

CHARTER TOWNSHIP OF GRAND BLANC
Minutes for Township Board Regular Meeting
Held at 7:00 p.m. on Thursday, January 14, 2010

The meeting was called to order at 7:00 p.m. by Supervisor Hoffman with the Pledge of Allegiance.

Board Present: Supervisor Marilyn Hoffman, Clerk Cathy Lane, Treasurer Earl Guzak, and Trustees: Larry Anderson, Paul Bush, Ben Clevenger, and Ryan Thompson.

Staff Present: Township Manager Richard Dunnill, Township Attorney David Lattie, Assessor Peggy Nolde, Finance Director Debra Barriger, Police Chief David Stamm, Building Official/DPW Official Kirk Richardson, Planner Michael Deem, and Township Engineer Roger Buell.

Motion by Clerk Lane, supported by Trustee Clevenger, to approve the Agenda, as presented. Voice vote. Ayes: 7. Nays: 0. Motion carried.

The Board delayed the Public Hearings for Magna Electronics until the arrival of Mr. Frank Erwin of Magna USA.

007-2010 - Approval of Minutes

Motion by Clerk Lane, supported by Trustee Clevenger, to approve the Minutes of December 8, 2009 [Committee of the Whole] and December 10, 2009 [Regular Meeting], as presented. Voice vote. Ayes: 7. Nays: 0. Motion approved.

008-2010 - Treasurer's Report

- Motion by Treasurer Guzak, supported by Trustee Anderson, to approve the Accounts Payable, as presented: General Fund \$1,581,350.76; DPW Fund \$1,395,917.07; Solid Waste \$108,771.53 for a Total of \$3,089,039.36. Voice vote. Ayes: 7. Nays: 0. Motion approved.
- Motion by Clerk Lane, supported by Trustee Clevenger, to extend payment of the 2009 Winter Taxes without penalty until March 1, 2010, as requested by the Treasurer. Voice vote. Ayes: 7. Nays: 0. Motion approved.
- Motion by Treasurer Guzak, supported by Trustee Bush, to adopt the amendment to the Investment Policy, Section 7.0. Authorized Financial Dealers and Institutions. to read: "...In order for a financial institution to be on the approved investment list, they must be in the upper 35 percentile (35%) as rated by the rating service.", as requested by the Treasurer. Voice vote. Ayes: 7. Nays: 0. Motion approved.
- Treasurer Guzak reviewed the history of the Emergency Water Supply System Project, commonly known as the Knollwood and Stockbridge Commons Wells, in order to comply with the Township's Revised Purchasing Policy. The bid for this project was approved for \$835,627.00. During construction, in accordance with the Board's policy at the time, staff approved Change Orders totaling \$78,995.34, which was less than ten percent (10%) of the original bid; on October 11, 2007, the previous Township Board approved Change Orders totaling \$70,000.00. In accordance with the Board's Revised Policy, Treasurer Guzak requested approval of Change Order No. 8, which is a credit of \$2,600.00 to be retained for an independent contractor to seed the areas in the Spring of 2010, and approve the final payment to the contractor.

Motion by Treasurer Guzak, supported by Clerk Lane, to authorize the final balancing Change Order No. 8 for a negative (\$2,600.00) and authorization to make the Final Payment to Ed Birkmeier Well Drilling for retainage of \$32,400.00 for the Emergency Water Supply System Project, commonly known as the Knollwood and Stockbridge Common Wells, which brings the Total Project Cost to \$987,222.34. Voice vote. Ayes: 7. Nays: 0. Motion approved.

009-2010 – MERS Resolution for Police Command Union Contracts

Finance Director Barriger reported the Municipal Employees' Retirement System of Michigan [MERS], which administers the Police Department's Retirement Program, requires a municipality to comply with their program requirements before making changes to a MERS plan. The Board needs to adopt the MERS Resolution in order for them to make the changes to the Sergeants and Executive Command Union Contracts.

Motion by Clerk Lane, supported by Trustee Anderson, to adopt the Municipal Employees' Retirement System of Michigan's "Resolution for Changing MERS Benefits for the Police Command" in conjunction with the Executive Command and Sergeants Union Contracts approved on July 29, 2009, to comply with MERS' policy. Roll call vote. Ayes: Thompson, Clevenger, Anderson, Guzak, Bush, Lane, Hoffman. Nays: 0. Motion approved.

