

Holly Township
Board of Trustees – Regular Meeting
Minutes of September 16, 2009

Call to Order: Supervisor Jesse Lambert called the September 16, 2009 Regular Meeting of the Holly Township Board of Trustees to order at or about 6:30 p.m. at the Holly Township Hall, 102 Civic Drive, Holly, Michigan, 48442.

Pledge of Allegiance

Roll Call:

Board Members Present:

Jesse Lambert, Supervisor
Karin Winchester, Clerk
Mark Freeman, Treasurer
Janet Leslie, Trustee
Steve Ruth, Trustee

Others Present:

James Burton, Hubble, Roth & Clark

Consent Agenda:

1. Agenda Approval
 2. Approval of Special Meeting Minutes – August 13, 2009
 3. Approval of Regular Meeting Minutes – August 19, 2009
 4. Approval of Special Meeting Minutes – August 27, 2009
 5. Acceptance of Financial Statements – September 2009
 6. Approval of Bills for Payment – September 2009
 7. Routine Reports:
 - A. N.O.C.F.A. Draft Minutes – August 17, 2009
 - B. Planning Commission Draft Minutes – August 10, 2009
 - C. Building Permits – August 2009
 8. Communications – None
- **Clerk Karin Winchester moved to approve the September 16, 2009 Consent Agenda, as amended. Trustee Janet Leslie supported the motion. A roll call vote was taken. Ruth: Yes; Freeman: Yes; Lambert: Yes; Leslie: Yes; Winchester: Yes. The motion carried with a 5/0 vote.**

Reports:

Trustee Ruth: No report.

Treasurer Freeman: No report.

Trustee Leslie reported the Economic Development Task Force held their first meeting September 15, 2009. Nineteen people attended; twelve from the Village, including three Village Council members; four

from the Township, which includes Supervisor Lambert and herself; one from Rose Township, and a reporter. Everybody came ready to work and it was a very productive first meeting.

Clerk Winchester: No report.

Supervisor Lambert reported Headwaters Trails has applied for grant money to provide railing for the pedestrian bridge over the Shiawassee River.

Public Comment:

Mr. Mike Gould, 926 Running Brook Drive, questioned whether the bridge had new decking.

Supervisor Lambert stated fresh metal grating was placed on the bridge and they are waiting to hear whether Headwaters Trails will receive grant money for the railing.

Mr. Larry Lilly, 110 Clarence Street, questioned what the 5:00 meeting was about that was held before tonight's Board of Trustee meeting. He indicated he would have been at the meeting but he wasn't notified of it.

Supervisor Lambert noted the meeting wasn't subject to the Open Meetings Act; it was an informational meeting for people requesting sewer services from the Village.

Mr. Lilly stated the Village should bend over backwards to provide water and sewer to the community. Mr. Mark Diaz, 896 Riverbend Drive, stated he understood the police services bid requested from the Village of Holly Police Department was to determine the low and high ends of a contract for services for a special assessment district or even the entire township. Option 1 gives the cost for having the Village as a secondary department, which means the Michigan State Police (MSP) would have to say they can't make it and ask the Village to respond. That's not what was asked for. We asked what the Village would charge to be the primary agency handling police runs. Option 2 is a full service that encompasses a special assessment district. Option 3 encompasses the entire township.

Option 1 brings us back where we were on June 30, 2009. If there was a home invasion and MSP were at I-75 and Grange Hall Road, MSP would respond to the run; the Village unit, less than a mile away, wouldn't. Option 1, which is roughly \$217.00 per household, is totally ridiculous. Option 2 includes the proposed special assessment district only and would cost over \$600.00 per household. It seems the Village is attempting to force the township into Option 1, which is also a year by year contract, not a three year contract. It seems like this stinks. He would ask the Board to approach the Village regarding this. This is not what we want. They're trying to sell us air. We need something better than that.

