CHARTER TOWNSHIP OF COMMERCE
REGULAR BOARD OF TRUSTEES MEETING
Tuesday, August 9, 2011
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
Daniel Munro, Clerk
Susan Gross, Treasurer
David Law, Trustee
Robert Long, Trustee
Rick Sovel, Trustee

Absent: Debra Kirkwood (excused)

Also Present: Loren Crandell, Giffels-Webster Engineers
Jason Mayer, Giffels-Webster Engineers
Hans Rentrop, Township Attorney

APPROVAL OF MINUTES

MOTION by Sovel, supported by Munro, to approve the Regular Township Board meeting minutes of July 12, 2011, as written.

MOTION CARRIED UNANIMOUSLY

PRESENTATIONS:

A. Layton & Richardson

Ms. Shannon Rodriguez gave a presentation and answered questions regarding the Township's 2010 Audit Books.

B. Joe Heffernan – Plante Moran

Joe Heffernan was not present.

Kathleen Jackson discussed the rationale for levying the two mill-operating levy.

PRESENTATIONS:

Joe Heffernan – Plante Moran (continued)

* **MOTION** by Sovel, supported by Long, **NOT** to levy any additional millage to the Downtown Development District.

MOTION by Gross, supported by Munro to Table Plante Moran.

ROLL CALL VOTE:
AYES: Gross, Munro
NAYS: Long, Sovel, Law, Zoner
ABSENT: Kirkwood

MOTION FAILED

*** Vote on the previous Motion made by Sovel, supported by Long:**

ROLL CALL VOTE:
AYES: Sovel, Long, Law, Gross, Munro
NAYS: Zoner
ABSENT: Kirkwood

MOTION CARRIED

PETITIONS:
None

ITEM 1:8-9 APPROVAL OF AGENDA

MOTION by Gross, supported by Munro, to approve the Agenda.

MOTION CARRIED UNANIMOUSLY

ITEM 2:8-9 PUBLIC COMMENTS
None

ITEM 3:8-9 PUBLIC HEARINGS
None

ITEM 4:8-9 BOARD APPOINTMENTS

A. Clarence Mills – Zoning Board of Appeals: 3 year term

MOTION by Munro, supported by Sovel, to approve the recommendation of Supervisor Thomas Zoner to re-appoint Clarence Mills to the Zoning Board of Appeals for a 3-year term expiring on August 31, 2014.

MOTION CARRIED UNANIMOUSLY

B. Appointment of Township Trustee for the Parks and Recreation Committee

MOTION by Gross, supported by Sovel, to accept the resignation of Daniel Munro from the Parks and Recreation Committee.

MOTION CARRIED UNANIMOUSLY

Supervisor Thomas Zoner recommends the appointment of David Law to the Parks and Recreation Committee.

MOTION by Sovel, supported by Munro, to appoint David Law to the Parks and Recreation Committee, to fill the position of Daniel Munro, for a term expiring on November 20, 2012. **MOTION CARRIED UNANIMOUSLY**

ITEM 5:8-9 CONTRACT AWARDS AND AGREEMENTS

A. RCOC Tri-Party Agreement

Tom Noechel, Road Commission for Oakland County, was present to discuss and answer questions regarding the Tri-Party Agreement.

MOTION by Munro, supported by Sovel, to approve the Cost Participation Agreement Construction S. Commerce Road to Union Lake Road Charter Township of Commerce Board Project Number 50131 and approve the appropriate signatures. This is contingent upon review by the Township Attorney and modify the language to reflect payment in 2012.

MOTION CARRIED UNANIMOUSLY

B. Library Construction

Connie Jo Ozinga, Library Director, and Chuck Kummer, Kummer Construction, were present to discuss remodeling the current library building.

MOTION by Sovel, supported by Munro, to authorize Chuck Kummer to move forward with the pre-construction phase for the remodel of the current library building and bring back to the Township Board for review and/or approval.

MOTION CARRIED UNANIMOUSLY

ITEM 5:8-9 CONTRACT AWARDS AND AGREEMENTS

C. Oakland County Sheriff's Department Contract – Tabled 7-12-11
This shall remain on the Table.

D. Facility Dude Contract
Daniel Munro explained the proposal submitted by Facility Dude.

MOTION by Munro, supported by Sovel, to approve the Utility Bill & Energy Analysis Program Contract submitted by Facility Dude for a one-year period and authorize the appropriate signatures.
MOTION CARRIED UNANIMOUSLY

E. BS&A Contract
Janet Bushey was not present to explain the contract and answer questions.

MOTION by Gross, supported by Munro, to Table the BS&A Software Contract.
MOTION CARRIED UNANIMOUSLY

F. Building Officials Mutual Aid Agreement

MOTION by Gross, supported by Munro, to approve the Interlocal Agreement effective January 1, 2009 between Participating Political Subdivisions as Signatories to this Interlocal Agreement Creating the Oakland County Building Officials Association Damage Assessment Mutual Aid Agreement and authorize the appropriate signatures. **MOTION CARRIED UNANIMOUSLY**

G. Meijer v Commerce Township
Hans Rentrop, Township Attorney recommends the Board authorize retention of an appraiser to assist in its defense.

