

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES
TUESDAY, DECEMBER 22, 2009

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MI 48042

PRESENT: MARK H. GRABOW, SUPERVISOR
MICHAEL D. KOEHS, CLERK
MARIE MALBURG, TREASURER
DINO F. BUCCI, JR, TRUSTEE
JANET DUNN, TRUSTEE
ROGER KRZEMINSKI, TRUSTEE
NANCY NEVERS, TRUSTEE

ABSENT: NONE

ALSO PRESENT: Lawrence Dloski, Legal Counsel
Jack Daley, Planning Consultant
James VanTiflin, Engineering Consultant
(Additional attendance on file at the Clerk's Office)

Supervisor GRABOW called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

ROLL CALL

1. Clerk KOEHS called the roll and the Board of Trustees was present.

APPROVAL OF THE AGENDA

2. The agenda was reviewed and items 5B2, 5B3, 16A, and 18A were added.

MOTION by DUNN seconded by BUCCI to approve the agenda as amended.

MOTION carried.

APPROVAL OF THE BILLS

3. Both bill runs were reviewed and there were no additions, deletions or corrections.

MOTION by NEVERS seconded by KOEHS to approve both bill runs as presented.

MOTION carried.

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APPROVAL OF THE PREVIOUS MEETING MINUTES

4. The minutes of the previous meeting held on December 9, 2009 were reviewed and any additions, corrections or deletions were discussed and made.

MOTION by DUNN seconded by MALBURG to approve the minutes of the meeting of December 9, 2009 as presented.

MOTION carried.

5.  **Consent Agenda Items:**

A. Clerk's Department:

1. **Model Bond Release;** Margherita Estates-Lot 2; Section 22; Excel Homes, Inc., Petitioner.
2. **Site Plan Bond Release;** Quadrate Industrial Park – Lot 19, 20 and 21; Section 18; Quadrate Development, LLC – Petitioner.
3. **Site Plan Bond Release;** Regency Industrial Commons – Lots 27 & 28; Section 17; Regency Center Development, LLC – Petitioner.
4. **Site Plan Bond Release;** St. Peter Lutheran Church; Section 8; St. Peter Lutheran Church, Petitioner.
5. **Wall Sign Bond Release;** Dollar General; Section 32; Allied Signs, Inc., Petitioner.
6. **Asphalt Paving Bond Release;** AT & T Cell Tower; Section 12; Hydaker-Wheatlake Company, Petitioner.
7. **Site Plan and Entrance Sign Bond Release;** Westwood Estates Subdivision; Section 16; D & K Land Developers, Petitioner.
8. **Landscape Bond Release;** Cornerstone Village Subdivision #6; Section 27; Cornerstone Village Associates, Petitioner.
9. **Site Plan Bond Release;** Lutheran Heritage Foundation Building; Section 17; Frank Rewold & Son, Inc., Petitioner.
10. **Site Plan Bond Release;** MetroPCS Wireless, Inc. Co-Location, Section 31; MetroPCS Wireless, Inc., Petitioner.

B. Human Resources

1. Request for a Medical / Family Leave of Absence
2. Request for a Personal Leave of Absence
3. Request for a Medical / Family Leave of Absence

Supervisor GRABOW reviewed this matter and asked if any of the Board members wanted to remove any item from the Consent Agenda and place it for discussion on the regular agenda.

MOTION by KRZEMINSKI seconded by BUCCI to approve the Consent Agenda as amended.

MOTION carried.

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6. **Public Comments, Agenda Items Only** - (3 minute time limit)

NONE

PLANNING

7. **Amendment Proposals;** Zoning Ordinance Number 10; Article XXI – Section 10.2103, Article XXI – Section 10.2013, Article XXII – Section 10.2202 B 3, Article XXII – Section 10.2203; Allow for certain commercial businesses to be conducted in an M-1, Light Manufacturing, Zone.

Mr. Jack Daley, Planning Consultant, reviewed this matter and the circumstances that predicated this proposed amendment, and he further stated his recommendation for approval.

MOTION by DUNN seconded by NEVERS to approve the Amendment Proposals to Zoning Ordinance Number 10; Article XXI – Section 10.2103, Article XXI – Section 10.2013, Article XXII – Section 10.2202 B 3, Article XXII – Section 10.2203 to allow for certain commercial businesses to be conducted in an M-1 Zone (Light Manufacturing) as proposed.

**AYES: DUNN, NEVERS, KRZEMINSKI, BUCCI, MALBURG, KOEHS,
GRABOW**
NAYS: NONE

MOTION carried.

NEW BUSINESS

8. Request to Approve Purchasing Policy.

(This matter was tabled to the meeting of January 13, 2009.)

9. Request to Designate Purchasing Agent.

(This matter was tabled to the meeting of January 13, 2009.)