Mr. Gould indicated the bids were very specific; they wanted a low option and a high option. One dealt with immediate 9-1-1 response because MSP, possibly due to staff cut-backs, could take as long as 18 to 23 minutes to arrive. The high option included community policing and other things. The Village is proposing a fall-back position to what was provided up to July 1st of 2009. There's always been a collegial if nobody else can pick it up, we'll pick it up. The Village was less than direct or the bid spec or communication wasn't as specific as it should have been. They'd like a bid for just immediate 9-1-1 response from the Village police. It could work with basically 2,080 hours, or essentially one full-time

employee. Another question is how would the one-person day be allocated over 24 hours; how do you divide up an 8-hour shift over a 24-hour day?

Clerk Karin Winchester noted the bid request was clear.

Mr. Bill Kuyk noted he would be privileged to speak as a citizen. Since he is the chairman of the Village of Holly Public Safety Committee, he can't speak as an official member of the Council. They understood what the Township was looking at was the least expensive thing the Village could provide. In view of the budget shortfall in the State of Michigan, the Groveland Post of the Michigan State Police is closing. Not only that, MSP will pull back to the City of Detroit. So when you dial 9-1-1, your call will go to Detroit and that's where the MSP cars will be dispatched from. His guess is they're not going to have any cars. What that means is if Option 1 is selected and 9-1-1 is dialed, you will get what the state police provide; and he doubts very seriously they will drive up here from Detroit.

Supervisor Lambert questioned what validity Mr. Kuyk had stating the Groveland MSP post will be closing.

Mr. Kuyk stated MSP doesn't have any money. The reason the Groveland Post stayed open is there was a political chip that was played or paid. The post is open now but it's anticipated that after October 1st, 2009 the Groveland post will be closed.

Supervisor Lambert questioned whether Mr. Kuyk had hard evidence that the Groveland Post will close.

Mr. Kuyk stated he had a conversation with one of the Oakland County commissioners.

Supervisor Lambert questioned whether the Oakland County commissioner Mr. Kuyk spoke to had any weight in deciding whether the Groveland Post would close or not.

Mr. Kuyk stated the Oakland County commissioners know what is scheduled to happen and that's why people were warned in advance, to make arrangements. Holly Village was asked what the cheapest thing was that could be provided to township residents. They can add and put more frosting on the cake if that's what is wanted. What is listed is what is available.

Supervisor Lambert noted bids were requested and bids were received. He can see there's dissatisfaction with them, but this can continue to be worked on until everybody's happy.

Mr. Gould indicated this has been discussed for quite a while. He recalls the request was for a set of parameters, a high option and low option. The low option was the least expensive way to get 9-1-1 response directly from the Village. It appears what has been bid on is what residents had June 30, 2009, nothing different. That's not what was asked for. What started this thing is it was taking 18 to 23 minutes to get a car from the state police. The bid request was for the cost to get a police officer from the Village to respond to a 9-1-1 emergency call. He thought it was pretty clear.

An unidentified speaker stated, in light of Mr. Kuyk's comment, let's stop all this crap, contact the State, find out what they're going to do, if they're going to do anything. If it's true the Groveland Post is closing, we need township-wide police services. This garbage about Holly responding to this and that means absolutely nothing at this point, if that's true. The bids are ridiculous. Spread over the entire township, it might be something residents would be willing to pay for. If that bid came across as a special

assessment to his house, there would be five people on a recall petition right off the bat. Forget conversation; contact the State and find out what's really going to happen. If the post is going to stay open, discussion is done. There were 50 people out of 400 homes who showed up at the meeting regarding police services. That's not a demographic which says we want this service.

Supervisor Lambert stated he has no official information the Groveland Post is closing.

Trustee Janet Leslie stated the request for proposals, as written by Clerk Winchester, reflects the residents' intent clearly. The way the Village responded to the request reflects the Village's option to design their bid response the way they felt it should work. Residents have copies of what was sent to the Village and it's quite clear the intent of the residents was expressed.

Supervisor Lambert indicated the bid request asked for the cost for minimum services 24/7, 365 days a year, response to emergency and non-emergency phone calls, providing any necessary law enforcement and investigative duties with regard to the emergency and non-emergency calls. This doesn't include proactive patrols as Option 2 does.

