

**Minutes of a Regular Meeting
Pittsfield Charter Township Board of Trustees, November 25, 2003
E.A. Jackson Morris Hall, The Robert A. Lillie Service Center
6201 W. Michigan Avenue, Ann Arbor, Michigan 48108**

Members Present: Brostrom, Burhop, Conner, Lirones, Marine, Skrobola, Walter.
Members Absent: None.
Others Present: Arianne Garza (Recording Clerk), Judith Walter, Ted Barrett, Michael Luptowski, Robert Czachorski, Fred Asmussen, Jan BenDor, Mark Spencer.

1.0 Call Meeting to Order

Supervisor Walter called the meeting to order at 7:30 p.m. A quorum was present.

2.0 Pledge of Allegiance - led by Supervisor Walter.

3.0 Roll Call – all members present.

4.0 Open Meetings Act/Public Comment I

Supervisor Walter added item 15.2, the recommendations by the Merit Pay Committee, to the agenda, and item 15.3, for an executive session regarding the Arbor Oaks lawsuit. He moved items 10.2 and 12.3 up on the agenda to follow approval of the minutes.

5.0 Public Hearings/Presentations

6.0 Approval of Minutes

6.1 Request to Approve Minutes of the Regular Meeting held on November 10, 2003.

Motion by Trustee Conner, supported by Trustee Brostrom to approve the minutes of the regular meeting held on November 10, 2003.

MOTION CARRIED.

7.0 Consent Agenda

8.0 Items from the Treasurer

8.1 Request to Approve the Reappointment of William M. Pearlman to the Huron Utilities Authority, With Term Ending December 31, 2005.

Motion by Treasurer Skrobola, supported by Trustee Burhop, to approve the reappointment of William M. Pearlman to the Huron Utilities Authority, with term ending December 31, 2005.

MOTION CARRIED.

9.0 Items from the Clerk

9.1 Request Approval for Payment of the Payables, Checks #44706-44846, for the Amount of \$200,934.77.

Motion by Trustee Conner, supported by Trustee Brostrom, to approve payment of the payables, checks #44706-44846, for the amount of \$200,934.77.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Marine, Skrobola, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

9.2 Request for Action Re: Application From Joseph T. Goychay, ZAG Group Inc., for the Purchase of New Class "C" Liquor License, to be Located at Bistro Bar & Grill, 4935 Washtenaw Ave., Ann Arbor, MI 48108, Pittsfield Charter Township, Washtenaw County, Michigan.

Clerk Lirones asked that this item be postponed to the next meeting because the addresses had been incorrect on this liquor license application and the conditional use permit (CUP) application. She said that the correct address was supposed to be 4735, but the applicant had written 4935 on the liquor license application, and on the CUP application he had written 4745. She said she wanted to ensure that this was correct before action was taken.

Supervisor Walter postponed the item to the next meeting, with the agreement of the Board members.

9.3 Request to Receive Revenue/Expenditure Report for the Month of October 2003.

Motion by Trustee Conner, supported by Trustee Brostrom, to receive revenue/expenditure report for the month of October 2003.

MOTION CARRIED.

9.4 Request to Receive Memorandum from the Pittsfield Natural Resources Commission Regarding Suggestions for Revision of the Township's Ordinance on Hunting and the Discharge of Weapons.

Motion by Trustee Conner, supported by Treasurer Skrobola, to receive the memorandum from the Pittsfield Natural Resources Commission regarding suggestions for revision of the Township's ordinance on hunting and the discharge of weapons. (See Attachment #1)

Trustee Burhop asked if there will be an opportunity to delve into and discuss this at subsequent meetings.

Supervisor Walter said yes.

Trustee Conner said that the Natural Resources Commission had looked at the ordinance and forwarded its recommendations to the Board for review, and that from there the issue might go to a subcommittee of the Board. He said that the Commissioners did not propose specific draft language, but they had recognized that the

township population had increased to the point where the discharge of firearms within the township could be dangerous to the residents. He said that there had been a number of complaints to date during hunting season, and that this needed to be addressed.

Clerk Lirones said that she did not think it was necessary to form a sub-committee at this point, but that this would be reviewed at a staff level. She asked that the Trustees forward any comments about hunting from the residents to the Clerk's Office, and said that the Community Bulletin had also asked that residents send in comments about this issue to the Clerk's Office. She added that a few letters had already been received, so far all in opposition. She said she believed there is a particular procedure to be taken in order to revise the hunting boundary, rather than simply passing a revised ordinance. She said this will be reviewed by Senior Planner Mark Spencer, and that Deputy Clerk Jan BenDor had been researching it as well. She said that she would come back to the Board with more information on this before a public hearing is necessary.

Supervisor Walter said that this is a fairly extensive procedure and the DNR will need to be involved. He said that the public needed to be alerted that that a change is being considered so the Board can hear from people on both sides of the issue.

Trustee Burhop asked what the date of the original hunting ordinance was.

Clerk Lirones said 1973.

