CHARTER TOWNSHIP OF COMMERCE
REGULAR BOARD OF TRUSTEES MEETING
Tuesday, September 13, 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
Debra Kirkwood
David Law, Trustee
Robert Long, Trustee (arrived 7:19 p.m.)
Rick Sovel, Trustee

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

APPROVAL OF MINUTES

MOTION by Sovel, supported by Kirkwood, to approve the Regular Township Board meeting minutes of August 9, 2011 with a correction to page two, Motion under Presentations; change to: "**NOT** to levy any *additional* millage" , and the Quarterly Township Board and Joint DDA meeting minutes of August 23, 2011 as written. **MOTION CARRIED UNANIMOUSLY**

Students from Lakeland High School attended.

PRESENTATIONS:

A. Lakes Area Youth Assistance

Dan Kolbe and Deb Lindsey, Case Worker Lakes Area Youth Assistance, were present to explain the function of the Lakes Area Youth Assistance program.

B. Brennen Thomas – Boy Scout Troop 172

Brennen Thomas was not present. No action taken.

PETITIONS:
None

ITEM 1:9-13 APPROVAL OF AGENDA

MOTION by Gross, supported by Sovel, to approve the Agenda.
MOTION CARRIED UNANIMOUSLY

ITEM 2:9-13 PUBLIC COMMENTS
None

ITEM 3:9-13 PUBLIC HEARINGS
None

ITEM 4:9-13 BOARD APPOINTMENTS
None

ITEM 5:9-13 CONTRACT AWARDS AND AGREEMENTS

A. Oakland County Sheriff's Department Contract – Tabled 7-12-2011 & 8-9-2011

This will remain on the Table.

B. BS&A Contract – Tabled 8-9-2011

This will remain on the Table.

ITEM 6:9-13 INTRODUCTIONS

A. An Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to be known as Code Amendment Ordinance No. 1.015 – Precious Metal and Gem Dealers.

Hans Rentrop, Township Attorney, gave an explanation.

MOTION by Munro, supported by Sovel, to Introduce an Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to be known as Code Amendment Ordinance No. 1.015 – Precious Metal and Gem Dealers. **MOTION CARRIED UNANIMOUSLY**

ITEM 6:9-13 INTRODUCTIONS (continued)

B. An Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to be known as Code Amendment Ordinance No. 1.016 – Freedom of Information.

Hans Rentrop, Township Attorney, gave an explanation.

MOTION by Munro, supported by Gross, to Introduce an Ordinance to Amend the Code of Ordinances, Charter Township of Commerce, Oakland County, Michigan to be known as Code Amendment Ordinance No. 1.016 – Freedom of Information. **MOTION CARRIED UNANIMOUSLY**

ITEM 7:9-13 ADOPTIONS
None

ITEM 8:9-13 SITE CONDOMINIUMS AND PLATS
None

ITEM 9:9-13 CONSENT AGENDA

A. Smart Municipal Credit Contract and Waiver of Rights
B. Haggerty Road Cost Participation Agreement
C. Resolution to Approve Fox Lake Weed Control SAD Refund

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

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

MOTION CARRIED UNANIMOUSLY

ITEM 10:9-13 PURCHASES

A. Byers Furnaces

MOTION by Munro, supported by Law, to approve the recommendation of the Parks and Recreation Committee to award the bid to Mulligan Heating, Inc. for an amount not to exceed $4,810.00 for installation of new furnaces in the Byers barn and farmhouse. Funds to come from the Parks and Recreation Millage.

MOTION CARRIED UNANIMOUSLY

ITEM 10:9-13 PURCHASES (continued)

B. House repair northeast corner

MOTION by Gross, supported by Law, to solicit bids for repairs to the house on the northeast corner at the Byers Farm. Repair cost shall not to exceed $7,200.00 with $2,700.00 paid for by the Friends of Byers.

MOTION CARRIED UNANIMOUSLY

ITEM 11:9-13 OLD BUSINESS

None

ITEM 12:9-13 NEW BUSINESS

A. Travel Regulations

Daniel Munro gave an explanation.

MOTION by Gross, supported by Munro, to approve the Charter Township of Commerce Revised Travel Regulations.

MOTION CARRIED UNANIMOUSLY

B. Letter of Understanding – AFSCME

Daniel Munro gave an explanation.

MOTION by Sovel, supported by Munro, to approve the Letter of Understanding between A.F.S.C.M.E. Local 2720.21 and The Charter Township of Commerce with additional language: "floating holiday banked hours must be used by December 31, 2012" and authorize the appropriate signatures.

MOTION CARRIED UNANIMOUSLY

ITEM 13:9-13 ORDERS

MOTION by Gross, supported by Kirkwood, to approve the orders and additions.

MOTION CARRIED UNANIMOUSLY

ITEM 14:9-13 OTHER MATTERS

A. Budget Discussion

Supervisor Thomas Zoner passed out budget information for the Board's review. In addition, Supervisor Thomas Zoner asked the Board to review wage considerations for employees of Commerce Township and bring back to the Township Board for discussion later. Brief discussion took place on the present economy and the Township's projection of revenue.

ITEM 14:9-13 OTHER MATTERS (continued)
Sovel asked for an update on M-5. Kathleen Jackson stated the project is on schedule.

ITEM 15:9-13 CLOSED SESSION

A. **Attorney/Client Privilege Information**
B. **Purchase of Property**

MOTION by Long, supported by Munro, to exclude Robert Long from Closed Session, Purchase of property, due to a possible conflict of interest.

MOTION CARRIED UNANIMOUSLY

MOTION by Munro, supported by Kirkwood, to enter into Closed Session to discuss attorney/client privilege information and purchase of property.

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

MOTION CARRIED UNANIMOUSLY

Entered into Closed Session at 8:07 p.m.
Returned from Closed Session at 10:02 p.m.

MOTION by Zoner, supported by Sovel, to approve the minutes of the Closed Session

MOTION CARRIED UNANIMOUSLY

MOTION by Munro, supported by Sovel, to authorize the Township Attorney to draft a revision to the Fee Ordinance that establishes the sewer capital charge for the period October 17, 2007 through June 22, 2011 at the same rate that was set by the Fee Ordinance prior to October 17, 2007.

MOTION CARRIED UNANIMOUSLY

MOTION by Munro, supported by Sovel, to amend the Sewer Ordinance and Fee Ordinance be to permit customers not on a public water system to select one of two alternatives for assessing capital charges: the standard REU approach that has been used historically or the determination of appropriate meter size using the American Water Works Association (AWWA M22: Sizing Water Service Lines and Meters) approach.

MOTION CARRIED UNANIMOUSLY

MOTION by Long, supported by Kirkwood, to allow Robert Long to abstain from voting on the purchase of property, due to a possible conflict of interest.

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

MOTION by Sovel, supported by Law, to direct the Township Attorney to negotiate the purchase of property for a Water Tower

MOTION CARRIED UNANIMOUSLY

MOTION by Sovel, supported by Kirkwood, to direct the Township Engineer to perform the necessary Due Diligence to purchase property and meet with the DWSD for an expense not to exceed $20,000 to come from the Water Fund

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

MOTION CARRIED

ITEM 16:9-13 ADJOURNMENT

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

MOTION by Munro, supported by Sovel, to adjourn at 10:17 p.m.

MOTION CARRIED UNANIMOUSLY

Daniel P. Munro, Clerk
Charter Township of Commerce