

CHARTER TOWNSHIP OF MERIDIAN  
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -  
5151 Marsh Road, Okemos, MI 48864-1198  
853-4000, Town Hall Room  
TUESDAY, FEBRUARY 21, 2017 **6:00 P.M.**

PRESENT: Supervisor Styka, Clerk Dreyfus, Treasurer Brixie, Trustees Deschaine, Jackson, Opsommer, Sundland

ABSENT: None

STAFF: Township Manager Frank Walsh, Assistant Township Manager/Director of Public Works and Engineering Derek Perry, Director of Community Planning & Development Mark Kieselbach, Police Chief David Hall, Parks & Recreation Director LuAnn Maisner, Human Resources Director Joyce Marx, Finance Director Miriam Mattison, Senior Planner Peter Menser, Associate Planner/Economic Development Coordinator Ben Motil

1. CALL MEETING TO ORDER

Supervisor Styka called the meeting to order at 6:02 P.M.

2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS

Supervisor Styka led the Pledge of Allegiance.

3. ROLL CALL

The Clerk called the roll of the Board.

4. PRESENTATION

A. Chief of Police Dave Hall – Cadet Presentation

Police Chief Hall introduced Officer Andrew Tobias, Supervisor of the Police Cadets. Officer Tobias introduced and praised the current group of cadets, most notably for hosting the police v. fire basketball game, a community event that raised over \$4,000. He commended the group for their initiative, notwithstanding the fact they are fulltime students and hold other jobs as well. Officer Tobias honored each of the cadets present with a certificate of appreciation.

5. CITIZENS ADDRESS AGENDA ITEMS AND NON-AGENDA ITEMS

Supervisor Styka opened Public Remarks.

Leonard Provencher, 5824 Buena Parkway, Haslett, believed the proposed two percent (2%) salary increase for three (3) consecutive years relative to the Firefighter Association's union contract is excessive and may be fiscally risky. He spoke in support of the Parks and Recreation Five Year Master Plan.

Doris Schwartz, 2009 Kent Street, Okemos, voiced concern with the accuracy of the map for the Okemos Potential Intensity Change Area (PICA) contained in the Master Plan. She indicated there are abandoned extensions which appear as road connections on the map.

Bill McConnell, 4376 Manitou, Okemos, expressed continued concern with the Township Master Plan. He addressed the philosophy of encouraging infill development and discouraging sprawl, believing it may be counterproductive to use the remaining open space in the Township by building on it, resulting in increased density in the PICA areas.

Daria Schlega, 2246 Burcham Drive, East Lansing, expressed concern 2248 Burcham Drive has not been registered as a rental unit and the owner should not receive a principal homestead exemption for property at which he does not live.

Vance Poquette, 2226 Kent, Okemos, stated he lives near the Okemos PICA. He believed the vision of Meridian Township as a walkable community is the underlying concept throughout the Master Plan. Mr. Poquette requested the Board obtain additional input from nearby residents regarding their thoughts about prioritizing the Township as a walkable community.

Supervisor Styka closed Public Remarks.

6. TOWNSHIP MANAGER REPORT

Manager Walsh reported on the following:

- Police Awards Ceremony will be held Thursday evening, February 23, 2017 at 7:00 P.M. in the Town Hall Room
- If the firefighter's contract is approved tonight, three (3) of the seven (7) union bargaining agreements would be settled
- The 2016 Annual Report is complete and copies are available for review at both libraries and the Municipal Building
- Meeting scheduled this week with Capital Area Transportation Authority (CATA) to discuss the Redi-Ride program's performance for 2016

7. BOARD MEMBER REPORTS AND ANNOUNCEMENTS

Treasurer Brixie reminded residents the last day to pay property taxes without further penalty is February 28<sup>th</sup> by 5:00 P.M. She reported her attendance at the Reenactment Day at the Capital, along with Trustees Jackson, Opsommer, Supervisor Styka and Clerk Dreyfus. Treasurer Brixie thanked Director Guthrie for her hard work and diligence in hosting this successful event.