Trustee Marine said that he had been to the Natural Resources Commission when it had discussed this and had asked some questions. He said he realized that hunting had become more dangerous with the increasing population, and that members of his own subdivision had mentioned that there was hunting going on nearby, but that one of the facts that he had seen at the meeting was about all of the car/deer crashes in this area. He said he had asked how many of those had been fatal, and wasn't sure if he had gotten an answer for that, but that he knew of at least 1 or 2 that had been. He said he had then asked how many hunting accidents there had been in Pittsfield during the past 10 to 12 years, and apparently there had been none. He said that in the interest of safety he might find himself more concerned with car/deer crashes because they are more frequent than hunting accidents in this area. He said that with an undergraduate degree in wildlife management, he wanted to remind everyone about how important hunting is as a mechanism for wildlife management. He added that he had never fired a gun in his life and would never hunt an animal.

Supervisor Walter said that most of the hunting in this area is bird hunting. He said that the management of the deer population might involve some sort of culling of the herds, which is not the same as relying on hunters to manage the deer population, but that this is a good point to address. He said that the complaints that have been received have not dealt with hunting accidents per se, but rather with people feeling threatened by hunters with firearms on their property. He said that one woman had called and was very upset because the hunters had come into a parking lot behind her workplace, hauling the bloody birds, and had been very rude to her. He said it was a conflict situation that needed to be addressed, but that it may be separate from hunting, because he did not

think that enough deer were being hunted in this area to have any effect on the population of the herd.

Trustee Conner agreed, and said that the Natural Resources Commission had suggested options that would give the Board flexibility, allowing a controlled hunt, when required. He added that the car population has probably tripled here, and the deer population probably hasn't grown as fast, so right now the natural enemy of the deer is the car.

Supervisor Walter agreed that the car is the only natural predator left in this area.

MOTION CARRIED.

10.0 Items from the Supervisor/Assessor

10.1 Motion to Adopt Revisions to Board Rules.

Supervisor Walter said that this Board had adopted written rules for the first time in the township in 2000, and the rules were suggested in the book "Managing the Modern Michigan Township". He said there were 2 major changes: section 14 on administrative resolutions was being removed, and a procedure for amending the rules was being added. He said a 2/3 vote was required in order to pass the new rules.

He added that the other changes were fairly cosmetic, such as holding only one meeting in December, and scheduling around the holidays. He said that Trustee Burhop had added some corrections to the old rules. In section 13.3, at the top of page 7, the word "member" should be replaced with "*members*", and in 13.4 "capital letters" should be changed to "*underline*" with items to be stricken done in strike-through, and items to be added done in underline.

Motion by Clerk Lirones, supported by Trustee Conner, to adopt the revisions to the Board rules. (See Attachment #2).

Trustee Conner asked if the administrative resolutions were meant to address policy changes.

Supervisor Walter said that was the intent, but there had only been two of them since this administration took office. He said policy changes have been handled with regular resolutions instead.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Marine, Skrobola, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

10.2 Motion to Approve Agreement Between Strategic Energy L.L.C. and Pittsfield Charter Township to Supply Power to the Pittsfield Administration Building, Public Safety Building, and Morgan Road Pump Station, and to Authorize the Township Supervisor to Sign the Agreement.

Supervisor Walter said that extensive meetings have been held with Fred Asmussen, an energy re-seller for Strategic Energy. He said that this was an option to buy energy from a group other than DTE that buys energy on the open market. He said that the

service would still be provided by DTE, but that Strategic Energy would buy the energy, feed it into the grid, and then take a percentage. He said that the analysis had shown that this would save approximately \$15,000 a year for the township. He said that he had managed to speak with four of Strategic Energy's customers, and that all of them gave glowing reports – Novi School System, Avondale School System, Birmingham School System, and Troy School System.

Fred Asmussen, of Strategic Energy, said that this program had been set up by the Public Service Commission early last year to create competition for the delivery of electrical energy in Michigan. He said that the township will continue to get service and be billed for everything from DTE, except for the kilowatt hours, which will be billed from Strategic Energy. He said this is a 2 year term because in 2005 DTE's tariffs will be subject to review, and at that time the township will be able to make the decision to stay with Strategic Energy or return to DTE. He said that when the contract is signed, Strategic Energy will ensure that the township will have enough energy by going into the open market and purchasing enough energy to take care of the anticipated needs for the next 2 years. He said this is a significant investment and commitment on behalf of Strategic Energy. He said that the only thing that was asked of the township was to inform Strategic of any change in the usage of energy. He added that Strategic's parent company is listed on the New York Stock Exchange, and that they were pleased to offer the savings to Pittsfield Township.

Supervisor Walter said that the price quote was only valid for 48 hours and asked Mr. Asmussen what the current per kilowatt hour price quote was.

Mr. Asmussen said that energy prices fluctuate daily, and that the current price is 5.56¢ for the Administration building and 5.58¢ for the Public Safety building.

Supervisor Walter said that the estimate for the Administration building was slightly lower than the prior estimate, and the estimate for Public Safety was slightly higher, so the overall estimate was roughly the same. He said that if this item was agreed upon tonight, it could be executed tomorrow morning at those prices.

