance & Parks: there was some discussion about the annual wage for the Buildings & Grounds Manager and how it compares to individuals who perform comparable duties in other townships. The township did obtain some comparable salary studies from the Michigan Townships Association about 18 months ago. The Board can direct the Personnel Committee to review all township wages and make a recommendation on what is appropriate. Some townships are contracting out some or even most or all of their outdoor maintenance activities to private firms; some are using prison labor. We have also budgeted for payment of taxes for 2010 for the last time on the newly-acquired shoreline park parcels.
- Currently estimated fiscal year deficit of spending vs. current year revenue is \$63,737

Kladder has been asking other townships how they are managing tighter budgets. He is hearing:

- Moving to 4-day workweeks
- Reducing workweeks to 32 hours
- Changing healthcare benefit plan and/or requiring larger premium contributions from employees
- Contracting out various tasks and services.

He asked the Board for their guidance to him and to the Personnel Advisory as to where to look for potential savings, and how much spending from the township's savings might be acceptable in the coming fiscal year. Guidance received included:

- If employee wage and salary reductions are proposed, consider making them across the board rather than in one or more specific positions. The Board also wants to ensure that all salaries and wages are appropriately comparable to similar townships.
- The township is a service provider and can only cut back so far before it goes back to the citizens and asks what their priorities are and what they are willing to pay for them. There is a good "rainy day fund" right now so this may not be the time to ask, but once we reach a fund balance of about half a year's worth of operating funds we may need to revisit this.
- Utilities savings from 4 day work weeks were not seen as sufficient to justify the reduction in service offered.
- There is a general desire to try to hold the level of employee benefits if possible, particularly because wages have been frozen with no cost of living increase consideration for several years.
- When we consider what a "safe" prudent level of fund balance is, we need to factor in the fact that a significant portion of our annual revenue comes in only once a year. Any spending from the balance forward would need to come from the approximately \$500,000 in long-term investments rather than the approximately \$300,000 we keep in our sweep accounts for cash flow purposes.
- The board is less oriented towards picking a specific target dollar

2. **Staffing levels**
3. **Salaries and wages**
4. **Consider road brining contract with Road Commission:** The 2010 budget line item for road brining was left at \$0
5. **Consider proposed 2010-11 Fiscal Year fee schedule for Olson, Bzdok & Howard:** Takayama stated a need to abstain due to a conflict of interest as he has personally employed this law firm.

Motion by Dunville, support by Zarafonitis to accept the proposed Olson Bzdok & Howard legal retainer fee schedule effective July 1, 2010. Motion carried by a vote of 6 in favor (Dunville, Hardin, Kladder, Scott, Wikle, Zarafonitis), 0 opposed and 1 abstaining (Takayama.)

L. PUBLIC COMMENT & OTHER BUSINESS THAT MAY COME BEFORE THE BOARD:

Jay Zollinger, 4232 Williamston Court stated it is important to look at what is actually spent compared to what is budgeted. As to our planning and zoning staffing needs, it is his impression that a lot of work has been done by our attorney in terms of drafting documents outside of our retainer at over \$100/hour that perhaps could be done by a very competent zoning administrator at closer to \$18/hour. This should be a key consideration as we decide how to staff. Mr. Zollinger also felt that the proposed grant applications with in-kind match contributions from the township were approved very quickly, but perhaps the implications of the value of these contributions on the budget have not been fully considered. Time spent is money spent, and he wonders if the township's ability to afford them was explored enough. Grant money is rarely completely free.

MEETING ADJOURNED AT 11:30 p.m.