

Board of Trustees Minutes

September 13, 2005

Supervisor Reaume called the meeting to order at 7:00 p.m. He led in a moment of silence for victims of Hurricane Katrina, the anniversary of 9/11, and for those who serve overseas. He then continued with the Pledge of Allegiance to the Flag.

MEMBERS PRESENT:

Richard Reaume, Supervisor
 Ron Edwards, Treasurer
 Marilyn Massengill, Clerk
 Kay Arnold, Trustee
 Charles Curmi, Trustee
 Robert Doroshewitz, Trustee
 Steven Mann, Trustee

ABSENT: None

OTHERS PRESENT:

James Anulewicz, Director of Public Service
 Joe Bridgman, Deputy Clerk
 Patrick Fellrath, Township Engineer
 James D. Anulewicz, Director of Public Services
 Mark Lewis, Chief Building Official
 Randy Maycock, Fire Chief
 Thomas Tiderington, Police Chief
 Alice Geletzke, Recording Secretary
 26 members of the public

Linda Alvarado, Jennifer Munson, and Nan Washburn from the Plymouth Symphony issued invitations to their upcoming 60th anniversary events and publicized their educational and community outreach.

D. APPROVAL OF AGENDA

Regular Meeting - Tuesday, September 13, 2005

Mrs. Massengill amended the agenda by adding under Item N, Closed Session for the purpose of Discussing POAM and COAM Negotiations. She then moved to approve the agenda for the Board of Trustees Regular Meeting of Tuesday, September 13, 2005, as amended. Seconded by Ms. Arnold.

Ayes all.

E. CONSENT AGENDA

E.1 Approval of Minutes

Regular Meeting - Tuesday, August 9, 2005
 Special Meeting - Tuesday, August 23, 2005
 Special Meeting - Tuesday, September 6, 2005

E.2 Approval of Township Bills

		Year 2005
General Fund	(101)	\$ 1,214,577.22
General Fund Loan to Downtown Development Authority	(101)	-
Water/Sewer	(592)	863,096.91
Improvement Revolving	(246)	293,342.99
SWD	(226)	99,931.72
Trust and Agency	(701)	131,542.64
Tax Pool	(703)	213,885.60
Drug Forfeiture	(265)	224.20
Special Assessment Capital Project Fund	(805)	6,353.75
	Total:	\$2,822,955.03

E.3 Approval of Easements - N/A

E.4 Communications-Resolutions-Reports

A. Communications

Thank you letter to Assistant Chief Wendel and Plymouth Township
from Huron Valley Ambulance
Note complimenting Plymouth Township Park from Lila Zan
Note from Rev. Joseph B. Tremonti complimenting Plymouth Township Park
Thank you letter to Chief Maycock from William D. Pratt

B. Resolutions

City of Flat Rock, Opposition to Reduced Funding for the Michigan
Fire Fighters Training Council Resolution
City of Flat Rock, Opposing Proposals to Tax City Golf Courses and
Ice Arenas Resolution

C. Reports - N/A

Mrs. Massengill moved to approve the Consent Agenda for the Board of Trustees Regular Meeting of Tuesday, September 13, 2005, as submitted, with the exception of the Township Bills. Seconded by Ms. Arnold.

Ayes all.

The Board discussed the bills and Mr. Edwards indicated the addition of an invoice submitted just prior to the meeting for building work payments for AC3 in the amount of \$241,351.48, changing the Improvement Revolving total to \$293,342.99 and the total bills to \$2,822,955.03.

Ms. Arnold moved to approve payment of the Township Bills as amended. Seconded by Mrs. Massengill.

Ayes all.

F. PUBLIC COMMENT AND QUESTIONS (Non-Agenda Items Only)

Mr. Jim Gurd questioned why no fire or rescue vehicles or personnel were present at Fire Station No. 3 for a period last week.

Chief Maycock explained the fumes and drying time caused by the installation of a non-slip epoxy floor coating necessitated splitting the personnel between the other two stations.

G. PUBLIC HEARING

- G.1 Request from Loc Performance Products, Inc., for a twelve year
Industrial Facilities Exemption
Resolution No. 05-09-13-28

Connie Pylar, Chief Financial Officer of Loc Performance Products, Inc., addressed the Board and answered questions.

Mr. Reaume opened the Public Hearing at 7:42 p.m. There being no public comment, the hearing was closed at 7:43 p.m.