MOTION by Munro, supported by Law, to enter into an agreement with LTM, Incorporated to prepare the appraisal in conjunction with the appraisals for Oxford and White Lake Townships at $6,300.00 each. If Oxford and White Lake Townships do not participate, then LTM, Incorporated shall prepare the appraisal on a "stand-alone" basis at $9,500.00. **MOTION CARRIED UNANIMOUSLY**

ITEM 6:8-9 INTRODUCTIONS
None

ITEM 7:8-9 ADOPTIONS
None

ITEM 8:8-9 SITE CONDOMINIUMS AND PLATS
None

ITEM 9:8-9 CONSENT AGENDA

A. Approve the Resolution for Ladd Sanitary Sewer SAD Refund Roll
B. Approve the Change of Meeting Date for the Township Board

MOTION by Gross, supported by Munro, to approve the Resolution of the Township Board of the Charter Township of Commerce Approving Consent Agenda with the removal of Item B.

ROLL CALL VOTE:
AYES: Gross, Munro, Long, Sovel, Law, Zoner
NAYS:
ABSENT: Kirkwood

MOTION CARRIED UNANIMOUSLY

B. Approve the Change of Meeting Date for the Township Board
Long would like the meeting date changed to November 1, 2011 because November 15, 2011is opening day for deer hunting season.

MOTION by Munro, supported by Sovel, to Table the change of meeting date for the Township Board. **MOTION CARRIED UNANIMOUSLY**

ITEM 10:8-9 PURCHASES
None

ITEM 11:8-9 OLD BUSINESS
None

ITEM 12:8-9 NEW BUSINESS

A. Public Library Association Conference
Connie Jo Ozinga was present to explain the benefits of attending the conference. The Friends of the Library may contribute to the registration fees and travel expenses.

MOTION by Munro, supported by Sovel, to authorize the Library Director to register for the 2012 Public Library Association Conference in Philadelphia for Connie Jo Ozinga and Ben Sebrowski at a cost of $575.00, funds to come from

ITEM 12:8-9 NEW BUSINESS

A. Public Library Association Conference (Motion continued)
the 2011 Library Budget and bring back to the Township Board an expense request for lodging, meals and miscellaneous items, funds to come from the 2012 Library Budget. **MOTION CARRIED UNANIMOUSLY**

ITEM 13:8-9 ORDERS

MOTION by Gross, supported by Sovel, to approve the orders and additions.
MOTION CARRIED UNANIMOUSLY

ITEM 14:8-9 OTHER MATTERS

A. Waiver of Property Transfer Fee
Susan Gross is requesting approval for waiver of the property transfer fee for 4381 S. Commerce Road. The recording of a Quit Claim Deed on November 8, 2010 transferring ownership among family members triggered the $200.00 penalty.

MOTION by Sovel, supported by Munro, to waive the $200.00 property transfer fee penalty for 4381 S. Commerce Road, parcel 17-10-477-032.
MOTION CARRIED UNANIMOUSLY

B. Four Day Work Week
Daniel Munro, Clerk stated the four-day workweek trial period is scheduled to end on September 23, 2011. The Township has received positive feedback from residents. One example is the early morning hours are useful for contractors visiting the Building Department. There has also been a cost savings from cleaning fees and DTE Energy costs. Sovel reviewed previous usage from the DTE Energy bills and does not believe there has been a cost savings.

MOTION by Munro, supported by Gross, to continue, on a permanent basis, a four-day workweek for Commerce Township Hall employees.

ROLL CALL VOTE:
AYES: Munro, Gross, Long, Zoner
NAYS: Law, Sovel
ABSENT: Kirkwood

MOTION CARRIED

Sovel – became aware, during a Library Advisory Board Meeting, there are monies in the "TLN Fund" that are 'unaccounted for'. Sovel believes these funds need to be recorded on the Township books. Supervisor Thomas Zoner will follow through and advise the Board of his findings.

ITEM 15:8-9 CLOSED SESSION

A. Attorney/Client Privilege Information

None

ITEM 16:8-9 ADJOURNMENT

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

MOTION by Munro, supported by Sovel, to adjourn at 9:56 p.m.

MOTION CARRIED UNANIMOUSLY

Daniel P. Munro, Clerk
Charter Township of Commerce