

**CHARTER TOWNSHIP OF COMMERCE
REGULAR BOARD OF TRUSTEES MEETING**

Tuesday, March 9, 2010

2009 Township Drive
Commerce Township, Michigan 48390

CALL TO ORDER: Supervisor Thomas Zoner called the meeting to order at 7:00 p.m. and introduced the members of the Board.

PLEDGE OF ALLEGIANCE TO FLAG

ROLL CALL: Present: Thomas K. Zoner, Supervisor
Sandra Abrams, Clerk
Susan Gross, Treasurer
Debra Kirkwood, Trustee
Robert Long, Trustee
Daniel Munro, Trustee
Rick Sovel, Trustee

Also Present: Phillip Adkison, Township Attorney
Hans Rentrop, Township Attorney
Jay James, Giffels-Webster Engineers

APPROVAL OF MINUTES

MOTION by Abrams, supported by Munro, to approve the Regular Township Board Meeting minutes of February 9, 2010 with a correction to Item 3 Capital Improvement Bonds as follows: Tom Traciak, ACI Finance and the Special Joint Meeting of February 23, 2010, as submitted.

MOTION CARRIED UNANIMOUSLY

PRESENTATIONS:

A. Wastewater Treatment Plant Update – Giffels – Webster and Spence Brothers

John Solowczuk of Giffels-Webster Engineers and Bob Jessie of Spence Brothers were present to provide the Board with an update as to the schedule, budget and overall progress of the WWTP expansion.

Out of order:

ITEM 5:3-9 CONTRACT AWARDS AND AGREEMENT

A. Fourth Amendment to Contract for Construction Management Services

Phillip Adkison, Township Attorney and Bob Jessie of Spence Brothers explained the contract.

MOTION by Abrams, supported by Sovel, to approve the Acceptance of Bid and Masonry Subcontract and authorize appropriate signatures.

MOTION CARRIED UNANIMOUSLY

PETITIONS:

A. Sherwood Acres Paving Special Assessment District

Jay James, Giffels-Webster Engineers gave an overview of the Special Assessment District.

MOTION by Abrams, supported by Munro, to approve the Resolution of the Township Board of the Charter Township of Commerce, Tentatively Declaring its Intention to Establish a Special Assessment District to be known as Sherwood Acres Paving SAD. Resolution Attached.

MOTION CARRIED UNANIMOUSLY

ITEM 1:3-9 APPROVAL OF AGENDA

MOTION by Abrams, supported by Gross, to approve the Agenda with the following changes: Move Item 13 to Item 2A.

Discussion – Long recommends moving Item 12A to Item 2B.

AMENDMENT TO THE MOTION by Abrams, supported by Gross to move Item 12A to Item 2B.

AMENDMENT AND MOTION CARRIED UNANIMOUSLY

ITEM 2:3-9 PUBLIC COMMENTS

No one present had any comments.

**A. ITEM 13:3-9 DOWNTOWN DEVELOPMENT AUTHORITY BUDGET
(Tabled 2-9-10)**

MOTION by Munro, supported by Sovel, to remove Downtown Development Authority Budget from the Table. **MOTION CARRIED UNANIMOUSLY**

Sandra Motz gave an overview of the DDA budget.

MOTION by Munro, supported by Gross, to approve the Downtown Development Authority Budget for Calendar Year 2010, as presented and attached,

ROLL CALL VOTE

AYES: Munro, Gross, Abrams, Kirkwood, Zoner

NAYS: Long, Sovel

MOTION CARRIED

B. ITEM 12:3-9 NEW BUSINESS: Environmental Insurance Report
Ken Hale of Hale, Stein, Murphy & Hale, was present and gave a summary of the Environmental Insurance Report.

MOTION by Munro, supported by Sovel, to accept the recommendation of Ken Hale to acquire a three-year insurance policy, not to exceed \$15,000.00 annually, \$10,000,000/\$10,000,000 for each incident and a \$100,000,000 deductible including 5% additional premium for International Terrorism Coverage and authorize the appropriate signatures. Funds to come from the Sewer Enterprise Fund and amend the budget accordingly.