Mr. Edwards moved to approve Resolution No. 05-09-13-28, granting a twelve (12) year Industrial Facilities Exemption to Loc Performance Products, Inc., covering an addition to their existing facility, and the purchase and installation of new machinery and equipment. The facility is located at 13505 Haggerty Road, Plymouth Township, Wayne County, Michigan. Seconded by Mr. Mann.

Ayes all on a roll call vote.

The Resolution reads as follows:

WHEREAS, pursuant to P.A. 198 of 1974, as amended, after a duly noticed public hearing held on January 23, 2001, the Board of Trustees of the Charter Township of Plymouth, by resolution, established an Industrial Development District for Loc Performance Products, Inc., 13505 Haggerty Road, Tax I.D. #R078-026-99-0003-701, containing 26.030 acres, located in Plymouth Township, Wayne County, Michigan; and

WHEREAS, Loc Performance Products, Inc., filed an application on July 28, 2005, requesting a twelve (12) year Industrial Facilities Exemption Certificate, with respect to the addition to their existing facility located at 13505 Haggerty Road, including the cost of new machinery and equipment; and

WHEREAS, before acting on said application, the Board of Trustees held a public hearing on Tuesday, September 13, 2005, in the Meeting Room at Plymouth Township Hall commencing at 7:42 p.m., at which hearing the applicant, the assessor, and representatives of the affected taxing

units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, completion of the building and installation of new machinery and equipment within the facility had not begun earlier than six (6) months before July 28, 2005, the date of the acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, completion of the facility and installation of said machinery and equipment is calculated to and will, at the time of issuance of the certificate, have the reasonable likelihood to retain, create or prevent the loss of employment in the Charter Township of Plymouth; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the Charter Township of Plymouth, after granting this certificate will exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Charter Township of Plymouth that:

1. The Board of Trustees finds and determines that the granting of the Industrial Facilities Exemption Certificate, considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of Public Acts of 1974, as amended, and Act No. 255 of the Public Acts of 1978, as amended, shall not have the effect of substantially impeding the operation of the Charter Township of Plymouth, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the Charter Township of Plymouth.

2. The application of Loc Performance Products, Inc., for an Industrial Facilities Exemption Certificate with respect to an addition to the existing facility and the addition of new machinery and equipment to be acquired and installed on the following described parcel of real property situated within the Industrial Development District, to wit:

13505 Haggerty Road
Tax I.D. #R-78-026-99-0003-701

be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate, when issued, shall be and remain in effect for a period of twelve (12) years, after completion, in accordance with Township requirements and applicable statutory provisions found in MCL et seq.

G.2 Request from Tower Automotive, Inc., for a twelve year Industrial Facilities Exemption Resolution No. 05-09-13-29

Dennis Pike, Tax Director; Aaron Kimball, Plant Manager; and Todd Churchwood, Baden Tax Management, Fort Wayne, Ind., addressed the Board and answered questions.

Mr. Reaume opened the Public Hearing at 7:55 p.m. There being no comment, the Public Hearing was closed at 7:56 p.m.

Mr. Curmi moved to approve Resolution No. 05-09-13-29, granting a twelve (12) year Industrial Facilities Exemption to Tower Automotive, Inc., covering the cost of new machinery and equipment to be purchased and installed in their leased facility located at 43955 Plymouth Oaks Blvd., Lot 15, Plymouth Oaks Business Park, Plymouth Township, Wayne County, Michigan, with the following contingencies:

1. That Tower Automotive, Inc., agrees to a contract that will include a clause that Tower will pay all Township costs of State Tax Commission or State Tax Tribunal appeals.

2. And that the Chief Financial Officer sign off on the value of all installed equipment when the project is completed.

Seconded by Ms. Arnold.

Roll Call: AYES: Curmi, Arnold, Doroshewitz, Edwards, Reaume
NAYS: Mann, Massengill

Motion carried.