Trustee Deschaine reported his attendance at the Chinese New Year Celebration in Meridian Mall on February 11, 2017. He announced the Kiwanis Club of Haslett presented its Volunteer of the year Award to LuAnn Maisner, Meridian Township's Director of Parks and Recreation.

Trustee Jackson reported her attendance at her first Lansing Economic Area Partnership (LEAP) meeting as the Township's Board representative held on February 14<sup>th</sup>. She noted LEAP membership is comprised of major employers in the area and governmental officials working to bring jobs and prosperity to the region. Trustee Jackson added LEAP also promotes public art, an item which is on tonight's Board agenda.

Trustee Opsommer announced the CATA meeting scheduled for February 15, 2017 was cancelled due to a lack of business. He voiced appreciation to Supervisor Styka for his speech at Enactment Day at the Capitol.

Trustee Styka reported his attendance at the February 16<sup>th</sup> Meridian Neighborhood Leaders meeting hosted by the Police Department, the Institute for Public Policy session on Autonomous Vehicles and the annual Chamber of Commerce dinner event honoring local achievement. He thanked the Communications Department for its diligence in the ongoing celebration activities of Meridian Township's 175<sup>th</sup> Anniversary. Trustee Styka suggested the Board discuss Agenda Item 13A (Meridian Township Brownfield Redevelopment Authority) prior to the action items to allow the representative from the Michigan Department of Environmental Quality (MDEQ) to leave after the discussion.

8. APPROVAL OF AGENDA

**Treasurer Brixie moved to approve the agenda amended as follows:**

- **Add Agenda Item #13D: Possible Amicus Brief for the Dark Store Case before the Supreme Court. Seconded by Trustee Jackson.**

VOICE VOTE: Motion carried unanimously.

9. CONSENT AGENDA (SALMON)

Supervisor Styka reviewed the consent agenda.

**Treasurer Brixie moved to adopt the Consent Agenda. Seconded by Trustee Jackson.**

A. Communications

- (1) Board Information (BI)

- BI-1 April Allison, 4721 Ottawa Drive, Okemos; RE: Thank you to the Board for its deliberation on the Resolution in Opposition to the Presidential Order Banning Refugees
- BI-2 Donna Rose, 6207 Cobblers Drive, East Lansing; RE: Comments regarding the February 7, 2017 Board meeting
- BI-3 John P. Gardner, Director, External Affairs, Comcast, Heartland Region, 1401 E. Miller Road, Lansing; RE: Change in channel lineup effective March 14, 2017
- BI-4 Phyllis Vaughn, 6100 Balog Court, Haslett; RE: Comments made during the February 7, 2017 Post Script
- BI-5 Aaron Richmond, 1424 Biscayne Way, Haslett; RE: Comments on an article in *The Washington Post* relative to treatment of a member of the immigrant community by ICE agents

(2) Commission Linkage (CL)

- CL-1 Michael Huerta, 5561 Canoga Lane, Haslett; RE: Resignation from the Local Officials Compensation Commission

(3) Regional Linkage (RL)

- RL-1 Ingham County Drain Commissioner Patrick Lindemann, 707 Buhl Street, Mason; RE:  
Bracken Woods Drain Drainage District "Notice of Day of Review of Drainage District Boundaries" to be held on February 28, 2017 from 9:00 A.M. to 5:00 P.M. at the Drain Commissioner's Office
- RL-2 Ingham County Drain Commissioner Patrick Lindemann, 707 Buhl Street, Mason; RE: Dingman Drain Drainage District "Notice of Day of Review of Drainage District Boundaries" to be held on February 28, 2017 from 9:00 A.M. to 5:00 P.M. at the Drain Commissioner's Office
- RL-3 Ingham County Drain Commissioner Patrick Lindemann, 707 Buhl Street, Mason; RE: sierra Ridge Drain Drainage District "Notice of Day of Review of Drainage District Boundaries" to be held on February 28, 2017 from 9:00 A.M. to 5:00 P.M. at the Drain Commissioner's Office

(4) On File in the Clerk's Office (OF)

Material handed out at the January 7, 2017 Board Meeting

- Trustee Opsommer; RE: Overtime expenses for minutes taken at Board meetings

**Treasurer Brixie moved that the communications be received and placed on file, and any communications not already assigned for disposition be referred to the Township Manager or Supervisor for follow-up. Seconded by Trustee Jackson.**

ROLL CALL VOTE: YEAS: Trustees Deschaine, Jackson, Opsommer, Sundland, Supervisor Styka, Treasurer Brixie, Clerk Dreyfus

NAYS: None

Motion carried unanimously.

