

**CHARTER TOWNSHIP OF HARRISON
REGULAR BOARD MEETING
DECEMBER 10, 2007**

PRESENT: Anthony G. Forlini, Supervisor
Jan P. Jorgensen, CMC, Clerk
Darrin S. York, Treasurer
Sharon Eineman, Trustee
Michael H. Rice, Trustee
James A. Ulinski, Trustee

EXCUSED: Robert I. Garvin, Trustee

ALSO PRESENT: Robert Huth, Township Attorney
Glenn Spencer, Finance Director
Bill Kinney, Water & Sewer Superintendent
Patrick Meagher, Township Planner

BOARD FORUM

Board Members addressed individual resident concerns.

The meeting opened at 7:30 p.m. with the Pledge of Allegiance.

APPROVAL OF CONSENT AGENDA:

Motion by Mr. York, and seconded by Mr. Rice to approve the Consent Agenda with the Bills in the Amount of \$750,369.52.

**Roll Call: Ayes: York, Rice, Eineman, Ulinski, Jorgensen, Forlini
Nays: None
Excused: Garvin
MOTION CARRIED.**

APPROVAL OF THE REGULAR BOARD MEETING MINUTES OF 11/26/07 AND SPECIAL BOARD MEETING OF 11/27/07

Motion by Mr. York, and seconded by Mr. Rice to approve the Regular Board Meeting Minutes of 11/26/07 and Special Board Meeting Minutes of 11/27/07 as presented.

**Roll Call: Ayes: York, Rice, Eineman, Ulinski, Jorgensen, Forlini
Nays: None
Excused: Garvin
MOTION CARRIED.**

APPROVAL OF THE BILLS IN THE AMOUNT OF \$750,369.52

Motion by Mr. York, and seconded by Mr. Rice to approve the Bills in the Amount of \$750,369.52 as presented.

**Roll Call: Ayes: York, Rice, Eineman, Ulinski, Jorgensen, Forlini
 Nays: None
 Excused: Garvin
 MOTION CARRIED.**

APPROVAL OF Y2007 BUDGET AMENDMENTS AS PRESENTED

Motion by Mr. York, and seconded by Mr. Rice to approve Y2007 Budget Amendments as presented.

**Roll Call: Ayes: York, Rice, Eineman, Ulinski, Jorgensen, Forlini
 Nays: None
 Excused: Garvin
 MOTION CARRIED.**

APPROVAL OF THE NOVEMBER, 2007 REVENUE AND EXPENDITURES REPORT

Motion by Mr. York, and seconded by Mr. Rice to approve the November, 2007 Revenue and Expenditures Report as presented.

**Roll Call: Ayes: York, Rice, Eineman, Ulinski, Jorgensen, Forlini
 Nays: None
 Excused: Garvin
 MOTION CARRIED.**

APPROVAL TO EXECUTE Y2008 ANNUAL APPLICATION AND PERMIT FOR MISC. OPERATIONS WITHIN STATE TRUNKLINE R.O.W.

Motion by Mr. York, and seconded by Mr. Rice to approve to execute Y2008 Annual Application and Permit for Miscellaneous Operations within State Trunkline Right of Way as presented.

**Roll Call: Ayes: York, Rice, Eineman, Ulinski, Jorgensen, Forlini
 Nays: None
 Excused: Garvin
 MOTION CARRIED.**

APPROVAL TO UPDATE COMMITTEE APPOINTMENT APPLICATION UNDER POLICY & PROCEDURE 2:26 AS PRESENTED

Motion by Mr. York, and seconded by Mr. Rice to approve to update committee appointment

applications under policy and procedure 2:26 as presented.

**Roll Call: Ayes: York, Rice, Eineman, Ulinski, Jorgensen, Forlini
Nays: None
Excused: Garvin
MOTION CARRIED.**

ADOPT RESOLUTION FOR USE OF A RECEIVING BOARD IN THE ADMINISTRATION OF ELECTIONS

Motion by Mr. York, and seconded by Mr. Rice to adopt the following Resolution for Use of a Receiving Board in the Administration of Elections;

WHEREAS, Harrison Township has in previous elections utilized a Receiving Board to process election night returns, and;

WHEREAS, the State of Michigan, Bureau of Elections now requires that the Harrison Township Board of Trustees recognize the continuation of this practice, and;

WHEREAS, the Harrison Township Election Commission at its meeting of December 7, 2007 concurred with the use of the Receiving Board and its purpose;

NOW THEREFORE, BE IT HEREBY RESOLVED: that the Charter Township of Harrison is in agreement to continue to utilize a Receiving Board in the Administration of future elections.