010-2010 - Public Hearings for Magna Electronics Industrial Exemption Certificate

Assessor Peggy Nolde introduced Frank Ervin [Magna USA], Steve Allmen [new Manager of Magna Electronics], Janice Karcher [Genesee Regional Chamber of Commerce], and Ann Marie Broughton [Realtor, Select Realty], who were instrumental in retaining Magna Electronics in Grand Blanc Township. Assessor Nolde informed the Board Governor Jennifer Granholm supported the Michigan Economic Growth Authority Board's [MEGA Board] approval of a \$5 million, seven (7) year tax credit for Magna Electronics. The total project is estimated to be \$70 million and provide 525 new jobs in five (5) years.

Magna Electronics, 10410 N. Holly Road, proposal is for \$160,000.00 on land and building improvements plus \$14,691,535.00 in machinery and equipment improvements for a Total Project Cost of \$14,851,535.00.

Magna Electronics will be leasing the adjacent building at **10456 N. Holly Road** and installing new machinery and equipment improvements of \$4,634,190.00, as well as providing new job opportunities for our community.

Assessor Nolde explained, because of the amount of investment in the buildings, machinery, equipment, and job opportunities planned for each location, Magna Electronics qualifies for a ten (10) year tax abatement for each location with the option of applying for a two-year extension.

Frank Ervin explained Magna Electronics is a division of Magna International, which had \$23.7 billion in sales in 2008 and 72,000 employees in twenty-five (25) countries). They are one (1) of the top four (4) automobile suppliers. Mr. Ervin presented a video of the demonstrating the extensive, high tech line of electronic products Magna produces including: electric motors for electric and hybrid electric vehicles and electric propulsion systems for the Ford Focus battery electric vehicle. Manufacturing is planned to begin in 2011.

Supervisor Hoffman opened Public Comment.

- **Edward Brown, 8050 Pepperwood Drive**, was excited about Magna staying and hopes they grow larger in Grand Blanc and the opportunity for good jobs that would be available in our community.

Public Comment closed.

Motion by Clerk Lane, supported by Trustee Bush, to adopt the Resolution Approving Application for Industrial Facilities Exemption Certificate for **10410 N. Holly Road**, Holly, Michigan [located in Grand Blanc Township], as presented. Roll call vote. Ayes: Thompson, Clevenger, Anderson, Bush, Guzak, Lane, Hoffman. Nays: 0. Motion approved.

Motion by Clerk Lane, supported by Trustee Clevenger, to adopt the Resolution Approving Application for Industrial Facilities Exemption Certificate for **10456 N. Holly Road**, Holly, Michigan [located in Grand Blanc Township], as presented. Roll call vote. Ayes: Bush, Lane, Guzak, Clevenger, Anderson, Thompson, Hoffman. Nays: 0. Motion approved.

Supervisor Hoffman called for a five-minute recess.

011-2010 - Public Comment [on any item]

