

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

Tuesday, June 8, 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 Gross, to approve the Regular Township Board Meeting minutes of May 11, 2010 and the Special Township Board Meeting minutes of May 25, 2010, as submitted.

MOTION CARRIED UNANIMOUSLY

PRESENTATIONS:

A. Layton & Richardson
Shannon Rodriguez, Layton & Richardson reviewed the 2009 Audit with the Board.

Following the presentation Ms. Rodriguez was complemented by the Board on the profession & courteous manner in which the audit was conducted.

PETITIONS:

None

ITEM 1:6-8 APPROVAL OF AGENDA

MOTION by Abrams, supported by Gross, to approve the Agenda with the addition of a consensus of the Board in regards to an e-mail received (Other Matters) and the addition of an Executive Session to discuss pending litigation.

MOTION CARRIED UNANIMOUSLY

ITEM 2:6-8 PUBLIC COMMENTS

One resident in attendance complimented the Board on the appearance of the road from Oakley Park to the Township Hall. Some areas within the Township need to have brush trimmed to provide better visibility while driving in a vehicle. Supervisor Thomas Zoner said this is the Road Commission for Oakland County's responsibility and advised her of their website where she can fill out a complaint form.

Pam Jackson 5736 Lancaster Lane, introduced herself and stated she is running for State Senate for the district.

ITEM 3:6-8 PUBLIC HEARINGS

None

ITEM 4:6-8 BOARD APPOINTMENTS

A. Planning Commission – William McKeever: 3 Year Term

MOTION by Abrams, supported by Kirkwood, to approve the recommendation of Supervisor Thomas Zoner to re-appoint William McKeever to the Planning Commission for a 3 Year Term expiring June 30, 2013.

MOTION CARRIED UNANIMOUSLY

B. Zoning Board of Appeals – William McKeever: 3 Year Term

MOTION by Abrams, supported by Sovel, to approve the recommendation of Supervisor Thomas Zoner to re-appoint William McKeever to the Zoning Board of Appeals for a 3 Year Term expiring June 30, 2013.

MOTION CARRIED UNANIMOUSLY

ITEM 5:6-8 CONTRACT AWARDS AND AGREEMENT

A. Detroit Water and Sewer Contract

Jay James, Giffels-Webster Engineers gave an overview of the contract.

MOTION by Abrams, supported by Gross, to approve the Water Service Contract between the City of Detroit and the Charter Township of Commerce and authorize the appropriate signatures.

MOTION CARRIED UNANIMOUSLY

B. Lake Sherwood Paving SAD Contract Award

Jay James, Giffels-Webster Engineers explained the contract.

MOTION by Munro, supported by Gross, to approve the recommendation of Giffels-Webster Engineers to award the Lake Sherwood Paving SAD Contract to the low bidder Summit Transport Inc. for \$1,188,422.80.

MOTION CARRIED UNANIMOUSLY

C. Sherwood Acres Paving SAD Contract Award

Jay James, Giffels-Webster Engineers explained the contract.

MOTION by Munro, supported by Abrams, to approve the recommendation of Giffels-Webster Engineers to award the Sherwood Acres Paving SAD Contract to the low bidder Summit Transport Inc. for \$197,542.75.

MOTION CARRIED UNANIMOUSLY

ITEM 6:6-8 INTRODUCTIONS

A. An Ordinance to Amend Ordinance No. 2.003 to be known as the Charter Township of Commerce Fee Ordinance No. 2.004.

MOTION by Abrams, supported by Gross, to Introduce an Ordinance to Amend Ordinance No. 2.003 to be known as the Charter Township of Commerce Fee Ordinance, Ordinance No. 2.004, post and publish according to law.

MOTION CARRIED UNANIMOUSLY

ITEM 7:6-8 ADOPTIONS

A. Zoning Ordinance No. 3.000 – Re-affirm / Re-adopt

MOTION by Munro, supported by Abrams, to Adopt the Resolution of the Township Board of the Charter Township of Commerce Ratifying and Re-Adopting the Township Zoning Ordinance 3.000.

MOTION CARRIED UNANIMOUSLY

ITEM 8:6-8 SITE CONDOMINIUMS AND PLATS

None

ITEM 9:6-8 CONSENT AGENDA

- A. Approve the Permit for the Long Lake Fireworks Display
- B. Approve the Permit for the Commerce Lake Fireworks Display
- C. Approve the Permit for the Lake Sherwood Fireworks Display

MOTION by Abrams, supported by Munro, to approve the Consent Agenda.

ROLL CALL VOTE:

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

NAYS:

MOTION CARRIED UNANIMOUSLY

ITEM 10:6-8 PURCHASES

A. Township TV

Supervisor Thomas Zoner explained the Township received \$5,583.30 from AT&T PEG (Public Education & Government) Fee money. The money can only be spent on education and the purchase of fixed assets. The money will be placed in a separate PEG fee account within the General Fund and will be tracked there.

MOTION by Abrams, supported by Sovel, to approve the purchase of a digital TV connected to cable in an amount not to exceed \$600.00. This will serve as a source of review and monitoring of the public channel, per the agreement of the cable franchise. Funds to come from the PEG (Public Education & Government) fee account within the General Fund.

Long – The Township should go out for bids on the TV.

Sovel – Should the TV be placed in the lobby instead of one person's office?

