

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JULY 28, 2010

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

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

ABSENT: MARIE MALBURG, TREASURER

ALSO PRESENT: Colleen O'Connor, Legal Counsel  
Jerome Schmeiser, 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 as indicated above.

**APPROVAL OF THE AGENDA**

2. The agenda was reviewed and items 5A3, 5C5, 5C6, 11a, 11B, 11C and 14A 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 DUNN to approve both bill runs as presented.**

**MOTION carried.**

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JULY 28, 2010

**APPROVAL OF THE PREVIOUS MEETING MINUTES**

4. The minutes of the previous meeting held on July 14, 2010 were reviewed and any additions, corrections or deletions were discussed and made.

**MOTION by BUCCI seconded by KOEHS to approve the minutes of the meeting of July 14, 2010 as presented.**

**MOTION carried.**

5. **Consent Agenda Items:**

A. Clerk's Department:

1. Request to Purchase Election Equipment Memory Cards.
2. Special Event Bond Release; St. Isidore Catholic Church; Section 17; St. Isidore Catholic Community, Petitioner.
3. Request to Approve the Maintenance and Inspection Agreement for the Township Weather Sirens.

B. Water/Sewer Dept.

1. Easement Encroachment: Brook Run Subdivision, Lot 66, Sidwell # 08-21-308-005.
2. Easement Encroachment: Beaufait Farms Subdivision No. 2, Lot 86, Sidwell # 08-35-126-017.
3. Easement Encroachment: Villa Rosa Subdivision # 4, Lot 170, Sidwell # 08-07-402-004.
4. Easement Encroachment: Pinewood Villas East Subdivision, Lot 13, Sidwell # 08-16-329-007.
5. Request approval of the requisition to pay East Jordan Iron Works Inc. for water main maintenance and sewer main maintenance.

C. Human Resources

1. Michigan Public Employer Labor Relations Annual Conference.
2. Request to Attend Business Meeting.
3. Request to Rescind Offer of Employment.
4. Special Request Regarding Extended Offer of Employment.
5. Request to Rescind Offer of Employment.
6. Request to Settle Grievance.

D. Fire Department

1. Payment Requisition-Emergency Roof Repair.

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JULY 28, 2010

2. Request to Attend One Day Fire Inspector Seminar.

E. Building Department

1. Request to Attend All Day Educational Meeting for Plumbing Inspector.

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 KOEHS seconded by NEVERS to approve the Consent Agenda with items 5C4 and 5C5 tabled to the meeting of August 11, 2010.**

**MOTION carried.**

6. **Public Comments, Agenda Items Only**

**NEW BUSINESS**

7. Request to Amend the Law Enforcement Agreement with Macomb County.

Clerk KOEHS reviewed this matter and informed the Board that the Macomb County Board of Commissioners had approved the amendment to add two deputy sheriffs to the contract and to reduce the Sergeant position to a Sergeant 1 position. Funding for this was approved when the budget was adopted last month. He further stated his recommendation for approval.

**MOTION by BUCCI seconded by KOEHS to approve the proposed amendment to the Law Enforcement Services Agreement between the township and the County of Macomb as proposed.**

**MOTION carried.**

8. Request to Adopt an Eagle Scout Resolution.

Clerk KOEHS reviewed this matter and informed the Board that Joshua M. Yasoni had achieved the rank of Eagle Scout with the Boy Scouts of America. The resolution proposed is to declare Sunday, August 22, 2010 as 'Joshua M. Yasoni Day' in Macomb Township. He further stated his recommendation for approval.

**MOTION by KRZEMINSKI seconded by NEVERS to adopt the following resolution honoring Joshua M. Yasoni for attaining the rank of Eagle Scout as presented:**

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JULY 28, 2010

Resolution Honoring  
Eagle Scout

**Joshua M. Yasoni**

At a regularly scheduled meeting of the Board of Trustees of the Township of Macomb, County of Macomb, State of Michigan held in the Township Hall in said township on the 28<sup>th</sup> day of July, 2010 at 7:00 PM the following preamble and resolution were offered by member Krzeminski and supported by member Nevers:

Whereas, Joshua M. Yasoni started his scouting career with Pack 77 during which time he received his Arrow of Light; and,

Whereas, Joshua M. Yasoni continued his scouting career with Boy Scout Troop 208 where he has distinguished himself by earning thirty merit badges; and,

Whereas, Joshua M. Yasoni has earned numerous awards and served as Patrol Leader , Assistant Senior Patrol Leader, and Troop Bugler; and,

Whereas, Joshua M. Yasoni is a student at Eisenhower High School where he is a member of the Senior Class and by his own actions, achievements and high moral standards has made himself a role model to other scouts and to his peers,

Now Therefore Be It Resolved, by the Board of Trustees of the Township of Macomb, County of Macomb, Michigan speaking on behalf of all Macomb Township Citizens as follows:

That By These Presents, the Macomb Township Board of Trustees recognizes the dedication, commitment and personal sacrifices Joshua M. Yasoni has made to obtain the rank of Eagle Scout; and,

Be It Further Resolved, that the Macomb Township Board of Trustees hereby commends and publicly extends its congratulations to Joshua M. Yasoni on his elevation to Eagle Scout and further extends its best wishes to Joshua in his future endeavors;

Now Therefore, the Macomb Township Board of Trustees hereby proclaims,

Sunday, August 22, 2010

Joshua M. Yasoni Day

*in*

Macomb Township

**MOTION carried.**

9. Request To Approve DTE Energy Services Agreement. (*tabled from 7-14-10*)

Supervisor GRABOW reviewed this matter and stated his recommendation to table this matter until Detroit Edison could have a representative present.

**MOTION by KOEHS seconded by NEVERS to table this matter to the Board meeting scheduled for August 11, 2010.**

**MOTION carried.**

10. Sprint Communications Tower, 26 Mile & Hayes, Sidewalk Abeyance Request.

Mr. James VanTiflin, Township Engineer Consultant, reviewed this matter and informed the Board that this request for a sidewalk abeyance would be in the best interest of the township. He further stated his recommendation for approval.

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JULY 28, 2010

**MOTION by DUNN seconded by NEVERS to approve the request for a sidewalk abeyance for the Sprint Communications Tower located on the south side of 26 Mile Road, east of Hayes Road in Section 6 provided that a proper bond in the amount of thirty five thousand four hundred sixteen dollars (\$35,416.00) be posted.**

**MOTION carried.**

11. Appointment to fill Treasurer Vacancy.

Supervisor GRABOW thanked everyone who applied for this position and commented on the range of education and experience that the candidates possess. He then asked the Board of Trustees for any comments or motions.

Trustee KRZEMINSKI informed the Board that he was removing his name for consideration for this position.

**MOTION by DUNN seconded by NEVERS to appoint Karen Goodhue to fill the vacancy in the office of the Treasurer.**

**AYES: DUNN, NEVERS, BUCCI, KOEHS, GRABOW**

**NAYES: KRZEMINSKI**

**ABSENT: MALBURG**

**MOTION carried.**

11A. Request to Terminate a Water Main Easement Agreement

Mr. James VanTiflin, Township Engineer Consultant, reviewed this matter and stated that this matter is required because of engineering issues that arose during the placement of the water main. He further stated his recommendation for approval.

**MOTION by KOEHS seconded by BUCCI to approve the request to terminate the water main agreement at Advanced Auto Parts on the east side of Hayes Road south of Twenty One Mile Road; Section 31, being SDA Review No. MA06-119.**

**MOTION carried.**

11B. Request to Purchase Printer – Treasurer’s Office.

Deputy Treasurer Karen Goodhue reviewed this matter and stated the need for this Laser Jet P4515X printer for one thousand seven hundred eighty dollars eighty nine cents (\$1,780.89), and that the purchasing policy has been complied with. She further stated her recommendation for approval.

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JULY 28, 2010

**MOTION by BUCCI seconded by KOEHS to approve the purchase of a Laser jet P4515X printer for one thousand seven hundred eighty dollars eighty nine cents (\$1,780.89) as presented.**

**MOTION carried.**

- 11C. Request to Adopt a Charitable Gaming Resolution for the Macomb Mavericks Youth Baseball League.

Clerk KOEHS reviewed this matter to recognize the Macomb Mavericks Youth Baseball organization as a nonprofit organization operating in our community. The purpose of the resolution is for the Macomb Mavericks to obtain a charitable gaming license. He further stated his recommendation for approval.

**MOTION by KRZEMINSKI seconded by KOEHS to adopt the following resolution:**

**MACOMB TOWNSHIP, MICHIGAN  
RESOLUTION FOR CHARITABLE GAMING LICENSES**

**At a regularly scheduled meeting of the Macomb Township Board of Trustees called to order by Mark H. Grabow on Wednesday, July 28, 2010 at 7:00 p.m. the following resolution was offered:**

**Moved by KRZEMINSKI and supported by KOEHS that the request from the Macomb Mavericks Youth Baseball of Macomb Township, Macomb County, asking that they be recognized as a nonprofit organization operating in the community for the purposes of obtaining a charitable gaming license, be considered for approval.**

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

**NAYS: NONE**

**ABSENT: MALBURG**

**MOTION carried.**

**ASSESSING DEPARTMENT**

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JULY 28, 2010

12. Request Authorization to Prepare a Resolution to Revoke the Industrial Facilities Exemption Certificate; Nachi Machining Technology Co.

