

CHARTER TOWNSHIP OF MERIDIAN
TOWNSHIP BOARD REGULAR MEETING - **APPROVED** -
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room
TUESDAY, JANUARY 21, 2014 **6:00 P.M.**

PRESENT: Supervisor LeGoff, Clerk Dreyfus, Treasurer Brixie, Trustees Scales, Styka, Veenstra, Wilson
ABSENT: None
STAFF: Township Manager Frank Walsh, Director of Public Works and Engineering Ray Severy, Police Chief David Hall, Fire Chief Fred Cowper, Director of Finance Gretchen Gomolka, Director of Information and Technology Stephen Gebes, Parks and Land Management Coordinator Jane Greenway, Assistant Park Naturalist Nicholas Sanchez

1. CALL MEETING TO ORDER
Supervisor LeGoff called the meeting to order at 6:00 P.M.
2. PLEDGE OF ALLEGIANCE/INTRODUCTIONS
Supervisor LeGoff led the Pledge of Allegiance.
3. ROLL CALL
The secretary called the roll of the Board.
4. PUBLIC REMARKS
Supervisor LeGoff opened Public Remarks.

Leonard Provencher, 5824 Buena Parkway, Haslett, spoke in support of the request for the Township to reduce marihuana penalties as noted in the Board communication from Matthew Abel.

Supervisor LeGoff closed Public Remarks.

5. SPECIAL RECOGNITION – Police Officer Gayelord Mankowski and Community Ice Storm Appreciation

Fire Chief Cowper presented business owners with a certificate for their participation in ensuring citizens and fire emergency personnel received food (Subway at 2160 W. Grand River Avenue, Little Caesars at 1639 Haslett Road, McAllister's at 4760 Marsh Road, Asian Buffet at 4920 Marsh Road, Tom's Food Center at 1619 W. Grand River Avenue, and Mert's Specialty Meats at 1800 W. Grand River) in the aftermath of the December ice storm/power outage. Fire Chief Cowper added Haslett Public Schools opened its high school to house many residents during the power outage, providing showers and a warm place to sleep until no longer needed. Police Chief Hall explained the process which transpired to utilize Haslett High School as a warming station.

Chief Hall presented Officer Gayelord Mankowski with a certificate for orchestrating Christmas parties each year for children in Meridian Township since 1991.

6. TOWNSHIP MANAGER REPORT
Manager Walsh reported on the following:
 - Meeting scheduled on January 27th with Consumers Energy to provide information on power outages in Meridian Township
 - 2013 Annual Report scheduled to be completed by the end of February
 - Central fire station and the Aldi MUPUD will be before the Board at its February 4th meeting
 - Letter from Representative Singh requesting Meridian Township membership on the BWL
 - News article which addressed the City of Lansing's response to Representative Singh's request to allow Meridian Township representation on the BWL

7. BOARD COMMENTS & REPORTS

Trustee Veenstra spoke to a memo from Township Manager Walsh regarding the 2/3 vote required for the Board to overturn the Planning Commission's denial of SUP #13121 (Central Fire Station). He requested information on whether the \$3.5 million acquired from the central fire station bond sale can be used for another location or would new bonds need to be issued if the voters approved a different location. Trustee Veenstra inquired as to the dollar amount of the bond fee.

Trustee Veenstra read a letter from Jim Greene regarding his need to walk in the roadway when his neighbors do not clear their sidewalks and the danger it represents. He also expressed support for the request contained in the Board communication from Matthew Abel to reduce penalties for possession of small amounts of marihuana.

Trustee Scales noted Haslett Public Schools are offering Haslett residents aged 62 and older a special advantage card known as Haslett Important Person (HIP). He added the card allows residents free admission to Haslett Schools' athletic events, concerts, plays, adult fitness courses and 50% off all other Haslett community education courses, excluding travel packages. HIP cards may be picked up between the hours of 8:30 AM and 4:00 PM throughout the work week at the Haslett Community Education office located at 1590 Franklin Street. Trustee Scales indicated more information may be obtained by calling (517) 339-2665.