B. Minutes

**Treasurer Brixie moved to approve and ratify the minutes of the February 7, 2017 Regular Meeting as submitted. Seconded by Trustee Jackson.**

ROLL CALL VOTE: YEAS: Trustees Deschaine, Jackson, Opsommer, Sundland, Supervisor Styka, Treasurer Brixie, Clerk Dreyfus

NAYS: None

Motion carried unanimously.

C. Bills

**Treasurer Brixie moved that the Township Board approve the Manager’s Bills as follows:**

Common Cash	\$ 404,279.38
Public Works	\$ 30,308.43
Trust & Agency	\$ 1,910,900.72
 Total Checks	 \$ 2,345,488.53
 Credit Card Transactions (Feb. 2 to February 15, 2017)	 \$ 11,684.50
 Total Purchases	 <u>\$ 2,357,173.03</u>
 ACH Payments	 <u>\$ 640,487.75</u>

**Seconded by Trustee Jackson.**

ROLL CALL VOTE: YEAS: Trustees Deschaine, Jackson, Opsommer, Sundland, Supervisor Styka, Treasurer Brixie, Clerk Dreyfus

NAYS: None

Motion carried unanimously.

[Bill list in Official Minute Book]

D. Request for MERS Additional Service Credit Purchase

**Treasurer Brixie moved to approve the request from Police Officer Charles J. Glumb to make a service credit purchase as provided by the Municipal Employees’ Retirement System Plan document. Charles J. Glumb is requesting to purchase two years of generic service. Seconded by Trustee Jackson.**

ROLL CALL VOTE: YEAS: Trustees Deschaine, Jackson, Opsommer, Sundland, Supervisor Styka, Treasurer Brixie, Clerk Dreyfus

NAYS: None

Motion carried unanimously.

10. QUESTIONS FOR THE ATTORNEY (Agenda Items #13B, #13D)

11. HEARINGS (None)

12. ACTION ITEMS

A. 2017-2019 Meridian Township Firefighters Association Agreement

Manager Walsh summarized the proposed 2017-2019 Meridian Township Firefighters Association Agreement as outlined in staff memorandum dated February 17, 2017.

**Clerk Dreyfus moved to approve the 2017-2019 collective bargaining agreement as tentatively agreed to and further ratified by the Meridian Township Firefighters Association. Seconded by Trustee Sundland.**

Board and Manager discussion:

- Review of handout which detailed key changes to the existing contract:
  - 2% increase each year for the next 3 years
  - Pension multiplier reduced from 2.75 to 2.5
  - Final average compensation (FAC) continues to include base wages and overtime, while holiday and longevity pay are excluded
  - Pension multiplier for new hires will be reduced from 2.75 to 1.75

- Retirement age increased to 55 years of age
- \$445,200 difference for each new firefighter over a 30-year retirement period based on accrued savings using the proposed contract
- Inquiry about bonding to pay for contractual pension obligations
- Various rates of return as they relate to bonding
- Board member attendance at a session on state revenue sharing where it was pointed out Michigan is the only state which has reduced revenue sharing and is currently at its lowest since 2000.
- Reduced revenue sharing makes it difficult to deliver reliable services at the local level

ROLL CALL VOTE: YEAS: Trustees Deschaine, Jackson, Opsommer, Sundland, Supervisor Styka, Treasurer Brixie, Clerk Dreyfus

NAYS: None

Motion carried unanimously.