Trustee Marine said that he did not understand very much about buying and selling energy, nor how it was that they could buy energy for a cheaper price than DTE, or why the two buildings had been given different prices. He said that the only thing he did know about buying and selling energy had to do with the California crisis and Enron, and neither of those were very good things to know about, in regards to buying and selling energy. He asked how this works, why the township will save money, and how it was that Strategic Energy made money, and what the potential downside was.

Mr. Asmussen said that the potential downside would be that energy prices go down below the prices that have been quoted, at which point it would be re-negotiated. He said that sometimes the power that is being sold is purchased at wholesale prices from DTE. He said that energy has always been available at these prices, and for whatever reason, DTE has been approved for the tariffs that it charges its customers. He said that, similar to the telecommunications industry, competition is coming in, and in 2005 it is going to be a free-for-all.

Supervisor Walter said that the open market price is significantly below the tariff price that DTE is charging, and that there is enough room for the township to save money, and for Strategic Energy to make money.

Treasurer Skrobola said that one of the downsides that may exist is that the estimates may not have been done correctly. He asked how the current historical annual usage

had been calculated, and how it projected in terms of total cost. He said that the first year's estimated savings ~~was~~ *were* shown, but that he did not see the total cost that had been extended relative to the historical usage vs. the projected use.

Mr. Asmussen said that a usage history of the past 12 months for each account in question had been obtained from DTE. He said that information, as well as other factors such as company hours, days of usage, etc., is entered into something called a "power factor". He said that the power factor acts as a multiplier and is used to determine the price that will be offered to the township.

Treasurer Skrobola asked if the Board had an opportunity to see these calculations.

Mr. Asmussen said no.

Treasurer Skrobola said he inferred from this that the Board would be going on Strategic Energy's word, and if there is a shortfall as far as the estimated usage is concerned, then he assumed that Strategic would be going back into the market and buying it at the current rate which may or may not be higher than the quoted rate, which would eliminate the projected savings and potentially go into an additional cost.

Mr. Asmussen said that Strategic Energy goes into the marketplace immediately and purchases sufficient energy for the next two years based on the historical usage for the last year.

Treasurer Skrobola said he understood that, but that if the estimate has not been done correctly, and the Board has not had an opportunity to look at the calculations and make certain that they are reasonable, then this estimated savings may not be accurate. He asked if that was an unreasonable interpretation.

Mr. Asmussen said somewhat. He said that his company has existed for many years making these types of projections, and had never had a complaint filed against them. He said that one of the reasons why he acted as a representative of Strategic Energy was because ~~on~~ *of* the type of contract that it offered. He said that its customers are given a ceiling price, and are guaranteed that their price will not go up for the next two years. He added that they also have excess energy which is re-sold in the open market, the proceeds of which are used as a rebate to the customers on a quarterly basis.

Treasurer Skrobola asked if that ceiling price was included in the contract.

Mr. Asmussen said it was the price that was being quoted.

Treasurer Skrobola asked if any additional energy would be purchased at the quoted price.

Mr. Asmussen said that was guaranteed for 2 years.

Treasurer Skrobola asked if the guarantee was included in the contract.

Mr. Asmussen said yes.

Supervisor Walter said that nothing was anticipated in either building that would seriously change the level of usage, but that Strategic Energy purchases in excess, to make up for any differences in usage.

Treasurer Skrobola said that is a very good question because the savings are pretty slim relative to the total expenditure, and if the estimate is off by any reasonable percentage and Strategic has to go back to the marketplace and purchase at a different price than the quote, then the savings are wiped out.

Mr. Asmussen said that the contract guarantees that the price will not go any higher than the set ceiling.

Treasurer Skrobola said that he had not had an opportunity to read the contract, and asked if it had been looked at by the Township Attorney.

Supervisor Walter said that the Township Attorney had taken a look at it and had raised a couple of questions that had been responded to by Mr. Asmussen.

Trustee Conner asked if there is a possibility that the rates will decrease.

Mr. Asmussen said that the probability of the rates going down is low. He said that the historical price has incrementally risen for the past 7 or 8 years, and that is expected to continue. He said that in the event that the prices do go down, then Strategic Energy will have to enter into negotiations with their customers.

Trustee Conner asked how many years Strategic had gone back to determine the historical usage data.

Mr. Asmussen said one year.

Trustee Conner asked if Mr. Asmussen thought that was an adequate period of time.

Mr. Asmussen said that his company had felt certain that the usage was fairly typical of what could be expected.

Trustee Conner asked if the given rate was dependent on usage.

Mr. Asmussen said no, the price is guaranteed regardless of whether more or less energy is consumed.

Trustee Brostrom asked if Strategic Energy should be contacted in the event of an outage.

Mr. Asmussen said that DTE will still need to be contacted, and that the only change in service will be in the billing. He said that as far as DTE is concerned, the township will still be its customer.

Supervisor Walter said it was his understanding that Strategic Energy rents the lines from DTE, but that DTE is still responsible for the delivery and transmission.

