

**HOWELL TOWNSHIP BOARD REGULAR MEETING**  
**February 28, 2011**  
**Howell Township Hall**  
**7:00. p.m.**

**MEMBERS PRESENT:**

Mike Coddington	Supervisor
Carolyn Eaton	Clerk
Larry Hammond	Treasurer
Carolyn Henry	Trustee
Dar Howard	Trustee
John Hubbel	Trustee
Jim Phelan	Trustee

**MEMBERS ABSENT:**

Also Present:

Supervisor Coddington called the meeting to order at 7:00 p.m. The roll was called. All rose for the pledge of allegiance.

**CALL TO THE BOARD:** MOTION by Eaton, seconded by Henry “**TO APPROVE THE JANUARY 10, 2011 AGENDA AS AMENDED; ADD 10 NEW BUSINESS E) 02.11.02 REZONING REQUEST, WEBSTER.**” Motion carried unanimously.

**APPROVAL OF MINUTES:** MOTION by Henry, seconded by Hubbel, “**TO APPROVE THE FEBRUARY 14, AND FEBRUARY 16 CONTINUATION OF THE REGULAR TOWNSHIP BOARD MINUTES AS AMENDED; CHANGE HEADLINE DATE FROM JANUARY 14 TO FEBRUARY 14.**” Motion carried unanimously.

**MANAGER/FINANCIAL DIRECTOR REPORT:** Manager Meissner reported that she has been working on recalculation of the chargebacks for the next coming year. The Earl property will be coming up for Tax Sale in excess of 1.2 million dollars. This will need to be considered when doing the upcoming budget. Supervisor Coddington, Treasurer Hammond and Manager Meissner have been meeting with official from other townships in regards to legislation about chargebacks. Also have been meeting with Representatives Cindy Denby and Bill Rogers and Senator Joe Hune about new legislation being proposed with the different issues townships are experiencing in regards to delinquencies. Manager Meissner has copies of the 4 new bills that have been introduced. (See attached) Copies are available to the public upon request. More meetings are planned to try and get this legislation passed.

**CORRESPONDENCE:** See attached.

**CALL TO THE PUBLIC:** No response.

**OLD BUSINESS:**

A. Mandatory Tap Water and Sewer – Discussion. Other options were also discussed. See attached.

B. Tooley Road House - It has been secured and winterized. Supervisor Coddington is planning on checking with nonprofit organization to see if they would be interested in restoring the house.

C. AFLAC – Manager Meissner and Clerk Eaton met with a representative from AFLAC about coverage. The township would not cover any of the cost; it would be up to the individual employee if interested. **MOTION** by Hammond, seconded by Phelan, to **“TO ALLOW TOWNSHIP MANAGER TO SETUP A MEETING BETWEEN AFLAC AND TOWNSHIP EMPLOYEES.”** Motion carried unanimously.

#### **NEW BUSINESS:**

A. Budget Amendment – See attached. **MOTION** by Eaton, seconded by Hubbel, **“TO APPROVE THE BUDGET AMENDMENTS AS PRESENTED.”** Motion carried unanimously.

B. Fifth Third Account – Discussion. **MOTION** by Howard, seconded by Hubbel, **“TO CLOSE ACCOUNT WITH FIFTH THIRD BANK.”** Motion carried unanimously.

C. Crop Contract – The township has approximately 243 acres of which approximately 150 acres is crop land. Contract would include the lease of that property except for all buildings and structures on the land. It was discussed that provisions of the agreement shall be in effect for 5 years. Also notice of termination is given by either party to the other at least 30 days prior to expiration. Trustee Henry is looking into adding an Assumption of Risk and Harmless Agreement clause. Plans are to mail out the contract draft to all who have contacted about leasing the land and then wait for bids to come in. See attached.

D. Resignation Letters – Letters of resignation from Treasure Hammond and Trustee Phelan effected March 31, 2011. **MOTION** by Eaton, seconded by Howard, **“TO ACCEPT THE RESIGNATIONS OF BOARD TREASURE LARRY HAMMOND AND BOARD TRUSTEE JIM PHELAN, AFFECTIVE MARCH 31, 2011.”** Motion carried unanimously. The board has 45 days to appoint a replacement for treasure and replacement for trustee. **MOTION** by Howard, seconded by Hubble, **“TO HAVE MANAGER MEISSNER PLACE ADS IN THE L.C.P. FOR REPLACEMENT FOR TOWNSHIP TREASURER AND TOWNSHIP TRUSTEE.”** Motion carried unanimously.