- **Clerk Lane** received e-mails of support for Township Engineer Buell from Allison Borha, Shelly Caruso-vonWerder, David Christopher, Ann Daniels, Terry Duffy, Steven Gallaway, Kimberly Holbrook, Ted Milian, Jeffrey Parisi, Spike Pearson, Ken Porzondek, Jason Santana, Rod Shick, Robert Swanson, Bill Thewalt, Michael Watson, Eric Wheeler, Lori Wilson, Cary Woodward, and Adam Zettel.
- **Roger Buell, 519 Charing Cross**, Township Engineer introduced his family and said he would be speaking when the position of Township Engineer comes up on the agenda. He provided the Board with a packet of information.
- **Patrick Tyus, 8400 Crossbow, President Grand View Lake**, met Mr. Buell when there was a raw sewage problem and the matter was corrected. Helps residents make right decision.
- **Doug Wagner, 1509 Appleridge**, every time he needed something, Mr. Buell helped. Feels Mr. Buell saved the Township money.
- **John Swartz, 6312 Kings Pointe Road**, stated last night, Kings Pointe Board voted to endorse Mr. Buell. There are 300 homes and 900 residents in their subdivision. No one else responds as quickly; he brings people together to resolve problems. The Homeowners Council meets monthly to discuss problems and make improvements. Believes he is saving Township money.
- **Greg Kray, 5082 Olde Saybrooke**, works for City of Burton. Mr. Buell is a friend and co-worker who is devoted to his job, shared his knowledge, and resolved a road salt issue last year.
- **Bill Thewalt, 7046 Iris Court**, 40-year resident, and served on many board. Mr. Buell has been responsive. There has been no public reason for his dismissal. Look for other places or positions to cut.
- **Douglas Knapp, 10064 Scenic Ridge**, in October, sent an e-mail to several people. His area has substandard storm drains. Mr. Buell answered quickly and went well beyond to help with his problem. Mr. Buell does not receive overtime and provides customer service.
- **Ernestine Tune, 5176 Courtland Drive**, has taped these meetings since 2003. This is not a personal vendetta; she realizes Mr. Buell responds to residents. With the turndown in the economy, Township no longer requires this service. Second item – she is opposed to mosquito spraying – it is a health hazard. She is opposed to the mosquito ballot language, because it includes spraying.
- **Elpeda Christakis, 6465 McCandlish Road**, 40-year resident and business owner. Believes the Township Manager should be terminated; she has a drainage problem at her home and he never responds. He does not reside in our community. Six part-time workers were let go. Elected officials and others not doing their job. They are raising taxes and there is more blight.
- **Chuck Ward, 6573 Kings Pointe Road**, 30-year resident. Only problem has surface water runoff; Mr. Buell responded. He is still waiting for response from Township Manager and Kirk Richardson.

- **Bob Swanson, 1442 Wagon Wheel Lane**, asked the reason Mr. Buell is being terminated and has the Board already made a decision.
- **John Moffstone, 7051 Iris Court**, out of town but paid his taxes in a timely manner. Came in for a receipt; they could not provide it. Three police officers were waiting outside when he left; this should not have happened.
- **Vince Bandurski, 6425 McCandlish Road**, stated he was resigning from the Metro Alliance to serve on the Planning Commission. He is willing to work with whoever is appointed. He has been able to discuss this information with Mr. Buell, who is knowledgeable, professional, concerned, caring, and helpful. Found Homeowners Council an excellent way to communicate with residents and is informative.
- **Lisa McVicar, 6293 Lismore Circle**, on Friday, had long discussion with Mr. Buell regarding Glen Meadows water/sewer, pond issues, and roads. He was helpful.
- **Joe Wizynajtys, 16509 Belfast, Fenton, Michigan**, has property in Grand Blanc and worked in the Township in a professional capacity. The Township has some of the best staff to work with. He also found Mr. Buell responsive, knowledgeable, and enjoyed working with him.
- **Gary Baker, 8180 Portsmouth Lane in Devonshire Hills Estate**, ten-year resident. Mr. Buell responded to his drainage problems. Attends Homeowners Council meeting. We have to deal with taxes and lack of employment.
- **Fred Andre, 5186 Northwood Road, Meadowwalk Condos**, asked who would replace Mr. Buell or are you outsourcing. Having Rowe is like having the fox in the hen house. Is it all about costs.
- **Jerry McIlroy, 6290 Coldspring Trail**, does not always agree with Mr. Buell but in the end we did the right thing. Sometime we need to get political. Has friends on the Board; if there is nothing fraudulent, get over it and get on. We do not need to have firing here.
- **Al Jory, 6140 Seymour, Swartz Creek**, met Mr. Buell in conjunction with development of a mini-storage facility. Mr. Buell was well informed and responded quickly. Found a location for excess dirt. Township needs to become more contractor friendly. He finds the Township a desirable place in which to build.
- **Eugene Burke, 6204 E. Maple**, has complained about water across Wakefield Road that has undermined his road. Mr. Buell responded to his inquiry and informed him Burton maintains Maple Road.
- **Richard Miller, 8062 Pepperwood**, stated roads and storm drains have been in for 20 years. Believes we should keep Mr. Buell.
- **John Kopec, 10140 Fieldway Trail**, stated he would find it interesting which Board members support Mr. Buell's dismissal. Mr. Buell works for prevention.
- **Roger Buell, 519 Charing Cross**, presented a contract freezing his wages for three years. Mr. Buell stated the letter he received had no charges of wrongdoing nor gives a reason. He does not feel he needs an attorney and he does not believe it is a closed door issue. He has saved Township money.