**Roll Call: Ayes: York, Rice, Eineman, Ulinski, Jorgensen, Forlini
Nays: None
Excused: Garvin
RESOLUTION ADOPTED.**

APPROVAL OF THE REGULAR AGENDA

A resident requested an item to be added to the agenda.

Motion by Mr. York, and seconded by Mrs. Eineman to approve the Regular Agenda with the with the removal of items; F.1- Resolution regarding the safety of Selfridge Air National Guard Base to be brought back at the next regular board meeting, F.2-Trustee Request for a Resolution Proposing an Amendment to the Laws Regulating Civil Servant Pensions, to be brought back at a future regular board meeting, F.3- Discussion on the Economic Development Corporation Committee, and F.4- Resolution Establishing a Moratorium to sell the 155 acre Parkway Parcel for ninety nine years to be brought back at the next regular board meeting, and to move item C.1 Approval to Purchase Three (3) Replacement Work Trucks From Red Holman Pontiac-GMC up on the Agenda as A.1. MOTION CARRIED.

SUPERVISOR/BOARD ANNOUNCEMENTS

The Supervisor announced that the Summer Bus service will cease the end of next week, and will begin again next summer. Congratulations were offered to Fire Chief Seitz and the Harrison Township Fire Department for being selected as L'Anse Creuse Public Schools' Employer of the Year. St. Hubert is presenting Dinner with a Perfect Stranger January 27, 2008, call the Rectory for information. The Beautification Committee announced that Melinda Gonzales is donating a bench that will be installed on the bike path near North Pointe Parkway, valued at \$1,000.00 in memorial to her son, Jason.

Motion by Mrs. Eineman, and seconded by Mr. Ulinski to accept , on behalf of the Beautification Commission, Mrs. Gonzales donation of a bench that will be installed along the bike path valued at \$1,000.00 in memorial to her son, Jason. MOTION CARRIED.

On behalf of the Cable Committee a Resolution was presented before the Board for consideration with regard to setting standards for Cable TV and Video providers to fully serve Harrison Township cable TV and video customers in the delivery of programming on Local Access Cable Channels.

RESOLUTION REQUESTING PRESERVATION OF EXISTING CHANNEL LOCATIONS FOR PUBLIC, GOVERNMENTAL AND EDUCATIONAL ACCESS CHANNELS, ALSO KNOWN AS PEG

***WHEREAS*, Comcast Cablevision, is among the companies that furnish or will be furnishing cable television subscriptions to residential customers; and**

***WHEREAS*, the Charter Township of Harrison and other governmental entities have committed substantial resources to deliver programming on governmental and educational access channels, also known as PEG; and**

***WHEREAS*, Comcast Cablevision has indicated that it intends to change the channel lineup and location of the public, educational and government access channels (PEG) from present locations, where they have been situated for many years, to the channel lineup in the 900's, which will require customers to have a digital converter set-top box, a cable card or a QAM1* capable television; and**

***WHEREAS*, the result is added costs, inconvenience, and confusion with respect to viewers who intend to view educational and governmental access channels; and**

***WHEREAS*, since Comcast's announcement, many concerned residents have contacted the township in opposition to the news that Comcast intends to change the location of PEG channels and require customers to have a digital converter boxes to receive the channels;**

NOW, THEREFORE BE IT RESOLVED THAT:

1. Comcast Cablevision is requested to preserve the channel locations for public, educational and governmental access channels (PEG) and agree that they will not be changed

1 QAM tuners in televisions enable direct reception of digital cable channels without the use of a set-top box

in the future without the written consent of the township and/or governmental entity or entities which provide programming on such channels;

2. The Township requests that Comcast respond to the questions posed by the Michigan Chapter of the National Association of Telecommunications Officers and Advisors in its letter dated November 2007 addressing operational and legal issues related to Comcast's actions; and

3. The Township requests that Public Act 480 of 2006 be immediately amended to require that public, educational and governmental access channels remain at the current locations and that the same not be subject to change unless the written consent of the affected governmental entity providing the programming is obtained and that the Act be further modified in order to require that new providers of cable and video services furnish public, educational and governmental access channel lineups and selections that are consistent with existing providers, as of January 1, 2007, with respect to channel locations, ease of access, availability of features, quality parameters, and similarity of surrounding channels.