E. Garden Center - Hydroponic Gardening and Equipment Sales. **MOTION** by Phelan, seconded by Hubbel, **“TO TURN OVER FILE NO. 02.11.02, PARCEL #4706-20-100-013 TO THE PLANNING COMMISSION FOR THE REQUESTED REZONING FROM NSC TO RSC.”** Motion carried unanimously.

#### **REPORTS:**

A. Supervisor – Supervisor Coddington reported meeting with Manager Meissner and officials from other Townships about legislation and chargeback's. He also stated, worked on getting the Tooley Road House secured.

B. Treasurer – Treasurer Hammond reported that today February, Monday the 28<sup>th</sup> was the last day of Tax Collection. Tuesday will begin work on closing out with the County Treasurer. This year has been the largest delinquencies in tax collection since Treasurer Hammond has been here. This was not just the Special Assessment but throughout the whole township. Treasurer Hammond recommended as was done last year, not to turn over many of the Special Assessments to the County for reimbursement. The interest rates are too high. Treasurer Hammond will bring to the board a list of those properties he has in mind. Last year we were the only township that did this. This year other townships are doing the same thing. Treasurer Hammond also reported that the township has gone to a monthly Utility Billing cycle. The current program does not allow charging a minimum fee. This is a loss in revenue. Programmers from BS&A for a fee between \$600.00 and \$1,600.00 can write a program change that would allow this service. **MOTION** by Hammond, seconded by Phelan, **“TO ENTER INTO CONTRACT WITH BS&A AT A FEE NOT TO EXCEED \$1,600.00 TO PROVIDE THE SERVICE OF A MINIMUM FEE FOR THE UTILITY BILLING PROGRAM.”** Discussion followed. Motion carried unanimously.

C. Clerk/Zoning - Clerk Eaton reported DVW is requesting rezoning their property because they have a tenant coming in. The property at Emmons and Grand River is requesting a rezoning because of a new tenant coming in. In the Transwest Industrial Park, DeMattia has contacted us about a proposed 3.5 million dollar building that would bring in abundance of jobs. There was a complaint about the Antique Store at the corner of Emmons and Grand River of making their own curb cut onto Fleming Rd. and also has a trailer in back that is against ordinance. Clerk Eaton will send out letters about this situation. Also will check on a complaint about a large For Sale sign at Pineview Village. There are 24 large Realtor For Sale signs between Emmons Rd and here that we have not received the \$75.00 fee for each of these signs. My deputy and I will go later this week and take pictures and information and contact these 24 Realtors and then we will go and check other major roads for other signs.

D. Airport – Trustee Henry reported that there was approval for plans of a ramp for the airport. There is work on plans for the new terminal.

E. MHOG – Trustee Phelan reported that there is continued discussion on the contract that MHOG has been working on. It is not finalized yet. The contract hopefully will be on the next meeting agenda. A letter needs to be sent stating who will be the Township Board Rep for MHOG.

F. Fire Authority - Supervisor Coddington reported that he met with the Fire Chef and that their budget has decreased considerably and that the budget will be presented at the next Fire Authority meeting. Changes include not replacing a day person who left the day shift but to use one of the Fire Marshalls to fill that position. Other changes include leases on the fire stations. With no addition to the budget it is still \$170,000.00 short.

G. Assessing – See attached.

**DISBURSEMENTS: MOTION** by Eaton, seconded by Henry, **“TO PAY THE REGULAR DISBURSEMENTS AS PRESENTED.”** Motion carried unanimously.

**CALL TO THE PUBLIC:**

1) John Mills, 1750 Oak Grove Rd. – I farm property owned by 27 different landlords, I have a contract with none of them. I would not deal with Crop Contracts. If you are going to have Crop Contracts I would encourage the township to keep it very simple. I find that the community still has a big misunderstanding about the water/sewer situation. Is there a one page document explaining these assessments and the whole situation? When I talked with people who are not in the water/sewer districts I try to explain that there are benefits for them also. Is it possible for the board to come up with a list of these benefits? I feel it is a different thing to explain the situation and to enlighten the public than it is to take the board view on the issue. To bring this to the people outside the districts, they feel they have no use for this. If it wasn't for these districts we wouldn't have things like the outlet mall.