Treasurer Skrobola said that he assumed that the township will not be getting doubly billed by both firms, and asked if that assumption was correct.

Mr. Asmussen assured him that the township would not be double billed.

Trustee Conner asked if Strategic Energy supplies gas as well.

Mr. Asmussen said that is a field the company is looking into.

Trustee Conner asked about residential rates.

Mr. Asmussen said that Strategic Energy deals strictly in the commercial field.

Supervisor Walter added that there is a 30 day cancellation clause.

Motion by Trustee Conner, supported by Trustee Brostrom, to approve the agreement between Strategic Energy L.L.C. and Pittsfield Charter Township to supply power to the Pittsfield Administration Building, Public Safety Building, and Morgan Road Pump Station, and to authorize the Supervisor to sign the agreement.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Marine, Skrobola, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

11.0 Items from the Office of Public Safety

11.1 Request to Purchase Replacement Floodlights for Fire Department from Halt Fire Equipment Inc. at a Cost of \$1,044.00 (plus shipping costs), and Charged to Account #336-863 – Fire Vehicle Maintenance and Repair.

Motion by Clerk Lirones, supported by Trustee Burhop, to purchase replacement floodlights for the Fire Department from Halt Fire Equipment, Inc. at a cost of \$1,044.00 (plus shipping costs), and charged to account #336-863.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Marine, Skrobola, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

11.2 Request to Receive Fire Department Incident Summary for the Month of October 2003.

Motion by Trustee Conner, supported by Trustee Burhop, to receive the Fire Department incident summary for the month of October 2003.

MOTION CARRIED.

11.3 Request to Approve Enrollment in Public Bureaucracies & Policy Formation (100%) and Research Seminar in Public Administration (100%), for Officer James Wickman, with Classes Starting January 5, 2004 and Ending April 24, 2004, for a Cost of \$1,230.00.

Motion by Trustee Conner, supported by Trustee Brostrom, to approve enrollment in Public Bureaucracies & Policy Formation (100%) and Research Seminar in Public Administration (100%), for Officer James Wickman, with classes starting January 5, 2004 and ending April 24, 2004, for a cost of \$1,230.00.

MOTION CARRIED.

11.4 Request to Approve Purchase of SCBA Face Pieces/ Head Harnesses from West Shore Fire, for \$1,800.00, and Charged to Account #336-777.

Motion by Trustee Conner, supported by Trustee Burhop, to approve the purchase of SCBA face pieces/head harnesses from West Shore Fire, for \$1,800.00, and charged to account #336-777.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Marine, Skrobola, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

12.0 Items from the Office of Municipal Services/Planning and Zoning

12.1 Request to Approve Resolution to Authorize Ayres, Lewis, Norris & May, Inc. to Perform a GIS Pilot Study for Utilities Department, for a Cost Not to Exceed \$10,000.00.

Motion by Trustee Conner, supported by Trustee Brostrom, to approve the resolution to authorize Ayres, Lewis, Norris & May, Inc. to perform a GIS pilot study for the Utilities Department, for a cost not to exceed \$10,000.00.

WHEREAS, the Pittsfield Township Utilities Department requires accurate and detailed maps to operate and maintain water and sanitary systems, and

WHEREAS, the Utilities Department recognizes that the current condition of the utility maps do not meet the needs of the Utilities Department due to the lack of a central and updated mapping system, and

WHEREAS, the Pittsfield Township Utilities Department has requested that a pilot area be converted to a Geographic Information System (GIS), which will demonstrate the capabilities of GIS to aid the Utilities Department, and

WHEREAS, the Pilot GIS Project will result in a phased GIS Implementation Plan. This plan will demonstrate the capabilities of GIS for a portion of the Township and provide options and cost estimates for long-term improvements in utility mapping.

NOW, THEREFORE, BE IT RESOLVED, that the Pittsfield Township Board authorizes Ayres, Lewis, Norris & May, Inc. to perform the Pilot GIS Study for the Utilities Department for a cost not to exceed \$10,000.00.

Mike Luptowski, Utilities Director, recounted a conversation between Utilities Foreman Joe Gannon and a Field Technician. He said that the Field Tech had been trying to locate a facility for Miss Dig and hadn't been sure where the prints were. Mr. Gannon told him that the prints in question were for Phase I, which had happened 3 years ago. Mr. Luptowski said there are basically 90 prints of projects in phases, with no real reference to street names. He said that Mr. Gannon had said that in the past year or so the Utilities Department had gotten its own hand-held GIS unit. He said they had been pinpointing areas of fire hydrants and broken water mains and sanitary sewers, and relaying that information to the township engineers. He said that right now, this was just spatial information, and if you look at it there are just dots with no connections so Utilities staff members are unable to gauge where the water mains or sewers are. He

said this was why he had asked Mr. Czachorski to give him a proposal for GIS mapping.