Trustee Scales reported his participation in the January 14th Emergency Preparedness After Action meeting where there was overall consensus that Meridian Township provided a high quality response during the power outage emergency. He summarized "critical take-aways" from the meeting.

Trustee Styka attended the last Okemos School Board meeting, where that Board decided not to pursue the sale of eight (8) acres of property near the Wardcliff School, as community use outweighed the sale. He stated that School Board members brought up the possibility of the Township and school board partnering for shared maintenance of the property. Trustee Styka requested the annual meeting with school districts and local governments be placed on the Board's agenda in the near future. He reported his attendance earlier today at a University of Michigan (U of M) presentation on hydraulic fracturing and offered extensive information contained in seven (7) reports produced by the Graham Environmental Sustainability Institute at U of M.

Clerk Dreyfus participated in the post incident assessment meeting regarding last month's power outage, where a number of improvements to the Township's emergency response plan were noted. He reported his attendance as the Board representative at the January 9th Economic Development Corporation (EDC) meeting where vision, mission, goals and strategies for 2014 were looked at and a number of subcommittees were formed. Clerk Dreyfus stated Michigan State University Extension Service educator Randy Bell gave a presentation on the concept of the Michigan Food Innovation District (FID). He stated this enterprise zone is driven by private funding looking to build another economic driver in our community. Clerk Dreyfus attended a community neighborhood meeting to discuss Carriage Hills Shopping Center and learned a marketing study and analysis was performed and a preliminary plan concept was subsequently created through a Michigan State University landscape architecture class.

Treasurer Brixie attended Capital Area Transportation Authority's (CATA) meeting last week where the organization is beginning its budget process. She noted CATA's intent to place a millage renewal on the August, 2014 ballot. Treasurer Brixie stated CATA is in the process of converting Spectran buses from diesel fuel to propane. She reminded taxpayers winter property taxes are due by Friday, February 14, 2014 and can be paid at the Treasurer's office during normal business hours or dropped off in the white drop box in front of the Meridian Municipal Building. Treasurer Brixie apprised taxpayers who choose to use the US mail service that all Meridian Township mail is sent to Grand Rapids for processing prior to being delivered back into Meridian Township. She suggested allowing ten (10) business days to ensure tax payments are received in the Treasurer's office by February 14th.

Trustee Scales requested the question by Trustee Veenstra regarding moving the fire station be separated out as the word "move" can be defined as either moving from the area of Okemos and Central Park Drive to another area or moving within the area.

Township Manager Walsh responded by stating the legal opinion is clear that if the fire station is built (as determined in the ballot language) at the corner of Central Park Drive and Okemos, it can be built at any location on the subject parcel using the funds approved on November 6, 2012. He added the legal opinion also indicates if the Township Board decides against the proposed location/parcel/site, the \$3.5 million bond revenue from November 6, 2012 bond are void and cannot be used for any other site.

8. APPROVAL OF AGENDA

Treasurer Brixie moved to approve the agenda amended as follows:

- **Move Agenda Item #13 A (Consumers Energy/BWL Summary Report-December 2013 Power Outages) to Agenda Item #13D (Meridian Township Deer Management Summary Report) and Agenda Item #13D to Agenda Item #13A**

Seconded by Trustee Wilson.

VOICE VOTE: Motion carried unanimously.

9. CONSENT AGENDA

Supervisor LeGoff reviewed the consent agenda.

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

[Trustee Styka left the room at 6:57 P.M.]

ROLL CALL VOTE: YEAS: Trustees Scales, Veenstra, Wilson, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried 6-0.

A. Communications

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 Styka.

ROLL CALL VOTE: YEAS: Trustees Scales, Veenstra, Wilson, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried 6-0.

B. Minutes

(1) Treasurer Brixie moved to approve and ratify the minutes of the December 10, 2013 Regular Meeting amended as follows:

- **Amend Page 8 by including the list of all Board and Commission appointments made at the December 10th meeting**

Seconded by Trustee Styka.