Board Comment: It is a violation of the law for the board to take a view on the issue. It would hold more weight anyway if the residents or other interest groups to take this up and present it to the public on their own.

2) Tom Gubala, 2403 Oak Grove – I don't understand the situation and I want to know more about it. I am hooked up to the sewer.

3) Bryan Kurtz, 95 Robin Ct. – There was talk at the last meeting about the millage and sending out notices to the public. There was also talk about Bond Refinancing, Alternative Debt Service Fee. I don't think the general public does not understand what will happen if the millage does not pass and what the detriments that we face are. This needs to be included in the mailings. We need the numbers on the different scenarios. If the millage does pass, we may still need to have forced hook ups. After talking with people and explaining they seem to be a little more acceptance to the millage.

Board Comment: A lot of the numbers we still do not know. We can share the numbers as they come in. We do not know the rates. We will review in 6 months and yearly after that. As long as there are more hook ups as we go along and all these things happen the rates should go down. There are too many variables to this story. You can go on the township website and look at the rate study there and see different scenarios. You may come in anytime and we can go over the numbers. A political action group can be formed if you want to indorse and not to indorse the millage. The group needs to be careful and not put maybes out there, only facts.

4) James Krywko, 2615 Circle Pine - The only thing that is a constant is you will be paying 2 mills for 5 years. It is hard to convince people to vote yes when we do not know for sure if the millage will help stop force hooks and keep the rates down.

5) Steve Kosla, 2300 Oak Grove – Is it correct that we can pay the tap-in fee and not hook up? Will there be any point in time that the board or township will require hook ups? If my well and septic are working fine and I have paid my tap-in fee, will it ever be mandatory for me to hook up?

Board Comment: At this time no it is not mandatory. If the board ever does pass mandatory hook ups then yes you would have to. The plus you have now is if you do it before Dec. 31, 2011 you are getting it at half price. We cannot say it will never happen. We are not all going to be on the board forever. We cannot say what future board members may require.

6) Linda Adams, 135 Bain – Get the residents basic information on water/sewer and the benefits the Special Assessment District provide. Things like fire protection, and potential growth development. Can't the board put out simple information? Put a disclaimer saying this is not being indorsed by the township board. It was originally presented to us, that if you are within 200 feet of the line you had to hook up. If you go to a Debt Service Fee, would any of that apply towards the connection fee? Is the Debt Service Connection Fee going to be on the next meeting agenda?

Board Comment: We can explain what the Special Assessment and what the Special Assessment paid for. We cannot go into the benefits. The law states that if you are within 200 feet of the line you can be mandated to hook up. The other part of that is, you have to be within the district. If you opted out in District #8 and said you did not want the sewer, I do not want to be in the Special Assessment District, you cannot be forced to hook up. The Debt Service Fee would not be applied to Connection Fee. The Debt Service most likely will be on the next meeting agenda.

7) John Mills, 1750 Oak Grove – What am I getting for \$2,500.00 connection fee?

Board Comment: It helps defer the cost of the Water & Sewer Plants.

8) Stephen Kosla, 2300 Oak Grove – You said you have already put out for refinancing of the bond.

Board Comment: No we have not. We have put the question out to our Bond Counselor to look at what our cost would be and what the benefit would be for doing it.

9) Linda Adams, 135 Bain - The real estate gentleman at the last meeting said he would be more than willing to start up this group. Has he contacted you yet?

Board Comment: No he has not yet contacted our office.

**ADJOURNMENT:** MOTION by Phelan, seconded by Hubbel, "TO ADJOURN." Motion carried. The meeting adjourned at 8:35 p.m.

Approved: \_\_\_\_\_

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Carolyn Eaton  
Howell Township Clerk

Dated: \_\_\_\_\_

Signed: \_\_\_\_\_

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Mike Coddington  
Howell Township Supervisor