B. Commission Appointments

(1) Communications Commission Alternate Appointment

**Trustee Jackson moved to appoint Eric Langdon as an alternate member of the Communications Commission for a term ending December 31, 2017. Seconded by Trustee Deschaine.**

VOICE VOTE: Motion carried unanimously.

(2) Environmental Commission Appointment

**Trustee Deschaine moved to appoint Kirk Lapham to fill a vacancy on the Environmental Commission for a term ending December 31, 2018. Seconded by Treasurer Brixie.**

VOICE VOTE: Motion carried unanimously.

C. LEAP Public Art Grant Application

**Trustee Opsommer moved to authorize Meridian Township Community Planning and Development staff to apply for the 2017 LEAP Public Art Grant with a \$2,500 supplemental match from the Township Board to provide for site improvements to be submitted by February 28, 2017. Seconded by Clerk Dreyfus.**

Associate Planner/Economic Development Coordinator Motil summarized the public art grant application as outlined in staff memorandum dated February 15, 2017.

Board and staff discussion:

- Board member preference for the art to be placed in Haslett
- Suggestion for the newly acquired Township “triangle” parcel in Haslett to be used as the location for artwork placement
- Township awarded a grant in 2013 for \$10,000 and the result is the sculpture in the Hamilton roundabout
- Grants are becoming more competitive, thus a strategy used is supplemental or match funding from a community
- Board member preference not to apply this year so the Township can have a more competitive application next year and qualify for public art to be placed in Haslett
- Other ways to fund art other than LEAP
- Board member suggestion for a 1% public art fee added to all development projects as an alternate funding source

ROLL CALL VOTE: YEAS: Trustees Deschaine, Jackson, Sundland, Supervisor Styka, Clerk Dreyfus  
 NAYS: Trustee Opsommer, Treasurer Brixie  
 Motion carried 5-2.

- D. Kansas Road Sewer Special Assessment District #52 - **Resolution #4**  
**Trustee Jackson moved to approve Kansas Road Public Sanitary Sewer Improvement Special Assessment District #52, Resolution #4, which files the proposed final special assessment roll with the Township Clerk and sets the date for a public hearing on March 21, 2017. Seconded by Treasurer Brixie.**

Assistant Township Manager/Director of Public Works & Engineering Perry summarized the special assessment district (SAD) as outlined in staff memorandum dated February 17, 2017.

Board discussion:

- State law required five (5) resolutions to proceed with sewer improvements
- Board member inquiry about other sewer projects which may be requested in the future
- Homeowners can pay the assessment over a period of ten (10) years with a 5% interest rate, but can pay off the assessment sooner
- Final per parcel assessment is \$7,199.45
- Vast majority of SADs within the Township are resident driven
- State regulations govern the number of signatures required and rules regarding the petitioning for sewer improvement
- Benefits are based per parcel
- A homeowner is not required to connect to the sewer main, but is responsible for paying the special assessment once constructed

ROLL CALL VOTE: YEAS: Trustees Deschaine, Jackson, Opsommer, Sundland, Supervisor Styka, Treasurer Brixie, Clerk Dreyfus  
 NAYS: None  
 Motion carried unanimously.

- E. City of Williamston Recreation Agreement Renewal  
**Treasurer Brixie moved to approve the “Agreement for Administrative Services for Recreation Program Management” with the City of Williamston to provide youth recreation programs including softball, baseball, tee-ball, flag football and basketball from April 1, 2017 through March 31, 2019 for an administrative fee of \$26,241 in 2017/2018 and \$26,766 in 2018/2019; and to authorize the Township Manager to sign the agreement on behalf of the Township. Seconded by Trustee Jackson.**

Director Maisner summarized the City of Williamston Recreation Agreement Renewal as outlined in staff memorandum dated February 15, 2017.

Board and staff discussion:

- Proposed 2% increase in administrative fees for each year
- City of Williamston has not yet approved the proposed agreement, but has stated support for continued participation in the program
- Recreation agreement is a good example of regional cooperation
- 772 Williamston children participation in the 2016 program

VOICE VOTE: Motion carried unanimously.