ROLL CALL VOTE: YEAS: Trustees Scales, Veenstra, Wilson, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried 6-0.

(2) Treasurer Brixie moved to approve and ratify the minutes of the January 7, 2014 Regular Meeting as submitted. Seconded by Trustee Styka.

ROLL CALL VOTE: YEAS: Trustees Scales, Veenstra, Wilson, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus
NAYS: None

Motion carried 6-0.

[Bill list in Official Minute Book]

C. Bills

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

Common Cash	\$ 251,061.46
Public Works	\$ 426,611.65
Total Checks	\$ 677,673.11
Credit Card Transactions	\$ 9,881.12
Total Purchases	\$ <u>687,554.23</u>
ACH Payments	\$ <u>690,189.93</u>

Seconded by Trustee Styka.

ROLL CALL VOTE: YEAS: Trustees Scales, Veenstra, Wilson, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried 6-0.

[Bill List in Official Minute Book]

D. 2013 Order to Maintain Sidewalk, Special Assessment District No. 14 – **Resolution #4** (Set Public Hearing Date for February 18, 2014)

Treasurer Brixie moved to approve the 2013 Order to Maintain Sidewalk Special Assessment District #14 – Resolution #4, which files the proposed final special assessment roll with the Township Clerk and sets the date for a public hearing on February 18, 2014 amended as follows:

- Amend the date in the first paragraph of the resolution from 2013 to 2014
- Amend the date in the Clerk’s true copy certification paragraph from 2013 to 2014

Seconded by Trustee Styka.

ROLL CALL VOTE: YEAS: Trustees Scales, Veenstra, Wilson, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried 6-0.

E. Ratification of Full-Time Firefighter Appointment

Treasurer Brixie moved to authorize the Fire Chief to promote part-time Firefighter Chris Dinsdale to a full-time Firefighter position effective January 18, 2014 pending the promotion of Firefighter Tavis Millerov. Seconded by Trustee Styka.

ROLL CALL VOTE: YEAS: Trustees Scales, Veenstra, Wilson, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried 6-0.

10. QUESTIONS FOR THE ATTORNEY (None)

11. HEARINGS (None)

12. ACTION ITEMS

Supervisor LeGoff opened Public Remarks.

[Trustee Styka entered the room at 7:01 P.M.]

Neil Bowlby, 6020 Beechwood Drive, Haslett, spoke to a change which did not make the most recent version of the Township's mission statement.

Supervisor LeGoff closed Public Remarks.

A. Amendments to the Board Policy Manual

Trustee Scales moved to approve amendments to Policies 1.0, 1.1, and 1.2 of the Board Policy Manual as discussed at the January 21, 2014 Board Meeting amended as follows:

- **Delete the word "that" in the mission statement and insert "in order to"**
- **Add "for its residents" in the mission statement after the word "life"**
- **Amend the line which states "Values: This requires staff input" by placing parentheses around the phrase after the word "Values"**
- **Delete the statement "The highest quality of life encompasses sustained or enhanced:" and insert "To achieve our mission, we are committed to:"**
- **Policy 1.0.1: Delete "Enhance or sustain" and insert "Sustain and enhance"**
- **Policy 1.0.2: Delete "Enhance or sustain" and insert "Sustain and enhance"**
- **Policy 1.0.4: Delete "Enhance or sustain" and insert "Sustain and enhance"**

Seconded by Trustee Veenstra.

Board members discussed the following:

- Concern if the Board previously took action to establish an official mission statement
- Inquiry if this change in the Board Policy Manual is the correct procedural change to the mission statement

Treasurer Brixie offered the following friendly amendment:

- **Amend the statement "To achieve our mission, we are committed to" by deleting "are committed" and inserting "commit"**

The friendly amendment was accepted by the maker of the motion.