4. The Township requests that legal counsel explore sections of Michigan's Public Act 480 of 2006, for provisions that already exist to potentially assist the township in maintaining the best delivery of its programming to Harrison Township residents via the cable TV and video systems. In addition, the Township pledges to continue talks with local providers, as well as investigate appropriate measures, to protect the township's investment in providing programming for local access channels, as these channels are important means of communicating with residents.

This Resolution is deemed severable and should any provision, clause, word or sentence be deemed unenforceable, the remainder shall remain in full force and effect.

Motion by Mr. York, and seconded by Mr. Rice to adopt the above and forgoing Resolution with regard to setting standards for Cable TV and Video providers to fully serve Harrison Township cable TV and video customers in the delivery of programming on Local Access Cable Channels as presented.

**Roll Call: Ayes: York, Rice, Eineman, Ulinski, Jorgensen, Forlini
 Nays: None
 Excused: Garvin
 RESOLUTION ADOPTED.**

The Clerk announced that Absent Voter Applications were sent out on Thursday, December 13th, and as a reminder to those 60 years and older that they will no longer automatically be sent application, and to contact the Clerk's Office to get an application if they did not receive one by the end of the week, and let the Clerk's Office know if you want to be placed on the Permanent List. The last day to register to vote for the January 15, 2008 Presidential Primary is December 17, 2007.

The Metro Park Annual passes have been on sale for a few weeks now and residents were reminded that they would make a great Holiday gift. Also the Clerk announced that the Board of Trustee packets are now available on line for review on the Harrison Township Website. Mrs.

Eineman thanked everyone for coming to the Tree lighting event and promised that it will be scheduled again next year. She thanked everyone that helped make the evening a success. She also announced that the bus will leave Rosso Hall at 5:30 p.m. returning 11:00 p.m., on Saturday, December 15, 2007 for Holiday Night at Greenfield Village. The cost is \$15.00. Dress warm. Call 466-1440 for additional information. Mr. Rice announced that permits have been approved for the Fishing Hole Project and the project will move forward in the spring.

Motion by Mr. Ulinski, and seconded by Mr. Rice to Receive and File the Supervisor and Board Announcements as presented. MOTION CARRIED.

APPROVAL OF PROFESSIONAL PLANNING SERVICES FROM COMMUNITY PLANNING MANAGEMENT (CPM) FOR A THREE (3) YEAR CONTRACT

At the Regular Board Meeting on January 22, 2007 the Board approved an extension with Community Planning Management through the end of this year. CPM has worked on the completion of the Master Plan, the Recreation Master Plan, Zoning Ordinance changes as well as several new draft ordinances. Mr. Meagher, President of CPM, has sent a proposal for a three year contract with the ability of a Board to get out with a thirty day written notice. The cost for their services will remain the same as it is currently. The Supervisor's Office recommends the execution of the three year contract extension. The Board requested that Community Planning Management take a more active role in pursuing grants on behalf of the community, requesting that CPM alert the Board to grant opportunities and for direction from the Board on which grants to pursue. A resident offered his comment.

Motion by Mr. Rice, and seconded by Mrs. Jorgensen to execute a three year extension on the current contract with Community Planning Management for professional planning services for a monthly retainer service fee of \$1,100.00 which includes 12 regularly scheduled Planning commission meetings and the eight items noted in section one on pages one and two of the signed Agreement for planning services dated June 9, 1998, and the hourly rate of \$75.00 per hour for work not covered under Section 1 of the contract/Agreement. MOTION CARRIED.

UPDATE FROM PATRICK MEAGHER/COMMUNITY PLANNING MANAGEMENT (CPM) ON PARKWAY PARCEL

On June 5, 2007 and October 29, 2007 Mr. Meagher from Community Planning Management facilitated workshops open to the public on the use of the recently purchased Parkway Parcel. At the last Regular Board Meeting, it was requested by the Board that CPM come to our next meeting to present the findings of the Parkway Parcel workshops. Mr. Meagher reported the following site facts; consisting of 153 acres, planned for residential and park use, zoned R-1-B (Single-family Residential), 46.40 acres of wetland and 106.6 acres of uplands. The boundaries are Vandy Ave. to the southwest, Jefferson Ave. to the east, Metropolitan Parkway to the northwest, and Foxcroft Subdivision to the northeast. The site is vacant, and surrounded by R-1-B, R-1-C, and R-1-D zoned areas. It abuts a small piece of Multi-Family at the northeast. There are several Multi- Highrise designations across Jefferson and Metropolitan Parkway. From the October 29, 2007 workshop meeting, the following use concepts were offered, pristine/natural park, pathways, parking lot for trail users, hotel, banquet/water park/ resort (25 acres), residential lots on Vandy, campground

w/fishing, and soccer field, and cross county skiing. Ideas for the next step were offered, such as investigate costs for parking lot, pathways, long-term maintenance, sheriff patrol and other if kept as natural park, estimate value for potential nine lots on Vandy, seek additional information re hotel/resort development, and others. Mr. Meagher stated that he was looking for direction. The Board discussed whether or not to move forward with the information gathered. Carbon credits were introduced and offered as a means to generate revenue from the property. Residents offered their comments.