- F. Parks and Recreation Master Plan 2017-2021

**Trustee Jackson moved to approve the resolution of support for the 2017-2021 Five Year Parks and Recreation Master Plan. Seconded by Trustee Deschaine.**

Director Maisner summarized the 2017-2021 Parks and Recreation Master Plan as outlined in staff memorandum dated February 9, 2017.

Board and staff discussion:

- Public input was solicited via SurveyMonkey to all residents in the community
- The Township hosted an eight (8) hour public input open house and postcard invitations were sent to all community members as well as 16,000 emails to the public
- 30 day review period was held in January-February
- Less than 200 acres of land are developed in the Township’s 911 acre park system
- Introduction of wi-fi technology into parks for use as meeting places
- Central Park Redevelopment Plan will allow the park to be utilized more by the public
- Appreciation to the Parks Department for its excellent outreach efforts
- Status of the “wayfinding” app for the Township’s park system
- Board member belief taxpayer investment in Parks via park millage proceeds is “paying off”
- Funding options for possible Okemos Road pathway improvements such as a boardwalk (an expensive potential project), including Transportation Alternatives Program (TAP) funds in Phase 2

VOICE VOTE: Motion carried unanimously.

G. Towner Road Park Bid Award

**Trustee Opsommer moved to approve the base bid from Laux Construction in the amount of \$1,714, 426.00 for the purpose of constructing Towner Road Park, which includes athletic fields, ball diamonds, parking, a restroom building, pavilion, loop pathway, sidewalks, utilities, drinking fountain, and landscaping; and to approve bid alternate #1 in the amount of \$107,300.00 for the purpose of constructing six pickleball courts, and to utilize park millage funds for the total project cost in the amount of \$1,821,726. Seconded by Trustee Jackson.**

Director Maisner summarized the Towner Road Park Bid award as outlined in staff memorandum dated February 15, 2017.

Board discussion:

- Ability of the low bidder, a Lansing firm, to complete the project
- References of the low bidder have been checked
- Cost estimate came in under the \$2 million budget

ROLL CALL VOTE: YEAS: Trustees Deschaine, Jackson, Opsommer, Sundland, Supervisor Styka, Treasurer Brixie, Clerk Dreyfus

NAYS: None

Motion carried unanimously.

H. Master Plan Distribution

**Treasurer Brixie moved to authorize distribution of the draft Master Plan by the Secretary of the Planning Commission as prescribed by the Michigan Planning Enabling Act, Public Act 33 of 2008, as amended. Seconded by Trustee Opsommer.**

Board discussion:

- Appreciation for release of the Master Plan document to solicit public input
- Engaged citizens and members of our various public bodies result in a better Master Plan
- Board member belief the Master Plan has been extensively discussed and debated by the Planning Commission
- Board member concern the Master Plan is complex and has not been discussed by the Township
- Board member concern the Master Plan is being distributed prematurely for public comment
- Board member belief public input is more valuable and provides a better context for review when the public can first listen to Board discussion of the Master Plan

VOICE VOTE: Motion carried 6-1 (Clerk Dreyfus).

Supervisor Styka recessed the meeting at 8:48 P.M.

Supervisor Styka reconvened the meeting at 8:59 P.M.

### 13. BOARD DISCUSSION ITEMS

#### A. Meridian Township Brownfield Redevelopment Authority

Senior Planner Menser summarized the process used for establishment of a Brownfield Redevelopment Authority (BRA) as outlined in staff memorandum dated February 14, 2017.