Robert Czachorski, of Ayres, Lewis, Norris & May, Inc.(ALNM), said that GIS stands for Geographic Information Systems, a digital mapping tool which links a digital map to a database. He said that every line in the map and every dot that represents a manhole or other item, is attached to a database that contains information about the size of the pipe, the material, the length, the year it was installed, the last time it was serviced, etc. He said that GIS mapping is a direction that many utility systems are exploring, including the township's own planning department which is currently using GIS to map their parcels, land use, and zoning. He said that there are several ways in which the GIS system could be created, such as converting the existing CAD drawings, which would be a quick and crude way of doing it, scanning the current Utilities prints and using them to generate a drawing of the utility system, or actually going out in the field and surveying the locations of the structures. He said that on the flip side, every utility system is unique in the way that the structures are laid out, whether they're located on the shoulder or in the roadway, and every system drawing that every community has is unique in the way that it is stored and filed and how much data it contains. He said that because of all of these unknowns, and all of the options on how mapping can be converted, the way ALNM has dealt with this in other communities was to recommend the implementation of a pilot program. He said that the engineers will pick a small area of the township, in this case about 1/2 of a section, which they will convert to GIS using each of the 3 techniques described. He said that they will then prepare an implementation plan that will outline the pros and cons of each of the techniques, and prepare a cost estimate for full conversion using each of the 3 techniques, and submit that report to the Utilities Department, so that they will have a menu of choices on how to convert the GIS system for the whole township. He said that the idea is to work the bugs out of the system on a very small area, and make some decisions before a township-wide system is installed.

Supervisor Walter said that they will only be working with 1/2 of a section, and there are about 29 sections in the township.

Mr. Czachorski said that only about 20 contain utilities.

Supervisor Walter asked if that will mean that the Board will be looking at 40 times \$10,000 to map the entire township.

Mr. Czachorski said no, that ALNM will not be using all 3 techniques for the whole township, and that the idea is to pick what Mr. Luptowski thinks is the best one to use township-wide. He said that there will also be economies of scale when mapping the entire utilities area, rather than just half of a section.

Supervisor Walter noted that this is important in terms of liability if the utilities are not mapped properly and something goes wrong.

Mr. Czachorski added that the efficiency that this will create in the operation of the Utilities Department should also be a benefit to the township.

Trustee Marine asked if he could have an estimate of the cost savings for the township.

Mr. Czachorski said that was difficult to estimate because it depends on how this is implemented and used in the day to day operations of the Utilities Department. He said that ALNM has done this with many other communities, and the engineers will work very closely with Mr. Luptowski to identify as many areas of efficiency as possible.

Trustee Conner asked which method had worked best for the other communities and asked if ALNM did not already know which was the best method.

Mr. Czachorski said that ALNM would not propose trying all three methods if the company already knew which one was going to work best for this community. He said that it depends on how the maps will be used in the township. He said that if the Utilities Department desires to use these maps for Miss Dig purposes, then it will need a very accurate map, and a field survey is probably the only way to accomplish that accuracy. He said that if the township only wants to use it for utility planning and for a general indication of where the pipes are, then perhaps straight conversion from the auto CAD map would be adequate. He said that as part of the pilot ALNM will work closely with Mr. Luptowski to identify all of the functions that he wishes to use, which could be implemented the easiest, and identify the best conversion method for that use.

Trustee Conner said that ALNM can identify the potential uses and take the approach that will generate the best information based on how it will be used.

Mr. Czachorski said that was correct and that they intend to use the results of the pilot study to make many of the decisions on how to proceed.

Trustee Conner asked if the engineers and the Utilities Department did not already know that.

Mr. Czachorski said that they could perhaps make a list of the functions they will want to use from the GIS, but that they will want to see the costs associated with converting all three methodologies before deciding which one to use, and the pilot study was needed for that.

Trustee Conner said that the Utilities Department and ALNM should be able to research what other jurisdictions have done and identify things in common with Pittsfield.

Mr. Czachorski said that there are several things that make Pittsfield unique, and even if he was told exactly what functionality and accuracy was desired for the mapping, the township would still need a pilot program just to identify the time and costs associated with that.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Marine, Skrobola, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

12.2 Request to Approve Detachment of Approximately ½ Acre From Lots 26 and 27, Runway Plaza Workcenter.

Motion by Clerk Lirones, supported by Trustee Brostrom, to approve detachment of approximately ½ acre from lots 26 and 27, Runway Plaza Workcenter.

Mark Spencer, Senior Planner, said that the subdivision ordinance requires that any change in the lot line be approved by the township Board. He said that there is a site plan pending with the Planning Commission for the utilization of lot 26 in Runway Plaza. He said that this will ensure that it will not create a non-conforming lot.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Marine, Skrobola, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

12.3 Request to Authorize the Township Supervisor to Sign the Proposed Agreement – MMR Site at Ann Arbor MRF Center, on Behalf of the Township.

Motion by Trustee Conner, supported by Trustee Burhop, to authorize the Township Supervisor to sign the proposed agreement for the MMR site at the Ann Arbor MRF Center, on behalf of the township.

