

**DeWITT CHARTER TOWNSHIP**  
**1401 W. Herbison Rd. DeWitt, MI**  
**REGULAR BOARD MEETING**  
**October 25, 2010**

The regular meeting of the DeWitt Charter Township Board was called to order by Supervisor Galardi at 7:00 p.m. with the Pledge of Allegiance.

MEMBERS PRESENT: Supervisor Rick Galardi, Clerk Diane Mosier, Treasurer Phyllis Daggy, Trustees Max Calder, Steve Musselman, Brian Ross and David Seeger

MEMBERS ABSENT: None

Also Present: Manager Rodney Taylor, Police Chief Brian Russell, C2aE Engineer Gary Arnold, County Commissioner Robert Showers, CDD (Community Development Director) Richard Trent, Chief Building Official Chad Miller (arrived late), and several citizens.

AGENDA                    **Seeger moved, Musselman seconded, to approve the Agenda, adding a correspondence from Don Riel regarding the Tax Administrative Fee. Motion voted and carried.**

MINUTES                    **Calder moved, Daggy seconded, to approve the minutes of the October 11, 2010 Regular meeting, and the October 14, 2010 Special meeting, as presented. Motion voted and carried.**

PUBLIC COMMENTS    None.

COUNTY COMMISSIONER    Commissioner Showers updated the Board on the County's 2011 balanced budget and also the issues facing Bingham Township. How the County will be affected by Bingham's sewer/water debt was discussed at length.

CORRESPONDENCE    Correspondence included the following: a programming update from Comcast; 2010 3<sup>rd</sup> Qtr Real Estate Market Report from Coldwell Banker; letters of support for the Tax Administration Fee from residents Rick Banker and Don Riel.

COMMITTEES & COMMISSIONS    **Mosier moved, Daggy seconded, to receive and place on file the minutes of the Elections Commission meeting of October 11, 2010. Motion voted and carried.**

UNFINISHED BUSINESS    None.

NEW BUSINESS            Gary Arnold with c2aE provided an Executive Summary of Wastewater Lift Station Assessments for DeWitt Township. Manager Taylor stated that although the Township now has a Sewer Rehabilitation Plan, the missing piece for planning maintenance of our collection system has continued to be lift stations. This report evaluates the older sanitary sewer lift stations within the Township. He noted that newer stations, or those studied independently in the recent past are not included in this report.

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October 25, 2010 Pg 2 Discussion included the following: the possibility of bonding to fund the repairs; the value of the capacity evaluation of the stations; the need to do a corrosion study of the stations; the need to evaluate sewer revenues during the current downturn in the economy, to determine our ability to make the bond payments from sewer usage fees; the need to measure flows at the individual lift stations, to help determine station demand and inflow and infiltration effect on the station (in newer lift stations the Municipal Standards required flow meters); the need to evaluate the structural integrity of the stations, since some are nearing 40 years of age.

**Ross moved, Calder seconded, to receive and place on file the Wastewater Lift Station Assessments Report. Motion voted and carried.**

2011 Budget  
Resolution 101061  
1% Tax Admin  
Fee

Manager Taylor reviewed the most recent changes to the proposed 2011 Budget, made subsequent to the Budget Workshop, including how current projections affect the fund balance.

Trustee Ross stated that he is in favor of implementing the proposed Tax Administrative Fee. He read a letter from resident Rick Banker stating that he is a tax payer and he has no opposition to the implementation of the tax administrative fee.

Trustee Calder stated that he is supporting the Administration Fee, however, he would like to amend Resolution 101601.

**Calder moved, Galardi supported, to amend the last line of the last paragraph in Resolution 101061 to add the following: until December 31, 2013, at which time it will be reviewed by the DeWitt Charter Township Board.**

Calder explained that this will place a three year sunset date on this fee, and leave it up to the wise discretion of any future Board. He stated that the reason he is making this amendment is because until recently, there was no support for implementing a tax administration fee, and hopefully, by 2013 the economic conditions prevailing today will be behind us. He stated that it may be in the best interest of our constituents that this fee not be levied in perpetuity, but as an emergency measure, and the Board will have the opportunity at that time to remove the fee or keep the fee.

Treasurer Daggy stated that she is in favor of implementing the administrative fee but she will not support a sunset on the fee, because the Board can address the issue at any time in the future. She stated that she believes implementing the administration fee is a responsible move by this Board, but she sees no reason to put a deadline on the fee, when it can be addressed by the Board at any time.