Board, Manager and staff discussion:

- Concern about compliance with reimbursement
- Reimbursement management services through private companies are available
- State approved brownfields v. local brownfields
- No state brownfield authority currently exists
- New state legislation captures state-based revenue, such as income and sales tax
- Captured taxes are negotiated between the developer and the BRA, as well as other terms such as length of time, caps, and acceptable pass-throughs
- Board member belief it is a good opportunity for the Township and a new BRA board should be created
- Board member preference for the members of the Economic Development Corporation (EDC) to serve as the BRA Board
- Board member preference the members of the Downtown Development Authority (DDA) not serve on the BRA Board, due to perceived conflict
- Board member concern with a tax-capture entity such as the EDC overseeing brownfield approvals in the Township, as they already favor tax captured proposals to validate their own existence
- Board member belief there is a need for independent voices, not solely business people, making decision which will affect the Township budget and the entire community
- Board member belief the EDC is not tax increment finance (TIF) funded
- Board member preference for a newly formed commission which takes representation from other groups
- Township Manager served 16 years on the City of St. Joseph's Brownfield Authority, and did not use a DDA or EDC type entity to serve as the BRA
- Board member clarification the EDC does receive revenue from bond issuance and as a result, diverts revenue from the Township budget and restricts it to economic development activities engaged in by the EDC
- Township Board gives final approval of BRA recommendations

**It was the consensus of the Board for staff to move forward with the process to establish a Meridian Township BRA.**

**B. Flowage Easement Approval**

Assistant Township Manager/Director of Public Works & Engineering Perry summarized the proposed flowage easement as part of the Sierra Ridge Estates No. 3 development as outlined in staff memorandum dated February 16, 2017.

Board and staff discussion:

- The Ingham County Drain Commissioner (ICDC) has requested a permanent easement be put in place
- Purpose of the request is to accommodate runoff from the Sierra Ridge subdivision to the Costigan Drain
- Development has resulted in a change in the type of water flowing pre-development and post-development
- Installation of a bioswale/rain garden will mitigate pollutants flowing as runoff from the development
- Land Preservation Advisory Board (LPAB) recommended approval of the flowage agreement across the Preserve with three (3) conditions, one of which is installation of a rain garden to be installed and maintained by the ICDC

Setting a Precedent: (Questions for the Attorney (Agenda Item #10))

- Q. If we approve this, does that create any kind of precedent that we have to approve another flowage easement over the land preserve for a different project?
- A. No, it would not. This one would stand on its own feet based upon the language of this agreement. Just because you granted this one would not mean that you'd have to grant another, even if it was similar.

Continued Board, staff and developer discussion:

- Runoff is currently flowing onto the land preserve
- ICDC has indicated he will exercise his right to perform selective clearing after first walking the property with LPAB members
- Preference for a bioswale approach to filtration rather than a rain garden with plants which would require weeding and maintenance
- Bioswale approach was recommended by the ICDC's Office
- Intent is for staff to defer to the ICDC recommendation
- Inquiry as to what happens if a resident levels off their property where the bioswale is located
- A resident who owns a lot adjacent to Newton Road must apply to the Township for a soil erosion permit if they desire to perform any type of leveling, which would be a "red flag" for the Township
- 125 active soil erosion permits are monitored by the Township's soil erosion "expert" who travels extensively throughout the Township
- ICDC's office has the statutory ability to remove any "leveling" action performed by a resident and restore it back to its original condition
- ICDC office created a design for the developer relative to the back of the lots adjacent to the proposed flowage easement

**It was the consensus of the Board to place this item on for action at its March 7, 2017 Board meeting.**

**C. Bennett Village Street Lights SAD #424 - Resolution #1 and #2**

Assistant Township Manager/Director of Public Works & Engineering Perry summarized the proposed special assessment district for Bennett Village Phase #2 as outlined in staff memorandum dated February 16, 2017.

## Board and staff discussion:

- Valid petition received from property owners of Bennett Village-Phase 2 for installation and maintenance of streetlights
- Residents pay for the initial cost through the special assessment process which provides for payment to Consumers Energy for the poles, lumen fixture, and energy costs for powering the streetlight
- Resolution #1 order plans to be prepared showing the improvement, location and cost estimate
- Resolution #2 files the plans and cost estimate with the Clerk's Office and sets a public hearing on the project, with appropriate notification to affected property owners
- Consumers Energy has not provided the Township with a LED option for subdivision streetlights
- Majority of streetlights placed in Meridian Township are achieved through the special assessment process

**It was the consensus of the Board to place this item on the consent agenda at its March 7, 2017 Board meeting.**

- D. Possible Amicus Brief for the Dark Store Case before the Supreme Court  
Treasurer Brixie spoke to problems which have occurred throughout Michigan relative to dark store valuations and one case which is now before the Michigan Supreme Court. She noted there has been a request for amicus briefs to be filed. Treasurer Brixie expressed her preference for regional action, suggesting the Board empower the Township Manager to collaborate with other municipalities in the region to submit a brief on behalf of location communities.