10. Request to Approve Investment Policy.

(This matter was tabled to the meeting of January 13, 2009.)

11. Request to Approve Accounts Payable Policy.

Clerk KOEHS reviewed this matter and stated that this policy is simply a written description of how accounts payable are currently being handled. He further stated his recommendation for approval.

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MOTION by BUCCI seconded by KRZEMINSKI to approve the Accounts Payable Policy as presented and adopt it with immediate effect.

MOTION carried.

12. Request to Approve Payroll Policy.

Clerk KOEHS reviewed this matter and stated that this policy is simply a written description of how the payroll process is currently being handled. He further stated his recommendation for approval.

MOTION by KRZEMINSKI seconded by DUNN to approve the Payroll Policy as presented and adopt it with immediate effect.

MOTION carried.

13. Request for 2010 Membership Dues; Clinton River Watershed Council

Clerk KOEHS reviewed this matter and stated that this is a reduction from last year's dues by five hundred dollars and that the Water and Sewer Department benefit from the membership in this organization. He further stated his recommendation for approval.

MOTION by BUCCI seconded by KRZEMINSKI to approve payment of the 2010 Clinton River Watershed Council Dues in the amount of four thousand five hundred dollars (\$4,500.00).

MOTION carried.

14. Request to Amend a Consent Judgment; Grabow vs. Macomb Township.

Supervisor GRABOW reviewed this matter and asked the Board to consider the request.

Clerk KOEHS asked the Supervisor to clarify his status with the Brentwood Limousine Company as the Board had been told in the past that he was no longer running the company. Clerk KOEHS also inquired if the purpose of the request was to seek permission to continue the Brentwood Limousine activity at their present location. He reminded the Board that this use is not permitted in the current zone and that there is a Consent Judgment which requires Brentwood to vacate those premises by December 31 of this year. The Supervisor indicated that the most reasonably priced location he could find was in Chesterfield Township. He was then reminded that the Consent Judgment does not require the company to leave Macomb Township and if it chooses to do so, that is by its own decision. Trustee BUCCI inquired if the request was being made by Brentwood Limousine or by the Supervisor on behalf of Brentwood Limousine.

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MOTION by BUCCI seconded by KRZEMINSKI to receive and file the correspondence received from Mark Grabow requesting to amend the consent judgment regarding Grabow vs. Macomb Township.

MOTION carried, the correspondence was received and filed.

PARKS AND RECREATION

15. Request Permission for Conference Attendance; Michigan Recreation and Parks Association Annual Conference.

Mr. Salvatore DiCaro, Parks and Recreation Director, reviewed this matter and stated his recommendation for approval.

MOTION by DUNN seconded by NEVERS to approve the request for permission for three staff members to attend the Michigan Recreation and Parks Association Annual Conference for a cost not to exceed one thousand five hundred dollars (\$1,500.00).

MOTION carried.

INFORMATION TECHNOLOGY

16. Request to Purchase Workstation Replacements.

Mr. Jim Koss, Information Technology Director, reviewed this matter and the quotes that were received. He further stated that he had no recommendation regarding this matter and that the Board should select a vendor.

MOTION by KRZEMINSKI seconded by KOEHS to award the bid for ten (10) workstations as specified in the quotes to Tech Depot for eight thousand six hundred and nine dollars (\$8,609.00).

MOTION carried.

- 16A. Request to Purchase.

Mr. Jim Koss, Information Technology Director, reviewed this matter and stated that he also had no recommendation on this purchase request.

MOTION by KRZEMINSKI seconded by KOEHS to award the bid for a Document Imaging Server to CDS for an amount of five thousand nine hundred ninety six dollars and seventy five cents (\$5,996.75) and; the bid for the associated Data Storage Hardware to Tech On Web for an amount of eight hundred ninety eight dollars and forty six cents (\$898.46).

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MOTION carried.

HUMAN RESOURCES

17. Request to Extend Offers of Employment for Utility Workers.

Mr. John Brogowicz, Human Resources Director, reviewed this matter and the recruitment process and stated his recommendation for approval to extend an offer of employment as a Utility Worker to Mr. Anthony Cardillo and Mr. Walter Fouts contingent upon the successful completion of a post offer physical examination including drug and alcohol testing.

MOTION by BUCCI seconded by DUNN to approve the request to extend offers of employment as Utility Workers to Mr. Anthony Cardillo and Mr. Walter Fouts, contingent upon the successful completion of a post offer physical examination including drug and alcohol testing.

MOTION carried.

FIRE DEPARTMENT

18. Request to Promote a Fire Fighter.

Chief Robert Phillips reviewed this matter and stated that Probationary Fire Fighter Neil Boes has successfully completed the eighteen month probationary period and further stated his recommendation for promotion.