Clerk Mosier stated that she will support the implementation of the tax administration fee for all the reasons she stated at the last meeting. She explained that in the 21 years she has served on this Board, this has been an ongoing issue, with Trustee Charlie Rademacher making a motion for many consecutive years to

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October 25, 2010 Pg 3 implement the fee. She stated that although this is not an easy decision, she is now of the opinion that we should have implemented this fee prior to now. She explained that if the projections are accurate, then 2012 will be our first year with a huge deficit, and we have already discussed it takes about two years for our revenues to react to the economy, so we will likely be at our lowest point in 2013, when Trustee Calder wants the fee reconsidered. She also stated that she believes if the Board is going to consider discretionary dollars, she does not believe it should be the tax administration fee since the costs associated with assessing and taxation will continue to be spent every year. She stated that she cannot support the sunset amendment.

Supervisor Galardi stated that he supports the administrative fee for all the reasons that Treasurer Daggy stated. He stated that he started feeling a little better about the fact that he is going to vote for the administrative fee, as soon as Trustee Calder proposed the sunset. He stated that he likes the idea of more than three years for the sunset, if there are economics that support five years.

Trustee Seeger stated that he has always been against any more taxes, however, he believes that this is now a fairness issue because the staff's time is spent collecting taxes for many constituents, not just the Township. He stated that he believes we need to implement the fee, and he does not believe we should take it off in the future, since the services will still need to be paid for. He stated that he will vote for the administrative fee but not with a sunset at this time.

Trustee Musselman stated that he supports the administrative fee, noting that the State of Michigan has recognized the costs of preparing a tax roll, and DeWitt Township is the only government in the area that does not charge it. He stated that the Township has, and will continue to incur the cost for the service, but has not been charging the administrative fee to pay for it.

Supervisor Galardi read a letter from Don Riel, stating that the Township Board has his support for implementing the Tax Administration Fee.

Trustee Ross stated the cost of the services to assess properties and collect taxes is approximately \$330,000, and he does not see this cost going down. He stated that placing a sunset on this fee does not recognize these facts since the 1% does not even cover these costs.

Trustee Calder stated that he would feel a lot better about this fee if the people we are collecting the tax for would be the one who would be paying it. He stated that he has lived long enough to see many new fees come on but he has not seen the fees come off.

Supervisor Galardi stated that he agrees with Trustee Calder, we are doing this because of a specific need due to economic conditions, and that is why he supports the administrative fee.

Chuck Allen, 1306 Boichot Road, stated that the Township Board does not need

voter approval at any time for the implementation of the administrative fee, and this was previously discussed. He says he does not see the reason for the push back on the sunset, where the fee could be reconsidered if the economy gets better. He stated that the Board is taxing them for collecting their taxes. He stated that Supervisor Galardi supports the sunset as does Trustee Calder, however, the rest of the Board does not seem to support it. He stated that he finds this extremely hard to understand, when the platforms in politics today are less taxes and less government, and this Board is talking about adding more taxes. He stated that he going on record as stating that a predominately Republican Board of Trustees is wanting to raise taxes, and that is not the platform that he understands the Board ran on, except for Rick and Max. He stated that he supports the sunset, be it three or five years, but he now understands the current need for the tax administration fee.

Trustee Musselman stated that he appreciates Mr. Allen's comments; that he is a Republican for smaller government, and during the past years this government has shrunk considerably. He stated that providing these services costs money, and that cost will continue to be incurred in three, five, and 20 years, so considering cutting/raising taxes seems most appropriate, not continuing to reconsider the tax administration fee.

Trustee Seeger stated that he agrees with Trustee Musselman.

Clerk Mosier stated that the tax administration fee is not a perfect solution, it is just the one offered by the State to pay for these services. She stated that with the stroke of a pen, the Board can implement the tax administration fee, or levy additional millage. She stated that even with the admin fee in place, she thinks the budget projections should tell us that in 2012 we will be sitting at the Board table talking about the additional levy of millage or significant cuts in staff like public safety, because it is by far the biggest portion of our budget for non-statutory services. She stated that if this decision about the tax administration fee is so hard for this Board, how difficult will this be for a future Board in even tougher times. She stated that in over 20 years, she has never been part of raising taxes, only lowering them, but with the decision to implement the tax administration fee, she knows that she can no longer make that statement.

Treasurer Daggy stated that she agrees with Clerk Mosier.

Trustee Calder stated that we have other millages in this Township which are voted for, like police and fire, and every three years they come up for renewal. He believes this is to find out if the people still support this millage, so we lay it on the line every three years and ask the residents. He stated that all his amendment does is say to the people in charge at the time, "do you want to continue to charge this fee?" Supervisor Galardi stated that he agrees with Trustee Calder.