## Board and staff discussion:

- Over \$1.5 million in revenue was lost last year by various taxing entities in Meridian Township (school districts, libraries, etc.) due to dark store assessment practices
- Lost revenue will continue to increase due to the cumulative effect
- Cost estimate to file an amicus brief would be approximately \$15,000
- Township Manager will investigate if other communities, both regionally and state wide, are interested in filing a brief
- Michigan Association of Counties (MAC), Michigan Association of School Boards (MASB), Michigan Townships Association (MTA) and the Michigan Municipal League (MML) will file either separate or collective briefs on dark store valuations
- Request for the Manager to look into the possibility of Meridian Township signing onto someone else's brief

Appeal of a Tax Tribunal Decision on Dark Stores: (Questions for the Attorney (Agenda Item #10))

- Q. Does Mr. Fahey have any knowledge of the situation in any of the litigation that is going on?
- A. Quite a bit, actually. I will confirm that there already are some amicus curiae involved on behalf of municipalities. There also are a lot of amicus curiae involved right now on behalf of the real estate and the commercial interests. Everyone is lining up on this one. This was the first case where a municipality was able to get any traction in attempting to appeal from the Tax Tribunal's decision that basically finds that a store that's built for \$10 million one year is only worth \$5 million the next year. So, finally, they got some traction in the Court of Appeals and now the Supreme Court, to everyone's dismay, has said "We think we'd like to hear this case now." That, to our ears, can't be good.

What I thought the Township and others could do (I don't think that it would cost more than maybe \$1,000 or \$2,000 per township in the event they want to participate), is to try to present something to the Supreme Court that will show the impact, in sort of a quantitative way, on each municipality. We have already heard \$1.5 million here in this one Township. If we could spin that out over five, six, seven townships around the state, it might tell a better story to the Court. The other thing I want everybody here to understand is that you have a vested interest in this for a number of reasons, not the least of which is it will directly impact the revenues you get from Costco. Costco is one that hasn't been built yet, and clearly is out there and will be controlled by whatever comes out of this case.

Q. Do you have any idea what the timing is in terms of an opportunity for us to join in this next month, or are we...

A. It is going to have to be done in March, I believe. I was looking at the deadlines the other day. The Supreme Court is very lenient with deadlines for amicus curiae, but I think if we want to be a part of this, it should be done by the end of March.

Q. So we can have this on our agenda on March 7<sup>th</sup>?

A. Yes.

**It was the consensus of the Board to place this item on for action at its March 7, 2017 Board meeting.**

#### 14. COMMENTS FROM THE PUBLIC

Supervisor Styka opened Public Remarks.

Leonard Provencher, 5824 Buena Parkway, Haslett, shared there was no Meridian Township flag on display with the other flags for Enactment Day at the Capitol. He suggested the Haslett "triangle" property might be better used as a mini-park with possible water spigot for walkers and bikers than as a location for public art display. Mr. Provencher suggested a contest for Meridian Mule, a specialty drink that could be used in the copper 175<sup>th</sup> celebration cup.

Supervisor Styka closed Public Remarks.

#### 15. OTHER MATTERS AND BOARD MEMBER COMMENTS

Treasurer Brixie noted there is a Meridian Mule available at Studio C, and people who purchase it will be able to take the celebration mug home. She thanked Board and Commission volunteers for their service.