Trustee Veenstra offered the following amendment to Policy 1.1:

- **Amend the first sentence by deleting "enhance or sustained" and inserting "sustained and enhanced"**
- **Amend Policy 1.1.1.a.i. by inserting "the" after "and"**
- **Amend Policy 1.1.1.a.c. by deleting the word "Protected" and inserting the word "Protecting"**

Seconded by Trustee Scales.

VOICE VOTE ON THE AMENDMENT: Motion carried unanimously.

Trustee Wilson offered the following amendment to Policy 1.2:

- **Amend the first sentence by deleting "enhanced or sustained" and inserting "sustained and enhanced"**

Seconded by Trustee Scales.

Board discussion:

- Direction to staff to make changes to the Policy Manual that are consistent with

the actions taken by the Board this evening and bring the document back to the Board at a future meeting for adoption through one motion

VOICE VOTE ON THE AMENDMENT: Motion carried unanimously.

Continued Board discussion:

- Rationale for the changes is to give staff a clear vision and a clear mission statement that can be followed

ROLL CALL VOTE ON THE MAIN MOTION: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried unanimously.

- B. Amendments to the Meridian Township Pension Plan
Treasurer Brixie moved to approve and adopt the amended and restated Meridian Township Employee Pension Plan and Trust as of January 1, 2013. Seconded by Trustee Scales.

Board discussion:

- Changes required by law

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried unanimously.

- C. Storm Related Brush Cleanup Contract
Trustee Wilson moved to approve the program to pick up branches from along roads in the Township with funding to come from 2013 unanticipated revenues. Seconded by Trustee Scales.

Board discussion:

- Ice storm of December 21st and 22nd caused an unprecedented amount of limbs and brush to be littered throughout the Township
- Program is a great service to Township residents
- Brush and limbs need to thaw out of the ice and snow banks in order for clean-up to begin
- Notice through HOMTV and the Township website to communicate pick-up dates for specific areas
- Township to also work with neighborhood leaders to communicate pick-up dates
- Previous Board member suggestion to have a debris management plan as part of the emergency preparedness plan
- Board member suggestion to establish criteria in the debris management plan as to what conditions would warrant this type of action
- Granger has agreed to accept chipped up branches from the Township at no cost
- Contractor has already removed branches from Township pathways
- Cost for debris cleanup at this time is anticipated to cost no more than \$50,000

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff, Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried unanimously.

- D. Appointments to the Economic Development Corporation Board
Treasurer Brixie moved to appoint Chris Buck for the regular seat and Max Singh for the young adult opening on the Economic Development Corporation. Seconded by Trustee Scales.

Board discussion:

- Vacant regular seat due to the resignation of William White from the EDC
- Request for staff to ascertain the full first name of Mr. Singh

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Veenstra, Wilson, Supervisor LeGoff,
Treasurer Brixie, Clerk Dreyfus
NAYS: None
Motion carried unanimously.

13. BOARD DISCUSSION ITEMS

Supervisor LeGoff opened Public Remarks.

Neil Bowlby, 6020 Beechwood Drive, Haslett, provided a handout which categorized the Township goals for 2014 by the goals and objectives categories. He noted none of the stated goals point to enhancing diversity in the Township.

Leonard Provencher, 5824 Buena Parkway, Haslett, spoke in opposition to police forfeiture laws as applied in Michigan. He stated more people are hunting and harvesting deer on more property, and questioned if it is the safest thing to do as deer/car accidents have increased. Mr. Provencher believed 55 Board goals for 2014 are far too many, suggesting one-third of the goals should be categorized as reasonably achievable, one-third should take a moderate amount of work and the remaining one-third should be difficult to achieve. He suggested the goals should be consolidated then prioritized.

Supervisor LeGoff closed Public Remarks.

A. Meridian Township Deer Management Summary Report

Parks and Land Management Coordinator Jane Greenway summarized the deer management program since its inception three (3) years ago. Nicholas Sanchez, Assistant Park Naturalist, highlighted the overall summary of the increase in the number of hunters, deer harvested, venison donated, meals donated, deer/car accidents, and properties hunted.