Mr. Dave Curtis noted he finds it odd the Village would submit a proposal dependent on the state police if the Village knows the state police are closing the post.

Mr. Kuyk stated the Board should have a letter they received from the State of Michigan explaining the situation and the Township should reveal to the residents the letter's content.

Supervisor Lambert questioned whether Mr. Kuyk had a copy of the letter he was speaking of.

Mr. Kuyk indicated he did not have a copy of the letter with him.

Supervisor Lambert questioned whether Mr. Kuyk could provide a copy of the letter to the Township and other members of the Board.

Mr. Kuyk replied that Supervisor Lambert had the letter. It was sent to Holly Township and the Township should have that letter.

Clerk Winchester stated there is no letter.

Supervisor Lambert indicated he did not have such a letter. He also made a few phone calls the other day trying to find the very same letter Mr. Kuyk is speaking of, as somebody else told him about a letter. He questioned whether Mr. Kuyk had a copy of the letter that Supervisor Lambert could pick up after the meeting.

Mr. Kuyk stated he did not have a copy of the letter. Wherever the state police have to come from, if they can't come, the closest place is the Village. You would get a response within a few minutes. If the dispatcher from the state police can't send anybody and the dispatcher knows the Village and the Township have an agreement, they'll call the Village dispatcher and the Village will have an officer there immediately. If you guys want the minimum, there is a price given in the bid for that. The Village received a request for quote from the Township Board. If the Board didn't transmit what the residents wanted, then residents need to talk to the Board and ask for another quote requesting what the residents have asked for.

Treasurer Freeman stated to his knowledge Holly Township has not received any correspondence from the Michigan State Police or the State of Michigan concerning the status of the MSP post in Groveland. If the State was, in fact, considering closing it and leaving the Township without police services, he is certain they would give the Township lengthy notice to make whatever arrangements the Township would need to make to ensure they have police services. That will all be done according to procedure, not by hearsay, not by what somebody thinks.

Mr. Diaz indicated he would like to think Mr. Kuyk and the rest of the Village of Holly Public Safety Committee, or whoever may be representing the Village in this issue, understands that given the current economic situation the Village is in, it's beneficial to the Village that a cost be something digestible to residents they are trying to get some form of income from. If the rumor is true that the state police are going to pull up stakes at Groveland and move down to Detroit, to push the issue the way it was suggested earlier in the meeting that they would be responding from Detroit is entirely misleading. It's the same as saying that every National Guard or every armed forces service comes straight out of Washington, D.C. That's not the case.

Mr. Lilly stated in 2006 he pushed for a 2 mill assessment for a police department. For three years they got \$802,000.00. He's still pushing to renew the 2 mill because we all live in the township and it would cover all 10,000 residents of the township. If they put it on the ballot, it will pass. The township can't afford it. It's on village residents' budget. All we have to do is renew it. He will be glad to pay for it. The headlines in the paper would read we have police service for all of Holly through the Village and it would be very positive for us. We should push to get it on the ballot as soon as possible. It will pass.

Old Business:

1. NSP Project

Supervisor Lambert stated a previous motion was made regarding the project that didn't reflect the correct intent of the Board of Trustees.

Clerk Winchester indicated the Board moved to opt out of the NSP Project. There is a project the Township can use NSP funds for without hiring Lighthouse or anyone else; and everything could be done within the office.

Treasurer Freeman noted the motion should have been made to rescind contract negotiations with Lighthouse, not rescind any association with NSP entirely.

- **Supervisor Jesse Lambert moved to rescind contract negotiations with Lighthouse for administering Holly Township's NSP program and moved to approve Holly Township continuing with the NSP Project on their own. Clerk Karin Winchester supported the motion. A voice vote was taken; all those present voted yes; the motion carried.**

2. Partnership for Change.

Supervisor Lambert stated the Board packets contain a Partnership for Change grant proposal penned by Trustee Leslie.