012-2010 – Position of Township Engineer

Township Manager Dunnill stated, on Friday, January 8, 2010, he presented Township Engineer Roger Buell with a letter explaining he would be recommending the Board vacate the position of Township Engineer effective February 13, 2010. In accordance with Mr. Buell's Labor Contract with the Township which expires on April 30, 2010, under Article 5. Benefits, Paragraph I, Termination of Agreement Without Cause, the Township is required to give thirty (30) days written notice to Mr. Buell.

Township Manager Dunnill explained, after extensive review of the current Fiscal Year 2010 General Fund Budget, the proposed Fiscal Year 2010 DPW, Water and Sewer Budgets, and faced with the continuing lack of growth in the Township, he did not believe the Township should continue to have an on-staff Engineer – the position currently held by Mr. Buell. The duties currently assigned to Mr. Buell would be reassigned to himself, other staff members, and if needed to an outside engineering firm.

To assist Mr. Buell with his search for new employment, Township Manager Dunnill recommended the Board provide Mr. Buell with: his current level of compensation for thirty (30) days from January 15 until February 13 – the thirty (30) day written notice period for not renewing his contract; set Friday, January 15, 2010, as his last day to report to work at the Township offices; continue health and medical coverage for Mr. Buell and his family until April 30, 2010, and provide the opportunity for Mr. Buell to purchase at his cost COBRA insurance after April 30, 2010; a lump sum severance as outlined in his Labor Contract under Article 5. Benefits, Paragraph I, for the time remaining between the end of the Township’s written thirty (30) day notice of contract non-renewal of February 13 to April 30, 2010]; and a lump sum payment for all unused vacation hours and pro-rated for all unused personal time, as outlined in Mr. Buell’s Labor Contract under Article 5, Paragraph e, lines I, ii, iii, and iv.

Attorney Lattie stated, based on the recommendation of the Township Manager, a review of Mr. Buell’s contract, the payments to the end of April 30, 2010, the overview of the Township’s budget constraints in this economy, the lack of growth in the Township, the Board can consider: accepting the Township Manager’s recommendation to vacate the office of Township Engineer; amend the Township Manager’s recommendation; or reject the Township Manager’s recommendation.

Mr. Buell indicated in reviewing the budget over the last three and a half years (3.5) the DPW charges to water customers has not increased, we have added people, carried people on staff, he has recommended a number of ways for cost-savings, his hourly rate is less than an outside engineer, and believes he could make further savings.

Trustee Bush wanted to read the information Mr. Buell provided at the beginning of the meeting on this topic.

Motion by Trustee Clevenger, supported by Trustee Anderson, to accept the recommendation of the Township Manager and vacate the position of Township Engineer effective February 13, 2010. Roll call vote. Ayes: Guzak, Anderson, Clevenger, Thompson, Lane, Hoffman. Nays: Bush. Motion approved.

013-2010 – Plante & Moran Auditing Services for Calendar Year 2009

Motion by Trustee Anderson, supported by Clerk Lane, to adopt the Professional Services Agreement for Auditing Services for the year ending December 31, 2009, with Plante & Moran LLC, as presented. Voice vote. Ayes: 7. Nays: 0. Motion approved.

014-2010 – McFarlen Library Board Appointment

Motion by Clerk Lane, supported by Trustee Clevenger, to appoint Jeff Cyphert, 8035 Embury Road, to fill the seat previously held by Robert Jones to the McFarlen Library Board for a three-year term beginning January 1, 2010 to December 31, 2012. Voice vote. Ayes: 7. Nays: 0. Motion approved.

015-2010 – Metro Alliance Appointment

Motion by, support, to accept with regrets the resignation of Vince Bandurski from the Metro Alliance effective immediately. Voice vote. Ayes: 7. Nays: 0. Motion approved.

Trustee Bush stated Mr. Bandurski has been the finest representative to Metro Alliance and his notes provided the Township with excellent information.