Board discussion:

- Staff has followed Board direction to kill more deer
- Board goal should have been to reduce car/deer accidents
- Board should include a percentage (e.g., 5% or 10% annually)
- Appreciation to staff for their work on the program and increasing the amount of deer taken each year
- Aforementioned goal would allow staff to be more creative in finding a solution
- Number of reported car/deer accidents should not be the only measure of the Deer Management Program
- Board member belief the number of unreported car/deer accidents is two to three times the number of reported car/deer accidents
- Excessive amount of deer are destroying landscaping as well as gardens, etc.
- Suggestion to involve more private property owners in the program to kill more deer
- Suggestion to extend the season into January and February to kill more deer
- Suggestion to include more hunters in the program to kill more deer
- More than two deer per hunter, on average, are being harvested
- Program was started to improve the safety of Township residents
- Concern with increased amount of injuries as a result of car/deer accidents

- Preference to include a late season antlerless program
- Appreciation to staff for its diplomacy and tact when dealing with seasoned hunters and their criticisms
- Killing more does greatly reduces the deer population
- Legality of incentivizing the killing of antlerless deer
- 120 of the 127 deer harvested were antlerless deer
- Staff to look at the replacement of inactive hunters with active ones to increase the yield
- Many hunters work full time
- Request for staff to continue working with experts at Michigan State University (MSU) and Michigan Department of Environmental Quality (MDEQ) knowledgeable in deer management processes
- Board direction needs to be broader to allow staff more flexibility in managing the deer herd
- Concentrating efforts in certain locations move deer into unacceptable locations within the Township
- Research by the University of Wisconsin revealed that deer live within a one-mile radius of where they are born
- There are deer in populated neighborhoods within Meridian Township which are not being hunted
- Request for information on sterilization techniques
- Suggestion to mobilize residents and hunters to “drive” the deer out of a subdivision into Township property which is being hunted

B. Williamstown Township Police Services Contract

Police Chief David Hall summarized the Williamstown Township Police Services Contract as outlined in staff memorandum dated January 17, 2014.

Board members discussed the following:

- Support for correction of the error v. contract extension for an additional year
- Simple administrative correction to change the language to two-years
- Minutes of both bodies show the contract was to run for two (2) years
- Support for a two-year contract will address concern that direct and indirect costs are covered
- Correction method of both parties initially the two-year correction precludes returning this contract to the Board for approval

It was the consensus of the Board to make an administrative correction to the contract to two years.

C. Contract with Bodwin and Associates for Police Forfeiture

Police Chief David Hall summarized the issue of police forfeiture as outlined in staff memorandum dated January 17, 2014.

Board member and prosecutor discussion:

- Meridian Police Department currently performs drug (cash and cars) forfeiture
- Most jurisdictions within Ingham County go through a division of the county’s prosecutor office for forfeiture
- Cities of Albion, Marshall, Battle Creek, St. Joseph and jurisdictions along the eastern side of the state perform their own forfeiture work
- Bodwin & Associates currently under contract with the Township for prosecutorial services
- Administrative forfeiture proceedings v. judicial forfeiture proceedings

- Bodwin & Associates would work closely with the Police Department to determine if forfeiture is warranted
- Omnibus forfeiture often results in a negotiation process when an asset is seized (i.e. car)
- Concern property can be forfeited without a conviction
- Omnibus forfeiture requires a conviction in order to keep seized property
- Controlled substance forfeitures do not require a conviction
- Controlled substance forfeitures require that there must be a preponderance of the evidence that the property seized was the source of or used in a drug transaction
- Controlled substance forfeitures usually commence with an arrest, but an arrest is not required
- When currency is seized, it is deposited into a separate account which is held pending the outcome of the forfeiture proceedings
- Explanation of forfeiture proceedings for currency
- Fee structure of 20% of the net property proceeds is very reasonable
- Percentage of individuals who do not challenge the forfeiture are high since they do not want to further implicate themselves
- Forfeiture proceedings take away the instruments used to facilitate crimes (i.e. money from drug dealers)
- Forfeiture will provide an additional tool to Meridian Township officers
- Courts have upheld that forfeitures are constitutional
- Commission-based system of compensation provides an incentive to increase the amount of forfeitures
- Information on the abuses of police forfeiture available on the web
- Federal forfeiture laws accelerated after RICO statutes were passed in the late 1960s, early 1970s
- Persons who are likely to experience local community forfeiture have the least amount of resources when cash is seized
- Local community forfeiture is the opposite of due process
- Concern this forfeiture contract will turn forfeiture into more of a business opportunity
- Forfeiture contract should not be used as a “boost” for law enforcement revenues
- Concern this forfeiture contract “rewards” a third party