Trustee Leslie indicated Supervisor Lambert distributed an amended copy of the grant proposal. After sending a copy to Village Manager Marsha Powers, Ms. Powers asked that the references to past 425 agreements be removed from background information and also corrected a date on the Pulte agreement for water and sewer being 2002, not 2003. The amendments are in bold. She questioned whether the Board had any changes or comments regarding whether the grant should be pursued. The Village Council has only one meeting prior to the deadline for the proposal. The grant involves a matching of funds between the State and municipalities that are working together. The State would provide half the funds and the two municipalities would each pay a quarter. The grant being pursued is for \$25,000.00 so the two municipalities would split \$12,500.00.

Clerk Winchester noted the project goals are to find a mutually agreeable method of providing services desired by property owners, which is already transpiring right now.

Trustee Leslie indicated the project goal would be a development plan for the Grange Hall corridor with the emphasis being on how to arrive at an agreement for a provision of water and sewer, as well as any other improvements or anything that would foster development in that area.

Clerk Winchester stated the Township could pursue water and sewer agreements without putting money into the grant. The Township already has a Master Plan and overlay district for the Grange Hall corridor. There's also an economic development committee. A water and sewer agreement can be done without spending over \$6,000.00 each. This may be duplicating effort.

Supervisor Lambert indicated if this is grant money that gets the Township on to a bigger development project with the Village, you can always say we've made significant progress with this but let's shift it to something else. We could potentially combine both Planning Commissions and do a whole master plan for all of Holly which would make it easier for people.

Trustee Leslie stated she believes the grant request requires having a specific project in mind. She wasn't at the meeting earlier this afternoon involving residents who were requesting water and sewer and things may have changed. The last time she heard the Village Council discuss this issue there seemed to be quite a bit of resistance. There was a lot of talk that it shouldn't be done without annexation or a 425 and so forth. Taking advantage of a third party who is experienced in negotiating these kinds of arrangements might be in the best interest of both the Village and the Township. The Village, of course, doesn't want to give anything away; they don't want to add to their infrastructure if it ends up costing them more. They're only going to do it if it ends up helping them pay for what they already have. The Township would like to see it happen because it would help development. Maybe we don't need it and we can do it on our own.

Supervisor Lambert noted this could be a good Plan B if Plan A doesn't work.

Trustee Leslie stated the municipalities only have until October 2, 2009 to apply.

Supervisor Lambert indicated a grant can be awarded though it may be determined we don't need it anymore.

Trustee Leslie stated if the Township failed to come up with matching funds within 30 days of being awarded the grant, the grant would be canceled.

Supervisor Lambert indicated he would want to be courteous and let the State know before there would be a cancelation. It would be a good insurance policy for the actions that are being attempted right now. It wouldn't hurt to submit the grant request.

Trustee Leslie noted it also depends on the Village feeling they have it within their budget to contribute to this also. Whatever is decided, it should be polished up by next Tuesday.

- **Supervisor Lambert moved to approve the Partnership for Change grant proposal. Trustee Steve Ruth supported the motion. A voice vote was taken; three board members voted yes, two board members voted no; the motion carried by a 3/2 vote.**

3. Police Service Request

Trustee Ruth stated the revised request for police services should include an expected or desired response time. As an example, if the state police couldn't be there within five minutes, within a minute they would call the Village to have the Village respond. The Township should request what citizens would expect for a response time. The bid from Oakland County Sheriff includes nothing regarding response time. It's not clear whether they would have a car in the area or they would respond from Highland or Springfield Township.

Supervisor Lambert indicated he shares Trustee Ruth's concern.

Mr. Diaz stated he interprets the Oakland County Sheriff Department bid that they would be dispatching units from either Highland or Springfield Township, not that Holly Township would have a patrol unit.

Trustee Ruth noted Oakland County Sheriff Department needs to clarify where the unit would be dispatched from.

Clerk Winchester stated the residents who requested the proposal need to meet with the Village of Holly police chief and the Village Safety Committee and possibly Supervisor Lambert to iron out exactly what they expect and request an additional bid.

Mr. Diaz indicated he is president of the Woodlands of Riverside Homeowner's Association. The committee that put together the bid request is a separate group of citizens. He is on that committee and will address it with committee members. Then he will get in touch with Supervisor Lambert and perhaps Supervisor Lambert could arrange a meeting with the Village chief of police or whoever is needed.