ROLL CALL VOTE

AYES: Munro, Sovel, Gross, Long, Zoner, Abrams

NAYS: Kirkwood

MOTION CARRIED

ITEM 3:3-9 PUBLIC HEARINGS

**A. Williams International – Industrial Facilities Exemption Certificate
(Tabled 1-12-10 and 2-9-10)**

This will remain on the Table.

ITEM 4:3-9 BOARD APPOINTMENTS

None

ITEM 6:3-9 INTRODUCTIONS

None

ITEM 7:3-9 ADOPTIONS

None

ITEM 8:3-9 SITE CONDOMINIUMS AND PLATS

None

ITEM 9:3-9 CONSENT AGENDA

None

ITEM 10:3-9 PURCHASES

None

ITEM 11:3-9 OLD BUSINESS

None

ITEM 12:3-9 NEW BUSINESS

B. Detroit Gun Club Proposed Consent Judgment

MOTION by Munro, supported by Abrams, to approve the Detroit Gun Club Consent Judgment. Consent Judgment attached.

MOTION CARRIED UNANIMOUSLY

MOTION by Kirkwood, supported by Sovel, to authorize the Downtown Development Authority to pay expenses relative to the Detroit Gun Club Consent Judgment.

MOTION CARRIED UNANIMOUSLY

C. Pinewood Industrial Building Proposed Consent Judgment

This will be discussed in Closed Session.

D. Glenlore Proposed Consent Judgment

This will be discussed in Closed Session.

E. Wolverine Lake Village and Commerce Township Agreement

MOTION by Munro, supported by Kirkwood, to approve the Wolverine Lake Village and Commerce Township Agreement. Agreement attached.

MOTION CARRIED UNANIMOUSLY

ITEM 15:3-9 OTHER MATTERS (continued)

RAILS TO TRAILS RESOLUTION

MOTION by Abrams, supported by Gross, to approve the Resolution supporting the submission of the grant application for Michigan Department of Natural Resources and Environment Trust Fund Grant monies for the acquisition of 5.43 miles of railway right of way known as the Michigan Airline Railway.

MOTION CARRIED UNANIMOUSLY

GOOSE ROUND UP POLICY

MOTION by Gross, supported by Abrams, to approve the Resolution for a Goose Nest Destruction Program for Lower Straits Lake Preservation Committee (LSLPC) for one year only.

MOTION CARRIED UNANIMOUSLY

ITEM 16:3-9 CLOSED SESSION

MOTION by Gross, supported by Munro, to enter into Closed Session to discuss pending litigation.

ROLL CALL VOTE

AYES: Long, Abrams, Sovel, Munro, Kirkwood, Gross, Zoner

NAYS:

MOTION CARRIED UNANIMOUSLY

9:13 p.m. recess

Entered into Closed Session at 9:30 p.m.

Retuned Closed Session at 10:20 p.m.

MOTION by Munro, supported by Gross, to approve the Closed Session Minutes.

MOTION CARRIED UNANIMOUSLY

MOTION by Munro, supported by Abrams, to approve the Consent Judgment for Pinewood Industrial Buildings as proposed in Closed Session.

MOTION CARRIED UNANIMOUSLY

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MOTION by Munro, supported by Gross, to approve the Consent Judgment for Glenlore as proposed in Closed Session.

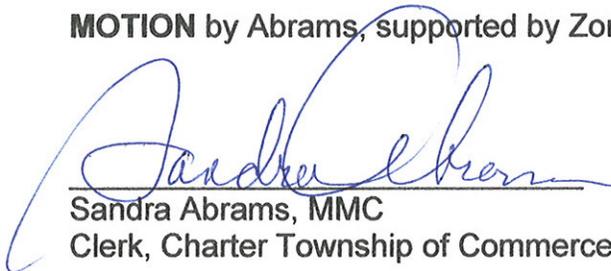
MOTION CARRIED UNANIMOUSLY

ITEM 17:3-9 ADJOURNMENT

As there were no other matters to come before the Board.

MOTION by Abrams, supported by Zoner, to adjourn at 10:30 p.m.

MOTION CARRIED UNANIMOUSLY



Sandra Abrams, MMC
Clerk, Charter Township of Commerce