Ms. Phyllis Sharbo, Township Assessor, reviewed this matter and indicated that the business has vacated the premises and are no longer eligible for this exemption certificate. She further stated her recommendation for adoption

**MOTION by DUNN seconded by NEVERS to adopt the following resolution:**

**Be it resolved that the Macomb Township Board of Trustees is requesting that the State of Michigan revoke the Industrial Facilities Tax Exemption Certificate, Number 2006-707, issued to Nachi Machining Technology Company, 17500 23 Mile Road, Macomb Township, Macomb County, Michigan, because the property owner has removed from site the personal property involved in certificate prior to December 31, 2009.**

**MOTION carried.**

Trustee KRZEMINSKI requested that the township legal counsel investigate the matter of whether or not there will be any back taxes owed on this matter.

**MOTION by DUNN seconded by NEVERS to authorize legal counsel to investigate the matter of whether or not there will be any back taxes owed on this matter.**

**MOTION carried.**

## **WATER AND SEWER DEPARTMENT**

13. Review and Consider 2010-2011 Macomb Township Water & Sewer Rate Adjustment.

Mr. Gerry Wangelin, Water & Sewer Superintendent, and Mr. Mark Hurst, Plante and Moran Financial Consultant, reviewed this matter and informed the Board that this is a request to 'pass through' an increase imposed by the Detroit Water and Sewer Department. They further stated their recommendation for approval.

**MOTION by KOEHS seconded by DUNN to approve the adjustment to the Water and Sewer rates as follows: to increase the water rate from the current seventeen dollars forty cents (\$17.40) per thousand cubic foot to nineteen dollars seventy two cents (\$19.72) per thousand cubic foot effective July 1, 2010, and; to increase the sanitary sewer rate from eighteen dollars sixty seven cents (\$18.67) per thousand cubic foot to twenty dollars sixteen cents (\$20.16) per thousand cubic foot effective September 1, 2010.**

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JULY 28, 2010

**MOTION carried.**

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

Norb Franz spoke regarding the Twin Rivers access road and other legal issues regarding this matter. Juliana Plastiras also spoke regarding the Twin Rivers access road. William Franchy spoke regarding the foreclosure ordinance.

**BOARD COMMENTS**

14. Supervisor Comments:

a. **Request to review additional services for Hazardous Waste Day.**

Supervisor GRABOW reviewed this matter and informed the Board that the document shredding service will be an additional eight hundred fifty dollar (\$850.00) expense, and that electronic material recycling will be an additional two thousand dollar (\$2,000.00) expense, plus it will also cost twenty three cents (\$0.23) per pound for electronic material recycling. He informed the Board that the County of Macomb provides these services during the year and that this would be a duplicate service at township expense. He further stated his recommendation to use the county services and not to add these to our Hazardous Waste Day.

No action taken by the Board at this time.

15. Clerk Comments:

a. **Request to Attend a Training Conference.**

Clerk KOEHS reviewed this matter and stated his request to attend the Township Governance Academy classes which are being offered on August 10 and 11 in Okemos and that the cost would be four hundred ninety two dollars ten cents (\$492.10) including lodging. He further stated his recommendation for approval.

**MOTION by BUCCI seconded by NEVERS to approve the Clerk's request to attend the Township Governance Academy classes which are being offered on August 10 and 11 in Okemos and that the cost would be four hundred ninety two dollars ten cents (\$492.10) including lodging. Meals and mileage will be additional as provided in the travel policy.**

**MOTION carried.**

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JULY 28, 2010

Clerk KOEHS distributed a draft copy of the proposed agreement between the Township and the Macomb County Community Foundation regarding the proposed Veterans Memorial on the Towns Square. This matter will be on the agenda of the August 11, 2010 meeting.

16. Treasurer Comments:

Deputy Treasurer Karen Goodhue thanked the Board for the appointment to the position of Treasurer.

17. Trustees Comments:

**Trustee KRZEMINSKI requested a timeline regarding the Twin Rivers Access Road. He further advised everyone that the ground breaking for the Veterans Memorial will be held at 4:00 p.m. on Thursday, August 12, 2010. Everyone is invited to attend.**

Supervisor GRABOW requested to be excused from Executive Session because of a conflict of interest.

**MOTION by KOEHS seconded by BUCCI to excuse Supervisor GRABOW from the Executive Session.**

**MOTION carried.**

**MOTION by BUCCI seconded by KOEHS to adjourn to Executive Session at 8:10 p.m.**

**MOTION carried.**

The Board returned from Executive Session at 9:26 p.m.

## **EXECUTIVE SESSION**

18. TTCH vs. Macomb Township

Township Legal Counsel James Tamm and Colleen O'Connor attended this session and updated the Board regarding this litigation. The Board was informed of the developments in the facilitation process which had been ordered by the court and that there was a pending court appearance which will try to be scheduled for August 9, 2010. No Board action was taken at this time.

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JULY 28, 2010

**ADJOURNMENT**

**MOTION by BUCCI seconded by KOEHS to adjourn the Board of Trustees meeting at 9:28 p.m.**

**MOTION carried.**

Respectfully submitted,

---

Mark H. Grabow  
Macomb Township Supervisor

---

Michael D. Koehs, CMC  
Macomb Township Clerk