Motion by Mrs. Eineman, and seconded by Mr. Ulinski to Receive and File Mr. Meagher's Parkway Parcel Update and request that Mr. Meagher look into the feasibility of carbon credits with regard to a possible revenue source from the Parkway Parcel. MOTION CARRIED.

WATER & SEWER DEPARTMENT

APPROVAL TO PURCHASE THREE (3) REPLACEMENT WORK TRUCKS FROM RED HOLMAN PONTIAC -GMC

The Water & Sewer Superintendent is requesting authorization to issue a purchase order in the amount of \$57,978.00 to Red Holman Pontiac-GMC for the purchase of three replacement work trucks, two trucks and one van, completely outfitted and ready to go. Trucks #303, #306 and #309 have lasted beyond their projected service life and it was recommended that they should be replaced now before any major mechanical failures happen. The vehicles will be purchased through the Oakland County Vehicle Bid program, allowing the Township to receive the lowest possible pricing. To reduce the costs even further, the dealership had a left over 2007 model that met the Township's requirements, and the other two vehicles will be ordered and anticipated delivery in about six weeks. Funding for these vehicle replacements are in the current W/S budget, line item #592.978.000 (Equipment Expense). Once the new vehicles are delivered, the old vehicles will be sold either at the Macomb County Auction or by advertising for bids. A plan will be brought back for Board approval once disposal of the old vehicles are needed. The Board was informed that Oakland County went out for three bids, but they were not a part of the board packet.

Motion by Mr. York, and seconded Mrs. Eineman to authorize the issuance of a purchase order in the amount of \$57,978.00 to Red Holman Pontiac-GMC for three replacement work trucks for the use of the Water and Sewer Department as presented, with the source of funding from the Water and Sewer budget line item #592.978.000 equipment expense as requested. MOTION CARRIED.

CLERK'S OFFICE

APPROVAL TO PURCHASE A COMPUTER IN THE CLERKS OFFICE FOR THE DEPUTY CLERK

The Clerk is requesting approval to purchase Dell latitude Dockable Laptop in the amount of \$2,818.15 for the Deputy Clerk's use. The current computer that is being used is one of the oldest computer systems in the Township and just recently SYO had concerns with updating its system. SYO has been contacted and recommends the system presented in the board packet for

consideration as it is a business class computer that has the capacity to operate with our current networks, and will meet the needs of the Clerk's Office, in accomplishing tasks such as preparing minutes and electronic board packets. There is a three year on site warranty. The Board had a lengthy discussion with regard to the Clerk's request for a laptop for the use of the Deputy Clerk, and that the computer recommended was too costly, and questioned whether the recommended system quoted by SYO was the best choice for the Clerk's Office's needs. The Clerk informed the Board that based on her request, SYO had the understanding of her department's responsibilities and that SYO was certainly qualified in making his recommendation with regard to the appropriate system. Some Board Members questioned SYO's ability to properly quote IT equipment needed for the Township. Residents offered their comments.

Motion by Mr. Rice, seconded by Mrs. Jorgensen to approve to purchase in two weeks a Dell Latitude Dockable Laptop in the amount of \$2,818.15 for the Clerk's Office to be expended from the following line items: Computer #977.00 - \$1,200.00, Equipment Expense #978.000 - \$1,000.00 and Operating Supply #740.000 - \$618.15 as presented, conditionally, that this is the best price for this computer.

Mr. Rice withdrew his motion.

Motion by Mr. Ulinski, and seconded by Mr. York to deny the purchase of this computer for the Deputy Clerk's use, at this time, as requested.