MOTION by KRZEMINSKI seconded by DUNN to approve the Request to Promote a Neil Boes to the position of Paid on Call Fire Fighter.

MOTION carried.

- 18A. Request to Approve Payment for Uniform Shirts.

Chief Robert Phillips, reviewed this matter and stated the order is finally completed and all materials have been received by the Department He further stated his recommendation for approval.

MOTION by DUNN seconded by NEVERS to approve the request to pay for the Uniform Shirts from Gall's in the amount of one thousand four hundred two dollars, (\$1,402.00), including shipping.

MOTION carried.

WATER AND SEWER DEPARTMENT

19. MDOT Annual Permit.

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Mr. Gerry Wangelin, Water & Sewer Superintendent, reviewed this matter and stated that this permit is an annual requirement for his department to operate within the MDOT easements. He stated his recommendation for approval.

MOTION by KOEHS seconded by BUCCI to authorize the Supervisor to sign Michigan Department of Transportation Annual Permit.

MOTION carried.

20. MDOT Performance Resolution for Governmental Bodies.

Mr. Gerry Wangelin, Water & Sewer Superintendent, reviewed this matter and stated his recommendation for approval.

MOTION by DUNN seconded by NEVERS to adopt the MDOT Performance Resolution for Governmental Bodies and authorize the Clerk to attest the approval.

AYES: DUNN, NEVERS, KRZEMINSKI, BUCCI, MALBURG, KOEHS, GRABOW

NAYS: NONE

MOTION carried.

Public Comments, Non-Agenda Items Only - (3 minute time limit)

Mr. John Shedlock, 56425, Card Road, spoke regarding the water main project for the New Haven Schools which is currently being installed along Card Road from 25 Mile Road to 26 Mile Road. He raised concerns regarding the location of culverts for the fire hydrants, the gaskets in the man holes, the trees and sheds in the easement that have not been removed, the dangers of repairs in the wetland areas of the project and the disposal of ash trees. He was informed by the Supervisor that the Supervisor's office would follow up on this issue and contact him with the results.

BOARD COMMENTS

21. Supervisor Comments: Supervisor GRABOW thanked the Fireflies for their work, he thanked the residents for the nice outdoor lights and he welcomed Army Specialist Alec Knapp to Macomb Township.

22. Clerk Comments: Clerk KOEHS thanked Ms. Stacy VanReyndam, Finance Manager, for the thorough work she did regarding the keeping of Macomb Townships financial records and the audit preparation.

a. Review of General Appropriations Act Format.

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Clerk KOEHS explained the reasons for this request and how the new format will assist the Board in the annual reviewing of our Capital Improvement plan, our financial policies and our Schedule of Fees.

MOTION by KRZEMINSKI seconded by DUNN to approve the new format of the General Appropriations Act for the upcoming budget year of 2010-2011.

MOTION carried.

b. Request to revise Agency Specific Record Retention Schedule.

Clerk KOEHS reviewed this proposed amendment and indicated that this is another record that we keep which is not listed on the State General Schedule so it must be added to our Agency Specific Schedule.

MOTION by BUCCI seconded by KRZEMINSKI to approve the amendment to the Agency Specific Retention Schedule to include "Indemnity and Hold Harmless Agreements".

MOTION carried.

23. Treasurer Comments: Treasurer MALBURG advised the Board that the tax collection process was going well, and she wished everyone a Merry Christmas and a Happy New Year.
24. Trustees Comments: The Trustees wished everyone a Happy Holiday Season. Trustee KRZEMINSKI stated that the Board should ask Plante & Moran to assist us with a study of a five year projection of anticipated revenues.

MOTION by KRZEMINSKI seconded by KOEHS to have Plante & Moran assist the Board of Trustees with developing a study of a five year projection of anticipated revenues.

MOTION carried.

MOTION by BUCCI seconded by KRZEMINSKI to adjourn to Executive Session at 8:15 p.m.

MOTION carried.

(The Board returned to Regular Session at 8:19 p.m.)

EXECUTIVE SESSION

25. Macomb Township vs. Bliss; Condemnation Proceeding.

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MOTION by KOEHS seconded by BUCCI to authorize legal counsel to sign the Consent Judgment as proposed.

MOTION carried.

26. Peuterbaugh Trust Tax Appeal

MOTION by KOEHS seconded by KRZEMINSKI to authorize legal counsel to sign the settlement agreement as presented.

MOTION carried.

ADJOURNMENT

MOTION by BUCCI seconded by KRZEMINSKI to adjourn the Board of Trustees meeting at 8:23 p.m.

MOTION carried.

Respectfully submitted,

Mark H. Grabow
Macomb Township Supervisor

Michael D. Koehs, CMC
Macomb Township Clerk