

CHARTER TOWNSHIP OF MONITOR
REGULAR TOWNSHIP BOARD MEETING
FEBRUARY 22, 2016

The Supervisor called the meeting to order at 7:00 p.m.

Members present: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller
Members absent: None
Also present: Richard Sheppard, Attorney

The Pledge of Allegiance was recited by all present.

Public Input opened at 7:01 p.m.

County Commissioner V. Begick reported the County is reorganizing their legal department.

Public Input closed at 7:02 p.m.

Motion by Miller supported by Kochany to adopt the agenda with the addition of Dates for March Board of Review and Article for MTA Township Focus.

Motion carried.

Motion by Miller supported by Pike to approve the minutes of the February 8, 2016 regular meeting as presented.

Motion carried.

Motion by Pike supported by Kowalski to pay the bills in the amount of \$30,669.53 from General Fund.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

Motion by Kowalski supported by Kochany to receive the Treasurer's Report for January 2016.

Motion carried.

2015 Budget Adjustments ó Building Fund, General Fund

Motion by Malkin supported by Miller to approve the 2015 Building Fund and General Fund budget adjustments as submitted in the Clerk's Office memo to the board dated February 19, 2016.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

Dates for March Board of Review

Motion by Pike supported by Kochany to adopt the 2016 March Board of Review dates as submitted in the Supervisor's memo to the board dated February 22, 2016.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

Article for MTA Township Focus

Motion by Malkin supported by Miller for the township to participate in submitting an article in the MTA Township Focus.

Motion carried.

DDA Discussion

Attorney Sheppard supplied to the board portions of Public Act 269, MCLS §125.1667 Section 17, MCLS §125.1662 Section 12, MCLS §125.1678 Section 28 and MCLS §125.1653 Section 3, that contain information pertinent to a DDA. The current Development and TIF plans for the DDA expire this year. A mechanism provided by the various sections of PA 269, is the ability of the DDA to request a tax levy up to 2 mills on properties in the current DDA district to provide funding for operation and maintenance. If approved by the township board, taxes collected by the township treasurer would be turned over to the treasurer of the DDA. No other taxing entities would need to participate and would receive all tax revenues. In the event down the road a potential developer would require assistance in paying for new infrastructure the monies needed could come from this capture or options for a new development and TIF plan could be explored. If on the other hand a tax levy was imposed and the DDA were to decide to dissolve the district, the tax monies collected would go to the township.

Motion by Arnold supported by Miller to go into closed session at 7:50 p.m. to discuss attorney Sheppard's confidential and privileged opinion dated June 16, 2015.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

Motion by Malkin supported by Miller to return to open session at 8:23 p.m.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

No motions were made during closed session.

Motion by Malkin supported by Miller to recommend the DDA request a tax levy up to 2 mills on property in the current DDA district.

Motion carried.

Township Attorney

It was discussed at the time the board hired Fahey's firm to evaluate legal costs and legal services after six months. The township attorney was placed on the agenda because January's attorney bill was \$7,850 and it is expected that at the end of February the township will have reached the \$10,000 budgeted for township attorney in the 2016 general fund budget.

Views were expressed the township cannot afford to maintain the fees we are being charged or continue paying for services in excess of what the township specifically asked for. There are other attorneys just as knowledgeable who could do the job that are located outside of the Bay City area and save us \$100/hour.

Views were also expressed that there are negotiations underway in the Monitor Lanes tax tribunal case and Alpine Village tax collection that should be followed through by Fahey's firm. In both instances above, some felt that it could be turned over to another firm without a significant delay in the process.

Motion by Malkin supported by Miller to hire A. Doyle as township attorney on the same terms and conditions as she had with us previously and provide written notice to Fahey to terminate services.

Roll call vote:

Yes: Kowalski, Malkin, Miller

No: Brandt, Pike, Arnold, Kochany

Absent: None

Motion defeated.

REPORTS

Brandt reported a complaint was received from Hilltop regarding the paving that was done and he has reviewed it with the township engineer.

Brandt also reported he received a report from DWS there are two lead service lines in the township. In both instances they involve the connection from the water line to the residence and are not part of the Monitor water system. Brandt was asked to follow up with DWS that the residents of those connections have been notified.

The meeting adjourned at 9:12 p.m.

Cindy L. Kowalski, Clerk

Gary A. Brandt, Supervisor