Clerk Dreyfus addressed mischaracterizations and misinformation contained in a communication from Phyllis Vaughn, a Township resident. He believed the letter was a continuation of behavior which started in June, 2016, when she used submission of comments to the Board as a strategy of discrediting him to gain support for another candidate for Township Clerk in the 2016 Primary Election.

Clerk Dreyfus relayed the facts concerning what transpired during a meeting with Ingham County Clerk Byrum and two of her staff in January, 2017. Clerk Dreyfus indicated Clerk Byrum and he discussed various issues, including the May 2017 Haslett School election, consolidation of East Lansing and Meridian Township School Election precincts, new voting equipment scheduled to roll out by the August, 2017 Primary Election, the new absentee Voter Counting Boards that he implemented for the Township in the November, 2016 General Election and strategies for the future. Clerk Dreyfus noted he thanked Clerk Byrum and her staff for participating that morning and the meeting was concluded.

Clerk Dreyfus stated he believed Ms. Vaughn’s request to have her letter “be available to the public” revealed her political strategy, as all communications are included in the Board packet, uploaded to the Township website and available to the public. He commented the primary concern of most citizens is getting their issues addressed by the Board and are not concerned with the public reading the letter. Clerk Dreyfus expressed concern about Ms. Vaughn’s political agenda against him potentially preventing her from remaining objective in her role as an appointee to the newly created Township Transportation Commission. He stated he had spoken with Supervisor Styka on this issue and hoped the Supervisor could work with Ms. Vaughn to reflect “appropriate and factually accurate” means of communicating her concerns to the Board and public.

Trustee Opsommer voiced concern with the “back and forth” communication during Board meetings where a Board member engages with a specific member of the public. He encouraged fellow Board members to consider a policy where coverage of Board meetings is not utilized to air grievances.

Trustee Deschaine stated when he ran for Trustee, he pledged that he would bring a level of professionalism and civility to the Township Board. He encouraged the Supervisor to step in when a Board member “calls out” a member of the public. Trustee Deschaine indicated it is up to individual Board members to “go high” and “stay high” regardless of what is said by the public.

Treasurer Brixie noted Robert’s Rules of Order states, “All remarks must be directed to the Chair. Remarks must be courteous in language and deportment. Avoid all personalities. Never allude to others by name or to motives.” She encouraged the Supervisor, as the Board’s chief parliamentarian, to enforce this etiquette upon all Board members.

Clerk Dreyfus indicated the comments concerning Robert’s Rules of Order refer to how Board members engage among themselves. He believed it appropriate for Board members to respond when charges made by the public are egregious or disparaging to a particular Board member. Clerk Dreyfus pointed out other Board members have, in the past, referred to citizens by name when considered necessary and relevant.

Supervisor Styka stated Ms. Vaughn acted in accordance with her duties as a Commissioner at the Transportation Commission meeting held January 26, 2017. He indicated he has no reason to “chide” her with regard to her job as a Commissioner.

Manager Walsh recapped the accomplishments which transpired at tonight’s meeting.

16. CLOSED SESSION – Legal Opinion

**Trustee Deschaine moved to enter into closed session to discuss a confidential legal opinion from counsel as permitted by Sections 8 (C) and (E) of the Open Meetings Act. Seconded by Trustee Jackson.**

ROLL CALL VOTE: YEAS: Trustees Deschaine, Jackson, Opsommer, Sundland, Supervisor Styka,  
Treasurer Brixie, Clerk Dreyfus

NAYS: None

Motion carried unanimously.

Supervisor Styka recessed the meeting at 9:39 P.M.

**Clerk Dreyfus moved to return to open session. Seconded by Trustee Jackson.**

Supervisor Styka reconvened the meeting at 10:28 P.M.

17. ADJOURNMENT

**Trustee Opsommer moved to adjourn. Seconded by Trustee Jackson.**

VOICE VOTE: Motion carried unanimously.

Supervisor Styka adjourned the meeting at 10:29 P.M.

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RONALD J. STYKA  
TOWNSHIP SUPERVISOR

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BRETT DREYFUS, CMMC  
TOWNSHIP CLERK

Sandra K. Otto, Secretary