The Resolution reads as follows:

WHEREAS, pursuant to P.A. 198 of 1974, as amended, after a duly noticed public hearing held on July 17, 1990, the Board of Trustees of the Charter Township of Plymouth, by resolution, established an Industrial Development District for Plymouth Oaks Business Park, located in

Plymouth Township, Wayne County, Michigan; and

WHEREAS, Tower Automotive, Inc., filed an application on July 15, 2005, requesting a twelve (12) year, after completion, Industrial Facilities Exemption Certificate, with respect to the cost of new machinery, equipment, furniture and fixtures to be installed in their leased facility located at 43955 Plymouth Oaks Blvd; and

WHEREAS, before acting on said application, the Board of Trustees held a public hearing on Tuesday, September 13, 2005, in the Meeting Room of the Township Hall at 7:55 p.m., at which hearing the applicant, the assessor, and representatives of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, installation of said machinery, equipment, furniture and fixtures within the facility had not begun earlier than six (6) months before July 28, 2005, the date of the acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, installation of said machinery, equipment, furniture and fixtures is calculated to and will, at the time of issuance of the certificate, have the reasonable likelihood to retain, create or prevent the loss of employment in the Charter Township of Plymouth; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the Charter Township of Plymouth, after granting this certificate will exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Charter Township of Plymouth that:

1. The Board of Trustees finds and determines that the granting of the Industrial Facilities Exemption Certificate, considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of Public Acts of 1974, as amended, and Act No. 255 of the Public Acts of 1978, as amended, shall not have the effect of substantially impeding the operation of the Charter Township of Plymouth, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the Charter Township of Plymouth.

2. The application of Tower Automotive, Inc., for an Industrial Facilities Exemption Certificate with respect to installation of new machinery, equipment, furniture and fixtures to be acquired and installed on the following described parcel of real property situated within an Industrial Development District, to wit:

43955 Plymouth Oaks Blvd.
Lot 15
Plymouth Oaks Business Park

be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate, when issued, shall be and remain in effect for a period of twelve (12) years, after completion, in accordance with Township requirements and applicable statutory provisions found in MCL et seq.

Attorney Cronin presented a letter from Randall P. Whately, PLLC, regarding Progressive Tool & Industries v Township of Plymouth, concerning Precision.com. There is an appeal before the Tax Tribunal that the personal property is not worth as much as originally stated. The Township will incur an appraisal fee of \$20,000 to fight the claim when it is the company's own estimates driving their appeal. He recommends a Public Hearing be held for the Township Board to consider making a resolution recommending to the Tax Tribunal that Precision.com's tax abatement be revoked. He also thinks the Township might want to consider filing a lawsuit to ask for reimbursement. He thinks the other tax jurisdictions might want to be involved, as well.

Mr. Doroshewitz moved to set October 25, 2005, as the date for a Public Hearing for the revocation of Precision.com's Industrial Facilities Exemption Certificate. Seconded by Ms. Arnold.

Ayes all.

H. COMMUNITY DEVELOPMENT - N/A

Mr. Curmi moved to table Items I.1, I.2, and I.3 to the end of the meeting. Seconded by Mr. Reaume.

AYES: Curmi, Reaume

NAYS: Arnold, Doroshewitz, Edwards, Massengill, Mann

Motion defeated.

I. UNFINISHED BUSINESS

- I.1 Setting Fees for Electronic Data/FOIA Requests
(Postponed on June 14th to July 12th, postponed on July 12th to August 9th, postponed August 9th to September 13th)

Mr. Edwards moved to postpone indefinitely setting fees for electronic data/FOIA requests.
Seconded by Mr. Mann.

Ayes all.

- I.2 2005 Wages for Non-Represented Employees

Mr. Mann, Mr. Curmi, and Mr. Doroshewitz said they wished to discuss pay increases more in depth at a special meeting.

Mr. Edwards moved to approve the proposed 2005 and 2006 percentage wage increases for all eligible non-represented Township employees as presented, with the 2005 increases retroactive to January 1, 2005. Seconded by Ms. Arnold.

Roll call: AYES: Edwards, Arnold, Massengill, Reaume
NAYS: Curmi, Doroshewitz, Mann

- I.3 Approve the adoption of the 2003 International Fire Code with Appendices as the Township Fire Code and the Repeal of Ordinance C-2002-05
Ordinance No. C-2005-07

Mrs. Massengill moved to approve the second reading of Ordinance C-2005-07, adopting the 2003 Edition of the International Fire code with Appendices as the Township Fire code and the repeal of Ordinance C-2002-05. Seconded by Ms. Arnold.

Ayes all on a roll call vote.

A copy of the Ordinance is on file in the Clerk's office for public perusal.

J. NEW BUSINESS

- J.1 Approve the WTUA budget for the fiscal year ending September 30, 2006
Resolution No. 05-09-13-31

Aaron Sprague of WTUA addressed the Board and answered questions.