Abrams withdrew her Motion, Sovel withdrew his support.

MOTION by Sovel, supported by Abrams, to Table purchase of a Township TV.

MOTION CARRIED UNANIMOUSLY

ITEM 10:6-8 PURCHASES (continued)

B. Flammable Liquid Storage Cabinet

MOTION by Abrams, supported by Gross, to approve the recommendation of the Fire Chief, Joseph Schornack to purchase a Securall 30 Gal Safe-T-Dr 2-Dr Cabinet (flammable liquid storage cabinet) for the Maintenance Department from A&A Sheet Metal Products Inc. for \$769.00. Funds to come from the General Fund.

MOTION CARRIED

ITEM 11:6-8 OLD BUSINESS

None

ITEM 12:5-11 NEW BUSINESS

A. Health Insurance Township Policy – No Action Taken 5-11-10
Move to Other Matters

B. MTA Dues

MOTION by Abrams, supported by Gross, to approve payment to MTA (Michigan Townships Association) for annual dues covering 7-1-2010 through 6-30-2011 and legal defense discretionary assessment for \$6,454.34. Funds to come from the General Fund Fund Balance.

ROLL CALL VOTE:

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

NAYS: Long

MOTION CARRIED

C. Water Tower Consideration

Jay James, Giffels-Webster Engineers gave an update and stated the Water Resource Commission apologized because they could not attend. Jay would like to bring this back before the Board next month when the Water Resource Commission could attend.

No action taken.

ITEM 12:5-11 NEW BUSINESS (continued)

D. Building Department Staffing

Jay James, Giffels-Webster Engineers asked for direction to determine if the Township Board wishes to continue their current support system with Township staff.

MOTION by Abrams, supported by Gross, to continue the current support services of Giffels-Webster Engineers to assist the Building Department for the remainder of the 2010 year. **MOTION CARRIED UNANIMOUSLY**

E. LOT Swap Consideration

Wes Fog, 2103 Helmsford, Wolverine Lake, Michigan was present and stated he would like to build a garage on his property. There is a 15' setback on his parcel which does not leave him enough room to build a garage larger than 15"wide. He asked for direction from the Township Board or is they would consider swapping his parcel (Lot 27 and 28) for the Township's parcel (Lot 23 and 24). Sovel recommends he contact the Road Commission for Oakland County to request the roadway vacated.

No action taken.

F. Library

Sovel advised the Board of the Library Board Special Meeting held on June 7, 2010 to work on an updated job description for a Library Director. They would like to start the process to fill the Library Director position.

MOTION by Sovel, supported by Abrams, to authorize the Township Supervisor to establish and post a job summary for a Library Director Position as provided by a sub committee made up of Supervisor Thomas Zoner, Barbara Garbutt and Carol Keeler. **MOTION CARRIED UNANIMOUSLY**

ITEM 13:6-8 ORDERS

MOTION by Abrams, supported by Gross, to approve the orders with additions **MOTION CARRIED UNANIMOUSLY**

ITEM 14:6-8 OTHER MATTERS

Discussion took place regarding appointment of trustees to the ZBA, Planning Commission and Parks and Recreation Committee.

Munro advised Phillip Adkison, Township Attorney that the Parks and Recreation Committee would like the timeframe for the following:

Lead contracts
Maple Glen RFP
Richardson Center Policy

Munro advised the Board that the Parks and Recreation Committee would provide signage proposals for the Boards review.

ITEM 15:6:8 CLOSED SESSION

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

ROLL CALL VOTE:

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

NAYS:

MOTION CARRIED UNANIMOUSLY

Entered into Closed Session 8:32 p.m.

Returned from Closed Session 8:45 p.m.

MOTION by Gross, supported by Sovel to approve the minutes of the Closed Session.
MOTION CARRIED UNANIMOUSLY

MOTION by Gross, supported by Kirkwood to approve the Execution of the Consent Judgment as discussed in Closed Session.
MOTION CARRIED UNANIMOUSLY

Discussion on notice to be put in tax bill regarding water restrictions.

Discussion of Township Health Insurance.

MOTION by Sovel, supported by Munro to direct Township Supervisor to implement Priority Health PPO proposed options 1 and 2 as presented.
MOTION CARRIED UNANIMOUSLY

Tuesday, June 8, 2010

MOTION by Sovel, supported by Munro to direct the Township Supervisor to implement an IRS Sec 125 Premium Only Plan.

MOTION CARRIED UNANIMOUSLY

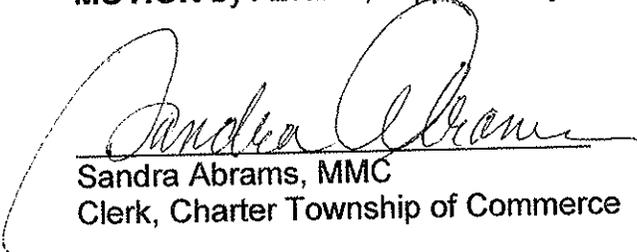
Discussion of Wolverine Lake Sewer.

ITEM 16:6-8 ADJOURNMENT

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

MOTION by Abrams, supported by Sovel to adjourn at 9:50 p.m.

MOTION CARRIED UNANIMOUSLY



Sandra Abrams, MMC
Clerk, Charter Township of Commerce