Trustee Leslie stated she was disappointed in the Village's proposal and the way they calculated their costs. She's glad they used a formula so it can be standard whenever such a request is made should another area also seek to create a special assessment district. The numbers don't appear to be based on the actual cost of providing the service to an area adjacent to the Village. She hopes the Village goes back to the drawing board. Township residents should contract with township residents whenever possible. The Village is within the township. Taxpayers who support that police department are township residents. It's in the Township's best interests, as well as the Village's, for this contract to occur within the township but they need to sharpen their pencils and become better negotiators if this is going to go through.

Trustee Ruth noted it appears the Village's proposal implies a higher cost than other agencies.

No action was taken.

4. Cemetery entrance

Clerk Winchester noted the Board approved the proposal for the cemetery entrance improvements. The Road Commission of Oakland County (RCOC) came back and said, although the Township's plan to put in the entrance was fine, RCOC wanted acceleration and deceleration lanes with an additional 25 feet of curb and pavement on each side of the entrance before the acceleration and deceleration lanes started. The Township has negotiated with RCOC to get it down to elimination of the 25 foot of curbing and pavement before the acceleration and deceleration lanes, but that the township must install acceleration and deceleration lanes. RCOC is being very firm. The Township is trying to improve a bad situation. We believe we can stay within the budget. She would like the Board to determine whether it's okay to proceed with the project providing it stays within the proposed budget amount and the Board agrees deleting the curbs is okay.

The Board agreed to proceed with the project. No other action was taken.

New Business:

1. 2009-2010 Holly Area Youth Assistance Contract

Clerk Winchester indicated this is the Township's annual contribution to the Holly Area Youth Assistance in the amount of \$2625.00.

Treasurer Freeman noted this is not a donation; the Township is actually paying for labor.

- **Supervisor Jesse Lambert moved to approve the agreement between the Holly Area Youth Assistance and Holly Township. Trustee Steve Ruth supported the motion. A roll call vote was taken. Leslie: Yes; Lambert: Yes; Ruth: Yes; Freeman: Yes; Winchester: Yes. The motion carried by a 5/0 vote.**

2. Fall Clean-Up Day

- **Clerk Karin Winchester moved to approve fall clean-up for the first Saturday in October, from 8:00 a.m. to 4:00 p.m. at the Karl Richter Campus with Taddonio providing the service. Trustee Janet Leslie supported the motion. A roll call vote was taken. Lambert: Yes; Freeman: Yes; Leslie: Yes; Winchester: Yes; Ruth: Yes. The motion carried with a 5/0 vote.**

3. Budget Amendment – Proposed Resolution 2009-22

Supervisor Lambert indicated the Township is making progress dealing with any staffing responsibility changes necessary with regard to planning and zoning and web design. There is a building and maintenance account where \$5,000.00 can be shifted from that account. \$4,000.00 can be put into a web contract services account for anything in the future that we want to do with the website and \$1,000.00 can

be moved to the supervisor's dues, subscriptions and tuition account. At the last Board meeting the planning and zoning chores were given to Clerk Winchester. Just in case planning and zoning picks up, he would like to be able to be the support person in case the responsibility must shift from the clerk to himself. The \$1,000.00 would be used for going to a few seminars regarding planning and zoning.

Treasurer Freeman indicated he understands what Supervisor Lambert is saying but that's why there's a budget. The supervisor specifically had a budget for dues, subscriptions and tuitions. He questioned whether that budget has been exceeded.

Supervisor Lambert stated he hasn't exceeded his budget. This is a preemptive maneuver.

Treasurer Freeman noted the way the economy is and as hard as the Board worked both to write a reasonable budget and to stay within the budget, it would be difficult for him to approve the resolution.

Clerk Winchester stated it would be difficult for her, as well.

Treasurer Freeman indicated one of the main comments he gets from people when they walk into the Township Hall is the bricks are falling out of the building. The maintenance on the building is a priority.