Ted Barrett, of Mid-Michigan Recycling, said that this program is offered by the State and Federal government to stop the movement of any kind of wood out of this area. He said that the Emerald Ash Borer is a very small beetle that came from China about 5 years ago. He said that it will kill every ash tree in southeast Michigan because there is no way to stop it. He said that Michigan State University, the University of Michigan, and others have been trying to find some sort of insecticide or predator that will stop it; however, to date they have found nothing. He said that the Emerald Ash Borer was only discovered about a year ago, but it is believed to have been here for about 5 to 10 years, originally brought into the Canton-Novı area in packing material or crates. He said that the problem with ash trees is that their structure is such that once they die, the tree will begin to disintegrate and fall down, which is a hazard. He said that when a Maple or Oak tree dies, it will continue to stand pretty well, whereas an Ash tree will not. He said that approximately 10.5 million ash trees have been identified in this area, 5.5 million of which have already been identified as dead, or dying. He said that the State and Federal program cannot effectively afford to remove all of the trees in the quarantine, and so a firebreak around the quarantined area has been proposed to try to keep the Emerald Ash Borer in this area. He said that the cost of the Ash Borer infestation is estimated to be \$100 million, and if the beetle escapes southeast Michigan, that cost will be multiplied for every area that it escapes into. He said that the State, with the help of the Federal government, is removing or monitoring all of the trees in the leading edge on a daily basis. He said that throughout the State hotspots have been identified in Kent County, Saginaw County, Jackson County, and several other counties. Every time a hotspot is found, workers go into that area and remove all infected trees and every ash tree within ½ mile of the infected trees. He said that will not be done in this area, but in order to try and prevent wood from leaving this area, marshalling yards have been set up where it is free for all residents and businesses to bring material, so that it can be properly disposed of. He said that he was not sure what the savings would be for Pittsfield, but that for Ann Arbor it had been estimated to be \$1 million to \$1.5 million.

Mark Spencer, Senior Planner said that the agreement basically defines the responsibilities of MMR and Pittsfield Township. He noted that there had been a few modifications that had not been included in the draft that the Board had received, but nothing major.

Supervisor Walter said that the City of Ann Arbor had originally proposed to set this up near the airport, but that this was a better location. He added that this would only be a temporary activity.

Clerk Lirones asked if the City of Ann Arbor had already authorized the signing of an agreement.

Mr. Barrett said that they had authorized one, but will not sign until they get Pittsfield's agreement.

Trustee Burhop said that she had read that the Emerald Ash Borer can also get into the tree roots, and asked how that was being taken care of.

Mr. Barrett said that was not a main concern in this area because they do not travel underground very far.

Trustee Conner asked about federal guidelines for air pollution control at the facility, and what level of air quality will be emitted.

Mr. Barrett said that he did not know how to answer that except that it meets all local, state, and federal EPA guidelines, and that the sites are continually monitored.

Supervisor Walter pointed out that this is just a marshalling yard, and that the actual burning will be done at a separate location.

Trustee Conner asked where the trees would come from that go to the yard.

Mr. Barrett said that anyone from anywhere could drop off trees. He said that he did not think there was a limit, but that it might be costly for people to transport trees from non-quarantined areas, which is why so many yards had been set up.

Trustee Conner asked if the transportation of wood will spread the beetles further.

Mr. Barrett said that it potentially could, but that in the core area which includes Pittsfield there is nothing to stop it anyway.

Trustee Brostrom asked if dead wood stored on someone's own property could be a problem.

Mr. Barrett said that if the tree is completely dead, the chances are that the borer will die too; however, if a live tree is chopped down in the fall, then the larvae will remain alive throughout the winter and emerge in the spring. He said that was the biggest concern with people cutting down wood at this time of the year or throughout the winter and taking it up north.

Trustee Burhop asked what the life cycle of the beetle was.

Mr. Barrett said that the beetle lays eggs on top of the bark, and *they hatch and* then burrow behind the bark and stay there for one to 2 years, after which they come out of a "D" shaped hole. He said that in this area an ash may look alive, but that there is a very high probability that the ash has already been infested.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Marine, Skrobola, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

12.4 Request to Approve the Design and Construction of South Greenhills Drive.

Motion by Trustee Conner, supported by Trustee Brostrom, to approve the design and construction of South Greenhills Drive from the south line of the Timberview Subdivision to the "T" intersection at L12-34-300-025.

Mark Spencer, Senior Planner, said that normally the township requires that private roads be built to a specific standard outlined in the zoning ordinance, but that this road was originally built before that time, so the Zoning Board of Appeals had approved a lesser standard for a section of this road. He said that this will save the other 3 or 4 lots that are along this road from having to come back to get approval for each section.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Marine, Skrobola, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

12.5 Request to Approve the Purchase of a Test Ball from Etna Supply for the Amount of \$1,350.00, for the Utilities Department.

