

SHARON TOWNSHIP BOARD MEETING February 4, 2010

The Sharon Township Board held its regular Board meeting on Thursday, February 4, 2010. Jones called the meeting to order at 7:01 P.M. Board members present: Aiuto, Chizmar, Jones, Lavender and Yordanich. There were (13) thirteen guests present.

The Board said the Pledge of Allegiance.

Jones introduced Fred Lucas, the Township attorney and his partner Scott Baker.

Jones reported that he had created a new link on the website for Board minutes and ordinances.

Motion by Lavender, supported by Chizmar to approve the 1/21/10 closed minutes. Motion carried.

Motion by Lavender, supported by Chizmar to approve the 1/07/10 minutes. Motion carried.

The Treasurer reported that as of November 30, 2009, the general account had a balance of \$205,746.12 and as of December 31, 2009, the balance was \$183,947.03. Motion made by Lavender, supported by Chizmar to approve the Treasurer's reports for November 2009 and December 2009. Motion carried.

Zoning Administrator, Dave Wilson reported the following activity for January: issued no zoning permits, there were no new complaints, no land splits, and no new addresses. Aiuto inquired to Lucas about the Sprint bond. Lucas stated that he contacted Sprint.

Bill Lewis reported that he attended the SWWCOG meeting and the Village of Manchester, Bridgewater and Manchester Townships were working on a outdoor furnace ordinance; Washtenaw County Road Commission gave a report on the status of bridges in the county; and that fire run billing was discussed.

Bill Lewis also reported that the Planning Commission would be scheduling a public hearing on February 18, 2010 on the amendments to the zoning ordinance which include clarification of the professional escrow fee refunds and changes regarding communication towers to ensure co-location, if the timing on the publication rules

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would allow. Otherwise the public hearing would be scheduled for March 18, 2010 at 8:00 P.M. Aiuto to check with MTA tomorrow and then contact Lewis.

Lewis reported that he sent a copy of the draft Master Plan to Erin Perdu. Lewis stated that she would review the entire plan for \$680.00.

Doug Fuller from the Washtenaw County Road Commission reported on County projects and equipment improvements needed. Jones reported that the Washtenaw County Road Commission would be meeting with him and anyone that would like to attend on February 18, 2010 at 7:00 P.M. at the Sharon Township hall to discuss road projects.

The Board discussed TekCollect and fire run billing. Yordanich reported that the Township has had approximately 25 runs since the new procedure took place. Lucas stated that he would draft a first letter to accompany the invoice, and if payment is not made, he would then draft a second letter. Lucas reported that it would cost approximately \$65.00-\$70.00 to draft the first letter. He will e-mail the Board a draft for their approval.

Jones reported that he had no new Mineral Licensing Board updates and that he would be scheduling a meeting next month.

Aiuto reported that the ZBA had their annual January meeting, and that all the same officers had been reappointed.

Chizmar reported that he had no Chelsea Area Construction Authority updates.

The Board discussed appointments that expired January 1, 2010. Motion by Lavender, supported by Chizmar to re-appoint Richard Irwin to the Zoning Board of Appeals for a 3-year term. Motion carried. Motion by Lavender, supported by Chizmar to re-appoint Dan Yordanich to the Planning Commission for a 3-year term. Motion carried. Motion by Chizmar, supported by Lavender to re-appoint Dan Yordanich and Jim Lyos for a 2-year term to the Mineral Licensing Board. Motion carried.

A motion was made by Lavender, supported by Chizmar to pay Erin Perdu to review over the draft Master Plan. Motion carried.

Jones reported that a new printer needed to be purchased to print the tax statements. Motion by Chizmar, supported by Lavender to allocate up to \$500.00 for the purchase of a new laser printer for taxes. Motion carried.

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Jones reported that he has been working on the 2010 census and that he had just approved the boundaries.

Jones opened the floor for public comments and/or questions.

Dennis Dieckman inquired about why would this be approved (the Gourley property) when all the residents have well and septic?

John Savage asked "did MTA give you good advice about appealing?" Jones answered that Fred Lucas will explain why we can't appeal. Lucas explained that the case went in the Township's favor the entire way. That all Lucas' motions were approved. It was the jury that made the final decision and that you can never predict what they will decide. Lucas reported that there is nothing to appeal but if the Township would like to get another attorney and/or second opinion, he was okay with that.

John Savage inquired about "why did you go into a closed session on 1/21/10?" Lucas explained that it was still pending litigation and explained why it was still pending.

Lucas explained how the case began in 2007 and he was directed by the former Supervisor to have the property appraised. No offer had been accepted and then he filed the condemnation. Lucas discussed the condemnation procedure. He stated that because of necessity, you cannot get out of the process once you start it.

Dennis Dieckman inquired if Lucas was a Township resident? Lucas answered "no". How much have you been compensated? Lucas replied that he has not tallied the bill and sent an invoice yet. Did we have to have a jury trial? Lucas answered "yes".

John Savage inquired about "reversal". Lucas replied that there is no way to back out. Did the former Supervisor Gary Blades have any special interest with a developer? Lucas replied that he needed Board approval by a majority and got the vote. Lucas stated that he wishes that it had never been done. The current economy is terrible and it is the worst real estate market ever. Why was this done? Lucas stated it was a desire for the Township not to be in the wims of another municipality.

Dennis Dieckman asked "what is your bill going to be? Are you being paid to attend this meeting?" Lucas replied that he needs to figure up the bill but he will never be compensated for all the time he has spent on this case. He charges the Township \$150.00 per hour. He is not out to gouge the Township or anyone and that he is in it for the long haul. And "yes" he is getting paid to attend the meeting.

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Peter Psarouthakis inquired about the main judgment v. partial judgment of \$683,000.00. Lucas explained that the \$683,000.00 was a partial judgment and a final judgment will be made on February 11, 2010 regarding the attorney fees and costs. He stated the the attorney always gets 1/3 of the proceeds.

Psarouthakis stated that he was confused about the annexation v. sewer plant. Which one was it? And that he has not seen any remorse from the Board.

Daniel Lai from Heritage Newspapers inquired about the 425 agreement with the Village of Manchester. The history of the 425 agreement talks with the Village were discussed.

John Savage inquired about "how will the Township pay for this?" Lucas replied that the Supervisor must put it on the tax roll. Due to the Headlee amendment, because it is less than a mill, the Township residents will need to vote on it. There is no easy answer.

Chizmar replied that both he and Tom were sorry.

After review of the bills, motion by Chizmar, supported by Lavender to approve all bills as presented and table the River Raisin Watershed invoice until the next meeting. Motion carried.

Motion made by Lavender, supported by Chizmar to issue Mary Koeze a refund check of \$396.00 for overpayment of a fire run. Motion carried.

Lewis inquired if the Board was okay with the wording for the amended zoning ordinance changes.

Roger Drouare inquired about Great Lakes Geological, Inc. obtaining a permit to drill. Jones stated that no permit is needed from the Township. Drouare explained that he had three cracks in his wall due to their drilling. He will contact the company again with his complaint.

The meeting adjourned at 9:02 P.M.

Teri L. Aiuto, Sharon Township Clerk