Mr. Mann moved to adopt Resolution No. 05-09-13-31, approving the budget for the Western Townships Utilities Authority as presented. Seconded by Ms. Arnold.

Ayes all on a roll call vote.

The Resolution reads as follows:

WHEREAS, on August 22, 2005, the Board of Commissioners of the Western Townships Utilities Authority adopted a budget for the fiscal year ending September 30, 2006; and

WHEREAS, the Authority is required to present its budget to each of its member Townships for approval.

NOW, THEREFORE, BE IT RESOLVED that the budget for the Authority for the fiscal year ending September 30, 2006, in the amounts presented, is hereby approved.

- J.2 Lakeview Condominiums - Storm Drain Agreement and Resolution
Resolution No. 05-09-13-32

Mr. Michael Bailey, Township Engineer, addressed the Board and answered questions.

Mr. Edwards moved to adopt Resolution 05-09-13-32, authorizing the Township Supervisor to sign Wayne County Permit c-42636 and approve Storm Drain Agreement with Lakeview Condominiums, Plymouth Township, LLC, and authorize the Township Supervisor and Clerk to execute same.
Seconded by Mrs. Massengill.

Ayes all on a roll call vote.

A copy of the Resolution is on file in the Clerk's office for public perusal.

- J.3 Establish 2006 Board of Trustee Meeting Dates

Mrs. Massengill moved to approve the 2006 Board of Trustee meeting dates as listed below. Meetings will be held in the Meeting Room at Plymouth Township Hall and commence at

7:00 p.m., unless otherwise posted. Meetings will be held in the Meeting Room at the new Plymouth Township Hall on Haggerty Road upon completion of the facility.

Special meetings will be scheduled for Tuesdays, unless otherwise posted:

January 10	February 21	March 14 & 28	April 11 & 25
May 9 & 23	June 13 & 27	July 18	August 15
September 12 & 26	October 10 & 24	November 14	December 12

J.4 New Township Hall Update/Sally Port

Police Chief Tiderington presented a memorandum regarding possible financing for a major portion of the construction of a sally port, which he considers a critical component of the new facility.

Mr. Curmi moved to incorporate the sally port in the construction of the Township Hall/Police Station, contingent upon \$100,000 in forfeiture money offsets. Seconded by Mr. Doroshewitz.

Ayes all.

The Board discussed possible lettering on the lintel above the meeting room. The consensus was to have the lettering say "Town Hall."

Mr. Reaume indicated Mrs. Massengill, Mr. Edwards, Deputy Clerk Bridgman, Mary Bruce, and Becky Armstrong will be on the furniture selection committee.

K. SUPERVISOR COMMENTS

Mr. Reaume updated Board members on the DDA streetscape, indicating the lighting was to be installed near the end of the month and the RFP's for maintenance will be going out soon.

L. TRUSTEE COMMENTS

Mr. Mann commented that the streetscape is looking good.

Ms. Arnold noted she heard the school board is contemplating building a vocational school.

The Board discussed the upcoming RFP's for the golf course being opened October 14. Mr. Curmi and Mr. Doroshewitz volunteered to review the bids.

M. PUBLIC COMMENT - There was none.

N. CLOSED SESSION

At 10:32 p.m., it was moved by Mrs. Massengill and seconded by Ms. Arnold that a closed session be called for the purpose of discussing:

POAM and COAM Negotiations

This is a permissible purpose under the Michigan Open Meetings Act, Public Act No. 267 of 1976, Article 15.268, Section 8, Paragraph (c) and (e).

Ayes all on a roll call vote.

At 11:34 p.m., it was moved by Ms. Arnold and seconded by Mr. Edwards to return to open session.

Ayes all on a roll call vote

O. ADJOURN

Mrs. Massengill moved to adjourn the meeting. Seconded by Ms. Arnold. Ayes all.

Meeting adjourned at 11:35 p.m.

PLEASE TAKE NOTE; The Charter Township of Plymouth will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at all Township Meetings, to individuals with disabilities at the Meetings/Hearings upon two weeks notice to the Charter Township of Plymouth by writing or calling the following: Human Resource Office, 42350 Ann Arbor Road, Plymouth, MI 48170. Phone number (734) 354-3202 TDD units: 1-800-649-3777 (Michigan Relay Services)