Trustee Scales moved to close debate. Seconded by Treasurer Brixie.

ROLL CALL VOTE: YEAS: Trustees Scales, Styka, Wilson, Supervisor LeGoff, Treasurer Brixie
NAYS: Trustee Veenstra, Clerk Dreyfus
Motion carried 5-2.

- D. Consumers Energy/BWL Summary Report - December 2013 Power Outages
Director of Public Works and Engineering Ray Severy summarized information which has been requested to date from BWL and Consumers Energy.

Board members discussed the following:

- Staff to meet with Consumers Energy on January 27th at 1:00 PM in the Municipal Building to gather information requested by the Board

- E. Draft 2014 Goals and Objectives

Board members discussed the following:

- Goal 8 and 29: Delete the word “Governance”
- Goal 20: Delete the word sidewalks and insert the word “pathways”
- Goal 20: Include language which references filling gaps in the pathway system

- Goal 29: Delete Policy Governance reporting entirely
- Goal 40: Change language to state “Ease the restrictions to repairs on non-conforming properties
- Goal 41: Change language to state “Adopt policies to control oak wilt”
- Goal 42: Delete the word “pedestrian” and insert the word “pathway”
- Goal 43: Delete the word “pedestrian”
- Manager suggestion to have a process in order to move forward
- Request that each Board member submit their suggested changes to the Township Manager for compilation of a final draft list to come back to the Board
- Remaining items would be a blueprint/work plan for each Department Director
- Request that Board members keep their suggestions within the six (6) global end statements
- Preference for Board members to prioritize goals in order of their importance
- Staff suggestion for this first year to have the first 11 as goals and the rest to be placed on a work plan for the management team
- Some items moved to the work plan will require Board debate (i.e., paperless agenda packets)
- Part of this process will hold the management team accountable to the Board
- Work plan for the management team is as important as the goals
- Suggestion to have Board members use an agreed upon code to help identify a goal, work plan item or further Board action
- Appreciation for Mr. Bowlby’s list which categorized the 55 goals under the six (6) identified categories
- Goal 38: Decriminalize marihuana should remain on the list
- Goal 29: Change language to read: “Reduce staff reporting from monthly to quarterly” which would free up valuable work time
- Goal 29: Change language to read: “Eliminate Policy Governance reporting”
- Goal 19: References providing generic information regarding the August Park millage, not supporting or opposing the park millage

14. PUBLIC REMARKS

Supervisor LeGoff opened Public Remarks.

Neil Bowlby, 6020 Beechwood Drive, Haslett, pointed to what he believed was a typographical error in the date of the motion regarding amendments to the Meridian Township Pension Plan. He addressed the next steps in the central fire station issue.

Mr. Provencher, 5824 Buena Parkway, Haslett, believed the last Board approved the park millage to be placed on the August, 2014 ballot.

Supervisor LeGoff closed Public Remarks.

15. FINAL BOARD MEMBER COMMENT

Trustee Styka stated that had he been in the room when the consent agenda vote was taken, he would have voted yes.

16. ADJOURNMENT

Supervisor LeGoff adjourned the meeting at 9:12 P.M.

ELIZABETH LEGOFF
TOWNSHIP SUPERVISOR

BRETT DREYFUS
TOWNSHIP CLERK

Sandra K. Otto, Secretary