**Roll Call: Ayes: Ulinski, York, Eineman
 Nays: Rice, Jorgensen, Forlini
 Excused: Garvin
 MOTION FAILED.**

SUPERVISOR'S OFFICE

APPROVAL FOR APPLICATION FOR EMERGENCY DRAIN FUNDING

At the August 27, 2007 Regular Board Meeting, the Board authorized Wade Trim to conduct a storm water drainage assessment, and make recommendations for projects that would be eligible for money under the Macomb County Public Works Emergency Drain Fund. The Supervisor's reports that portions of this work have been completed and Wade Trim has recommended that the Petit Conlet Drain project for approval for the funding from the Emergency Drain funding. The clean out should begin at South River and head south along the drain. The Supervisor requests authorization for Wade Trim to prepare and submit the application for year 2007 Emergency Drain Funding in the amount of \$50,000.00, and pending approval to begin the clean out of the drain. The Supervisor also stated that it was necessary for the Board to approve to expend the \$25,000.00 in the Drain Maintenance Fund as part of the funding for this project. It was not clear as to who would be performing the clean out, or if the Township or the County would be going out for bids for this project. Residents offered their comments.

Motion by Mr. York, and seconded by Mr. Ulinski to authorize Wade Trim to prepare and submit the application for year 2007 Emergency Drain Funding in the amount of \$50,000.00

and to approve to expend \$25,000.00 in the Drain Maintenance Fund, and pending application approval to begin the clean out the Petit Conlet Drain beginning at South River and heading south along the drain, not to exceed \$75,000.00. MOTION CARRIED.

PUBLIC COMMENTS

1. Mr. Sam Buschell, resident, stated that he would follow-up with his request to refund his \$95.00 permit fee. He reminded each Board of their oath in protecting the residents of this community. He also requested that the Board consider calling in sidewalks in the Township boundaries.
2. Mr. Rich Rapp, Jr., resident, spoke to specific agenda items, and that he was opposed to the Board spending \$1.8 million for the Parkway Parcel.
3. Mr. Bill Servial, resident, spoke to calling in sidewalks, and recommended that citizen committees be established regarding sidewalks, and the Parkway Parcel uses.
4. Mr. James Senstock, resident, spoke to protecting the Parkway Parcel and the need to establish a capital expenditure policy whereby a capital expenditure over \$200 should be Board approved.

BOARD COMMENTS

1. Mrs. Jorgensen wished residents a Merry Christmas and a Happy New Year.
2. Mr. Rice wished residents a Merry Christmas and a Happy New Year.
3. Mr. Ulinski wished residents a Merry Christmas and a Happy New Year, and stated that residents have shared with him that this Board is the best board in many years, and to keep moving forward.
4. Mrs. Eineman stated her position with regard to the Parkway Parcel which is to keep it pristine, also responded to a residents question to why the Trustees items were removed, because she wanted a full board, and wished residents a Merry Christmas and a Happy New Year.
5. Mr. York responded to a resident comment about his \$95.00 fence permit. Announced that the Treasure's Office will be closed during the holidays, and tax payments will be accepted at the Chase Bank, across from the old Farmer Jacks, on Harper, and tax payments placed in the drop box over the holiday break will be stamp accepted 12/31/07. He wished residents a Merry Christmas and a Happy New Year
6. Mr. Forlini stated that he would look into a sidewalk and Parkway Parcel committees and stated that the committee's recommendations could be brought before the Board for consideration. He also wished residents a Merry Christmas and a Happy New Year.

CLOSED SESSION

CLOSED SESSION FOR THE PURPOSE OF DISCUSSING IAFF 1737 NEGOTIATIONS

Motion by Mr. York, and seconded by Mr. Ulinski to enter into Closed Session for the purpose of discussing IAFF 1737 Negotiations at 9:51p.m.

Roll Call:	Ayes:	York, Ulinski, Eineman, Rice, Jorgensen, Forlini
	Nays:	None
	Excused:	Garvin

MOTION CARRIED.

OPEN SESSION

Motion by Mr. York, seconded by Mr. Ulinski to enter into Open Session at 10:20 p.m.

**Roll Call: Ayes: York, Ulinski, Eineman, Rice, Jorgensen, Forlini
 Nays: None
 Excused: Garvin
 MOTION CARRIED.**

Motion by Mr. York and seconded by Mr. Ulinski to engage the Fishman Group for the 312 Arbitration and the grievance from IAFF 1737 Fire Fighters Union. MOTION CARRIED.

ADJOURNMENT

Motion by Mr. York, and seconded by Mr. Ulinski to adjourn. Meeting was announced adjourned at 10:21 p.m. MOTION CARRIED.

Prepared and Submitted by,

Approved by,

**Jan P. Jorgensen, Clerk, CMC
Charter Township of Harrison**

**Anthony G. Forlini, Supervisor
Charter Township of Harrison**