Motion by Treasurer Skrobola, supported by Clerk Lirones, to approve the purchase of a test ball from Etna supply for the amount of \$1,350.00, for the Utilities Department.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Marine, Skrobola, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

13.0 Items from the Parks & Recreation Department

14.0 Unfinished Business

15.0 New Business

15.1 Request to Approve Board of Trustees Meeting Schedule for 2004.

Motion by Trustee Conner, supported by Clerk Lirones, to approve the Board of Trustees meeting schedule for 2004. (See Attachment #3).

MOTION CARRIED.

15.2 Request to Approve Recommendations for Merit Pay by the Merit Pay Review Committee.

Motion by Treasurer Skrobola, supported by Clerk Lirones, to approve recommendations for merit pay by the Merit Pay Committee.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Marine, Skrobola, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

15.3 Request to go into executive session re: Arbor Oaks.

Motion by Clerk Lirones, supported by Trustee Burhop, that the Board go into a closed session to consult with its attorneys regarding trial or settlement strategy in connection with specific pending litigation for which an open meeting would have a detrimental financial effect on the litigating or settlement position of the township.

ROLL CALL VOTE:

AYES: Brostrom, Burhop, Conner, Lirones, Marine, Skrobola, Walter.

NAYS: None.

ABSENT: None.

ABSTAIN: None.

MOTION CARRIED.

The Board Members adjourned to the large conference room for a closed session with township attorneys and Senior Planner Mark Spencer at 8:51 p.m.

The Board Members returned from closed session, and Supervisor Walter reconvened the public session at 9:41 p.m.

Motion by Trustee Brostrom, supported by Treasurer Skrobola, to direct the township's attorneys to proceed along the lines discussed in closed session.

MOTION CARRIED.

16.0 Public Comment II-none.

17.0 Adjournment by Supervisor Walter at 9:42 p.m.

Arianne Garza, Department Assistant
Recording Clerk
Pittsfield Charter Township

Christina L. Lirones, Clerk
Pittsfield Charter Township

James R. Walter, Supervisor
Pittsfield Charter Township

MINUTES APPROVED AT THE PITTSFIELD TOWNSHIP BOARD OF TRUSTEES
MEETING HELD DECEMBER 16, 2003

PITTSFIELD CHARTER TOWNSHIP
Board of Trustees Meeting
Held November 25, 2003
ATTACHMENT #1

To: Pittsfield Township Board of Trustees
From: Pittsfield Natural Resources Commission
Date: November 13, 2003
Re: Hunting in Pittsfield Township

At the regular PNRC meetings of September 25, October 23, and November 13, 2003, the Commission discussed issues concerning hunting and whether there is a need to revise the township's hunting ordinance. Ordinance No. 63 allows hunting and discharging of weapons, during State-regulated hunting seasons, throughout the area south of a line formed by Lohr Road/Ellsworth Road/I-94.

The Commission's discussion surfaced a number of natural resource management and safety concerns.

1) There is a need to control and reduce the deer population.

The DNR confirms that Washtenaw County's deer population is well over the target number for a sustainable herd. Although the DNR cannot specify at the township level whether Pittsfield has an excess of deer, they acknowledge that there are serious problems within urbanizing communities, leading to deer damage of landscaping and car-deer collisions.

The Pittsfield Public Safety Department reports that there were 68 deer crashes in 2002 (4% of crashes) and 70 in 2001 (5% of crashes). The Sept. 22, 2003 issue of the SEMCOG Regional Update reported that in Michigan, there are four times as many deer now as there were in the 1970's, and that vehicle-deer incidents comprise as much as 20% of all crashes and cost \$130 million annually. (In 2002 deer-related crashes were 6,094, down from 6,451 in 2001.)

2) Hunting is the only method currently available to reduce the deer population and to eliminate nuisance deer.

The DNR is following experiments in Illinois with deer birth control and trap-and-release. However, such programs are too expensive for widespread use at this time.

The DNR issues out-of-season kill permits to specific hunters where there has been extensive deer damage to woods, crops, parklands, riparian corridors, etc. The Village of Barton Hills hires an expert shooter to reduce their deer population.

Fences that effectively keep deer out of a garden or yard must be ten feet high.

3) Pittsfield now has populated subdivisions in most sections of the township, making hunting with firearms potentially dangerous.

Although state law requires that hunters stay out of a 450 foot radius around any occupied building, this zone may not protect residents from high-powered firearms. Even a shotgun slug can travel 1,000 feet. In many neighborhoods, there is not enough space to provide a hunting area, plus the required 900 feet of buffer, between any two occupied dwellings. The Township planning staff have analyzed existing and site-planned conditions and produced the attached map to show the few remaining areas of the township where adequate space is available to comply with safety zone regulations.

The only sections remaining in Pittsfield that fit the safe distance criteria are those containing large parcels. Sections 32 and 34 appear to have the highest number of large parcels allowing safe hunting under state standards.

According to the DNR 2003 Michigan Hunting and Trapping Guide, a number of other townships and counties restrict hunting. There is no hunting with firearms allowed in the Oakland County townships of Auburn, West Bloomfield, Bloomfield, Farmington, Southfield, and Waterford; the Macomb County

PITTSFIELD CHARTER TOWNSHIP
Board of Trustees Meeting
Held November 25, 2003
ATTACHMENT #1

townships of Clinton, Sterling, and Harrison; the Wayne County townships of Redford and Northville; Grosse Ile Township in Wayne County is closed to all hunting. Washtenaw County forbids hunting on private lands on Sundays.