Clerk Winchester agreed. The Township will have enough money for the web design if they are strict in their spending. When you have a budget for dues, subscriptions and tuition, you have to preplan how you want to use them during the year. Residents shouldn't have to pick up the tab for going outside those parameters. In addition to the brick work, there are holes in the soffits that need to be fixed. There are gutter issues not only in the front of the building but also the back of the building. That should be priority. The bricks also need to be done as soon as possible. It will obviously be in the spring instead of fall, but that will take up the full building maintenance budget.

Treasurer Freeman stated there are holes in the gables on the exterior of the building where birds can actually get in. That's a priority this fall yet.

Supervisor Lambert noted moving \$5,000.00 from the building maintenance budget would leave \$16,500.00 for building maintenance.

Trustee Ruth indicated he's not familiar with what is involved in web design and there may be specific training the supervisor needs that the Township would benefit from. He questioned how it is handled if X number of dollars is budgeted for dues, subscriptions and tuition and something else comes up in the year that exceeds that.

Clerk Winchester stated if you spend the budgeted amount, you either don't go or you pay for it yourself. If it's something that would benefit the Township as a whole -- such as consolidating services; this is the greatest class and you will get so much out of it -- you would go and it would probably come out of the Township's general dues and subscriptions, not out of the individual's.

Trustee Ruth questioned what the budgeted amount was.

Clerk Winchester stated \$1200.00 was budgeted and usually the most that's ever been spent is a couple hundred a year.

Treasurer Freeman indicated there is \$800.00 budgeted for the treasurer's dues, subscriptions and tuition. He hasn't spent any of it yet. He's not here to judge the supervisor's decision on how he uses his cost center; that's his business. But if he's used it already, he's used it.

Trustee Leslie questioned whether there has been any cancellation of building maintenance projects that would leave money available.

Clerk Winchester indicated there has been no cancellation of any building maintenance projects. The Township may need to draw from other areas to complete the building maintenance. Building maintenance costs are estimated amounts.

- **Clerk Karin Winchester moved to deny Budget Amendments, Proposed Resolution 2009-22. Treasurer Mark Freeman supported the motion. A roll call vote was taken. Winchester: Yes; Freeman: Yes; Leslie: Yes; Ruth: Yes; Lambert: No. The motion carried by a 4/1 vote.**

4. Proposed Resolution 2009-23 – Joint Water and Sewer Contract

Supervisor Lambert stated sometime in late September the current water and sewer agreement the Village has with Silverman will expire. He would like the Township to request the Village to begin a negotiating process with the Township.

Trustee Ruth questioned whether a formal resolution would be required for this.

Clerk Winchester indicated she's not comfortable with a formal resolution. The Township could request that the municipalities begin negotiating. Supervisor Lambert could send a letter requesting negotiations regarding water and sewer after September 30th, 2009.

Treasurer Freeman noted if an agreement was reached to begin negotiating, a resolution could be brought for an actual contract.

Supervisor Lambert questioned whether he had the Board's confidence to send a letter regarding a willingness to negotiate with the Village regarding water and sewer.

The Board indicated an agreement. No other action was taken.

Public Comment:

Mr. Lilly stated the first priority for the whole Holly Community is police protection for the 36 square miles. He's willing to pay for a 2 mill renewal and Holly Village would pay for everything. If township residents want to contribute, fine. But this would give us protection for three years. Then we'd have the time to consider what everybody wants and needs. But we have to move on it. Holly Police can be there within a few minutes of a phone call. That's just a start.

An unidentified speaker indicated discussions regarding police services have continually mentioned an agreement between the Michigan State Police and Village of Holly where if the dispatcher with the MSP knows Holly Township and Holly Village have an agreement, they will call Holly Village. If there is an

agreement between the two, there needs to be a formal agreement documented, not this is just the accepted practice. Nothing should be written in air.

Adjournment: Supervisor Jesse Lambert, hearing no other business, adjourned the meeting at 7:40 p.m.

Zo Turner, Recording Secretary
Holly Township

Karin Winchester, CMC
Holly Township