016-2010 – Mosquito Control Contract for 2010

Motion by Trustee Bush, supported by Trustee Clevenger, to adopt the 2010 Mosquito Control Contract with Rose Pest Solutions for \$170,905.00, as presented. There has been no increase in cost since 2008. Voice vote. Ayes: 7. Nays: 0. Motion approved.

017-2010 – Mosquito Control Millage Ballot Language

Motion by Trustee Bush, supported by Clerk Lane, to accept the Clerk's proposal to adopt the same language presented to the voters in 2005 for the Mosquito Control Millage Ballot question for the voters to consider on the August 3, 2010, Primary Election: "Shall the limitation on the amount of taxes which may be assessed against all property in the Township of Grand Blanc, Genesee County, Michigan, be increased, and the Township Board authorized to levy not to exceed .2377 mills [\$.2377 cents on each \$1,000 of Taxable Valuation] for a period of four (4) years from 2010 to 2014, inclusive for the purpose of providing funds for Mosquito Control. The estimated revenue this increase will produce during the Calendar Year 2010 is [Assessor will provided amount when available]. (This is a renewal of the Mosquito Millage that expired with the 2005 levy)."

Voice vote. Ayes: 7. Nays: 0. Motion approved.

018-2010 – Township Board Reports

- **Supervisor Marilyn Hoffman** – will put her report on the web site.
- **Trustee Larry Anderson – Board of Appeals**
A retail development on South Saginaw at Frederick Street requested a curb cut that was denied.
- **Trustee Paul Bush – Fire Commission and Metro Alliance**
Metro Alliance had a short meeting. A Joint Meeting of the Fire Commission, City Council, and Township Board was held on January 6, 2010, to discuss Act 57. The Fire Commission was asked to address some questions regarding future development and costs. The group would meet for another meeting to discuss Act 57 further. The new fire truck will be arriving tomorrow.
- **Trustee Ben Clevenger – Parks and Recreation Commission**
The Commission meeting is next week. Winter registration is open and residents can register at the office. The sledding hill and warm-up hut are open at Bicentennial Park. A class in Gaelic Dancing begins February 1; the Dad and Daughter Dance is February 10.

Trustee Clevenger informed the Board he was resigning effective January 31, 2010. He has accepted a job opportunity in Virginia. Trustee Clevenger appreciated all he has learned since November 2008 and realizes democracy is not a spectator sport; people should get involved.

Motion by Clerk Lane, supported by Trustee Anderson, to accept with regrets the resignation of Trustee Ben Clevenger effective January 31, 2010. Voice vote. Ayes: 7. Nays: 0. Motion approved.

Clerk Lane reported the Board has forty-five (45) days from January 31, 2010, to make an appointment to fill this vacancy until the results of the November 2, 2010, General Election, are certified. Anyone interested in completing the unexpired term of Trustee Clevenger from November 2010 to November 2012, must run successfully in the August 3, 2010, Primary Election and win the November 2, 2010, General Election. A Press Release will be sent to the newspapers.

- **Trustee Ryan Thompson – Planning Commission**

The Zoning Ordinance Amendment for Medical Marihuana [marijuana] was recommended for approval. There was discussion of the Lost Lake property near I-75 and Baldwin Road for a park. The Master Plan is still in progress and the Planning Commission re-elected the same officers for 2010.

019-2010 – Management Reports

- **Township Manager Richard Dunnill**

The Manager’s report will be put on the web site. Genesee County Road Commission has rescheduled the improvements to the Perry Road culvert and slope improvements near “The Jewel” Golf Course [formerly Grand Blanc Golf Course] from January to mid-February; it will necessitate occasional road closures as repairs are made and drivers are requested to be patient.

- **Township Attorney David Lattie**

Attorney Lattie reported five (5) motions have been filed with Circuit Court Judge Geoffrey Neithercut in the suit with the Grand Blanc Schools. The trial is scheduled to begin next week and may last for two weeks.

Motion by Clerk Lane, supported by Trustee Bush, to adjourn the meeting at 9:05 p.m. Voice vote. Ayes: 7. Nays: 0. Motion carried.

Respectfully submitted,

Clerk Cathy Lane

Board Approved: February 11, 2010