

MINUTES

**CHARTER TOWNSHIP OF BRIGHTON
BOARD OF TRUSTEES
4363 BUNO ROAD
BRIGHTON, MI 48114**

**FEBRUARY 1, 2010
REGULAR MEETING
7:00 P.M.
(810) 229.0560**

Supervisor T. Murphy called the meeting to order at 7:00 P.M. The Pledge of Allegiance was said.
Present. T. Murphy, Supervisor; A. Bollin, Clerk; L. Theis, Treasurer; C. Doughty, Trustee; J. Kovitz, Trustee;
J. Rogers, Trustee; M. Slaton, Trustee

CALL TO THE PUBLIC
No response.

CONSENT AGENDA

C. Doughty moved and J. Kovitz seconded to **approve the consent agenda as amended, moving Item F. 3, QUARTERLY SANITARY SEWER FINANCIAL REPORT – Third Quarter FY' 2009-10 to become Item F.2, and moving Item F. 2, PUBLIC HEARING – Sewer Rate Adjustment to become Item F.3. and adding Litigation Update, specifically Simply Fresh and Crystal Car Wash to Item I. CLOSED EXECUTIVE SESSION.**

Motion carried.

PUBLIC HEARING / SECOND READING AND ADOPTION OF AMENDMENT TO GENERAL ORDINANCE TRANSFERRING BUILDING DEPARTMENT RESPONSIBILITY TO LIVINGSTON COUNTY – General Ordinance, Chapter 6, Article II. CONSTRUCTION CODES, DIVISION I. GENERALLY, Section 6-27, Enforcement of state construction code act

The public hearing opened at 7:00 P.M.
The public hearing closed at 7:00 P.M.

J. Kovitz moved and J. Rogers seconded to **adopt the amendment to the General Ordinance transferring Building Department responsibility to Livingston County effective upon publication and directing the manager to address all outstanding issues.**

Ayes: Doughty, Rogers, Kovitz
Nays: Theis, Bollin, Slaton, Murphy
Motion failed.

Discussion ensued regarding the outstanding items as noted in previous communications; status and ability to extend Inter-local Agreement with Livingston County; outstanding permit and financial obligation including impact on General Fund; and need for transition plan. Consensus was to direct the manager to prepare a transition plan addressing the outstanding items including financial obligations for presentation to the Board no later than March 15, 2010 and also to present the Ordinance for adoption upon completion of such.

A. Bollin moved and J. Kovitz seconded to **amend the Inter-local Agreement with Livingston County extending the Agreement to the date the State of Michigan authorizes the transfer of authority to Livingston County.**

Ayes: Kovitz, Doughty, Theis, Bollin, Murphy
Nays: Slaton, Rogers.
Motion carried.

QUARTERLY SANITARY SEWER FINANCIAL REPORT – Third Quarter FY' 2009-10
Ken Palka, Pfeffer, Hanniford & Palka, presented the Third Quarter Sanitary Sewer Fund Financial Report.

PUBLIC HEARING – Sewer Rate Adjustment

The public hearing opened at 7:55 P.M.
The public hearing closed at 7:55 P.M.

The manager presented an overview of the financial status of the sanitary sewer system. Discussion included equipment replacement/reserve funds and reference to previous budget discussions.

J. Rogers moved and J. Kovitz seconded **to increase the Sewer Capital Charge \$10.00 per REU per quarter to \$60.50 and the O & M rate \$6.00 per REU per quarter effective April 1, 2010 based on the Manager's recommendation and the adopted Capital Improvements Plan and Fiscal Analysis.**

Ayes: Kovitz, Doughty, Theis, Rogers, Murphy

Nays: Slaton, Bollin

Motion carried.

2010 APPOINTMENTS – Revised Terms

C. Doughty moved and M. Slaton seconded **to appoint Larry Herzinger and Gus Mitsopoulos to the Planning Commission for terms expiring December 31, 2012; Tim Winship and Garry Kwasnuik to the Zoning Board of Appeals for terms expiring December 31, 2012; James McKeon and John Dorset to the Zoning Board of Appeals as alternates for terms expiring December 31, 2012; and Donald Terns to FIB for a term expiring December 31, 2012.**

Motion carried.

APPROVAL OF HARDSHIP DEFERRALS – Sanitary Sewer

A. Bollin moved and J. Rogers seconded **to accept the recommendation of the Utilities Committee and approve the hardship deferrals for the 2009 sanitary sewer special assessments in the amount of \$1,031.25 per parcel for the following parcels: Parcel #4712-18-303-090 and Parcel #4712-32-402-037.**

Ayes: Rogers, Bollin, Theis, Slaton, Doughty, Kovitz, Murphy

Motion carried.

APPROVAL OF FIRST AMENDMENT TO WATER SERVICES AGREEMENT WITH CITY OF BRIGHTON

J. Rogers moved and C. Doughty seconded **to approve the first amendment to the City of Brighton and the Charter Township of Brighton Water Service Agreement and authorize the Supervisor and Clerk to sign the Amendment.**

Ayes: Bollin, Theis, Doughty, Slaton, Rogers, Murphy

Nays: Kovitz

Motion carried.

REPORTS AND CORRESPONDENCE

REPORTS

COMMITTEE LIAISONS AND BOARD MEMBERS

Brighton Area Fire Authority – December 10, 2009 Minutes

Utilities Committee – November 9, 2009 Minutes

A. Bollin – Election Commission meeting, Debt Management Committee

T. Murphy – MTA Conference report; SELCRA

DEPARTMENTS

Building Department Report – December 2009

MANAGER

No report.

CORRESPONDENCE

No correspondence.

CALL TO THE PUBLIC

No response.

CLOSED EXECUTIVE SESSION – DISCUSSION OF REAL ESTATE, LITIGATION UPDATE
SPECIFICALLY SIMPLY FRESH AND CRYSTAL CAR WASH

J. Rogers moved and J. Kovitz seconded **to go into Closed Executive Session for discussion of Real Estate, Litigation update specifically Simply Fresh and Crystal Car Wash.**

Ayes: Kovitz, Doughty, Slaton, Theis, Bollin, Murphy

Nays: Rogers

Motion carried.

The board went into closed executive session at 8:10 P.M.

The board returned to open session at 9:10 P.M.

ADJOURNMENT

J. Kovitz moved and J. Rogers seconded **to adjourn.** Motion carried.

The meeting adjourned at 9:10 P.M.

Respectfully submitted,

Ann M. Bollin, Clerk

Thomas E. Murphy, Supervisor