Bow hunting is permitted by most of these townships because bow hunters rarely shoot more than 45 feet laterally, according to the DNR. Bow hunters usually shoot down at deer from a tree stand placed over a well-traveled deer path. According to Interim Twp. Utilities Director Phil Maly, a veteran bow hunter, archers rarely shoot at game farther away than 100 feet, with the stray arrow rarely landing farther than 200 feet.

4) Legislation just passed by the State House, HB 5029, and forwarded to the State Senate, could if enacted, exacerbate firearms safety issues by adding more game animals to the DNR list. The bill would legalize the hunting of mourning doves, which tend to roost on telephone and power wires. The discharge of firearms up in the air may also increase the potential for shot to land outside the safety zone, in addition to the potential to damage utility equipment. The same legislation would also permanently remove authority from the legislature to name game animals, and place it with the DNR Commission. Some observers believe that the Commission would quickly proceed to add even more animals to the list.

5) The logical options for the Township's Ordinance revision appear to be as follows:

A. Continue the current policy of allowing all hunting south of Lohr/Ellsworth/I-94.

Advantages: hunters have multiple options and the deer herd is reduced accordingly; simple to post and administer.

Disadvantages: Increasing risk of injury and death to residents, continued complaints about noise and trespassing, and construction of permanent hunting structures in violation of wetlands and other protective ordinances.

B. Close the entire township to all hunting.

Advantages: Easier for police to enforce, safest for residents concerned about stray shots.

Disadvantages: Deer herd management could only be conducted through special township permits during hunting season or by DNR out-of-season permits; Ted Nugent could stage one of his famous protests at the Board hearing; deer-car collisions may increase.

C. Close all but two or three sections to all hunting.

Advantages: Posting and enforcement are simplified; safety concerns are reduced. Twp. Board could schedule sanctioned firearms hunt if necessary for deer management.

Disadvantages: May be unfair to some large parcel property owners in closed sections who want to hunt, reduction of the deer herd is reduced, and the township may have to issue special permits for in-season hunting of nuisance deer.

D. Close the entire township to firearms hunting, while still allowing bow hunting in appropriate sections to be determined within the current permitted area.

Advantages: Bow hunting could be used to control deer population, while posting and enforcement are simplified and firearms danger and noise complaints are eliminated. The Township Board should retain the authority to schedule sanctioned firearms hunt if necessary for deer management.

Disadvantages: Fewer hunters can participate. Some safety risk remains due to bow hunting taking place near populated areas.

E. Close all of the township to firearms hunting except two or three sections, while still permitting bow hunting in appropriate sections to be determined within the current permitted area.

Advantages: Maximizes the number of hunters in safe conditions and may also optimize the ability to reduce the deer herd. The Township Board should retain the authority to schedule sanctioned firearms hunt if necessary for deer management.

Disadvantages: Complicated to administer and to post.

The Natural Resources Commission finds that options A-C are unacceptable, and by consensus of the Commission, recommends that the Board pursue a revision of the Hunting Ordinance that implements options D or E, or a variation on these two concepts.

**PITTSFIELD CHARTER TOWNSHIP
2004 BOARD OF TRUSTEES MEETING SCHEDULE
(Meeting held on the 2nd and 4th Tuesdays unless noted.)**

WORK SESSIONS

Monday @ 7:30 P.M.

(The Township Board may meet in working sessions on the Monday proceeding each Board meeting except in the months of June, July and August.

REGULAR MEETING

Tuesdays @ 7:30 P.M.

January 13, 2004
January 27, 2004

February 10, 2004
February 24, 2004

March 09, 2004
March 23, 2004

April 13, 2004
April 27, 2004

May 11, 2004
May 25, 2005

June 08, 2004
June 22, 2004

July 13, 2004
July 27, 2004

August 10, 2004
August 24, 2004

September 14, 2004
September 28, 2004

October 12, 2004
October 26, 2004

November 09, 2004
November 23, 2004

December 14, 2004
(Only one meeting in December)

Any special meeting or adjourned meeting will be posted at least eighteen (18) hours before the meeting.

This notice is posted in compliance with PA 267 of 1976 as amended (Open Meetings Act), MCLA 41.72a (2)(3) and the Americans with Disabilities Act (ADA).

Individuals with disabilities requiring auxiliary aids or services should contact the Pittsfield Charter Township, 7 days prior to the meeting by writing, Christina L. Lirones, Clerk, 6201 W. Michigan Ave., Ann Arbor, MI 48108 or calling 734-822-3120.

PITTSFIELD CHARTER TOWNSHIP
Board of Trustees Meeting
Held November 25, 2003
ATTACHMENT #1

s/Christina L. Lirones, Clerk
Pittsfield Charter Township
734-822-3120

Date Posted