**Trustee Calder agreed to a five year sunset and both he and Supervisor Galardi withdrew the previous motion and made the following motion:**

**Calder moved, Galardi supported, to amend the last line of the last paragraph in Resolution 101061 to add the following: until December 31, 2015, at which time it will be reviewed by the DeWitt Charter Township Board. Vote on the amendment to Resolution 101061:**

**AYES: Calder, Galardi**

**NAYS: Ross, Daggy, Mosier, Seeger, Musselman**

**Musselman moved, Seeger seconded, to adopt Resolution 101061 to implement the Tax Administration Fee.**

Trustee Calder stated that he can count, and he will support the motion because it is important to the Township that we be fiscally proactive. Supervisor Galardi stated that he has a problem with Trustee Calder's logic here in supporting the Resolution without the sunset. He stated that he does not want this to be viewed as political, and taking a unanimous vote takes the politics out of the decision.

Trustee Musselman asked why the political question has even been raised? He stated that he believes politics has never been a consideration for this Board.

Supervisor Galardi stated that he would like to see this issue revisited, so for that reason, he will be voting no on the Resolution. Trustee Calder stated that in three years he may come in and ask the Board to revisit the issue. There was some discussion on whether the fee can be lower than 1%.

**Vote on Motion:**

**AYES: Musselman, Seeger, Mosier, Daggy, Calder, Ross**

**NAYS: Galardi Motion carried.**

Resolution 101059  
2011 Budget

**Musselman moved, Seeger seconded, to adopt Resolution 101059 adopting the 2011 Budget.**

**AYES: Daggy, Calder, Ross, Musselman, Seeger, Galardi, Mosier**

**NAYS: None Motion carried.**

Resolution 101060  
Budget Appropriation  
COMMENTS

**Musselman moved, Calder seconded, to adopt Resolution 101060, authorizing 2011 Budget appropriations.**

**AYES: Mosier, Galardi, Seeger, Musselman, Daggy, Calder, Ross**

**NAYS: None Motion carried.**

Property Maintenance  
Code & Violations  
Bureau Timeline

Manager Taylor and CDD Trent reviewed the memorandum regarding the property maintenance code and violations bureau proposal. There was no action taken.

Remy Chandler Spec  
Assessment Adjustment  
Resolution 101065

**Mosier moved, Calder seconded, to approve Resolution 101065, adjusting the Township's at large share of the Remy Chandler drain assessment to cover necessary adjustment to the roll.**

**AYES: Musselman, Seeger, Galardi, Mosier, Daggy, Calder, Ross**  
**NAYS: None Motion carried.**

MERS Resolutions  
010062 & 101063

**Calder moved, Ross seconded, to adopt Resolutions 101062 & 101063, changing the employee contribution rate for the MERS benefit for the Supervisory and Non-Supervisory Units of the POLC Union.**

**AYES: Ross, Calder, Daggy, Mosier, Galardi, Seeger, Musselman**  
**NAYS: None. Motion carried.**

Prepayment of Sewer  
Tap In Fees  
Ord Amendment 91.7  
Resolution 101064

Manager Taylor explained that this issues is being returned to the Board for action, as previously discussed. He reviewed his memo, dated October 22, 2010, regarding the prepayment of sewer tap in fees.

**Mosier moved, Ross seconded, to approve, on First Reading, Ordinance Amendment 91.7, which amends the System Charges and Rates Section of the Wastewater Collection and Treatment System Ordinance to allow for prepayment of connection (tap in) fees.**

**AYES: Musselman, Seeger, Galardi, Mosier, Daggy, Calder, Ross**  
**NAYS: None Motion carried.**

**Ross moved, Calder seconded, to approve Resolution 101064 establishing Policy 2010-2 on Sewer Tap In Prepayment and establish a discount fee.**

**AYES: Ross, Calder, Daggy, Mosier, Galardi, Seeger, Musselman**  
**NAYS: None. Motion voted and carried.**

Trustee Calder stated that he is supporting this policy because it calls for a review in one year, as it should.

Building Department  
Miller Resignation/  
Temp Services Contr

Chief Building Official Miller thanked the Board for the opportunity to serve the DeWitt Community. The Board commended Miller on his service, and his professional growth, wishing him the best in his future endeavors.

**Ross moved, Musselman seconded, to accept, with regret, the resignation of Chad Miller. Motion voted and carried.**

**Ross moved, Musselman seconded, to authorize the Township Manager to continue to negotiate with M.I.S. for building inspection services. Motion voted and carried.**

VOUCHERS

**Seeger moved, Musselman seconded, to approve General Operating Fund Vouchers 57725 – 57763 and Tax Fund Vouchers 7266 – 7278. Motion voted and carried.**

REPORTS &  
COMMENTS

Manager Taylor reported the following: the Fire Department Open House is this week; use of the Fire Department meeting room by local neighborhood watch

groups will soon be taking place; he is working to offer a business opportunity to a local student, by renting the concession at the sledding hill; John Coleman, Director of Tri-County Planning is retiring; he is working to find options for further cuts within our budget in an attempt to ward off the inevitable projected budget deficit; recent quotes project our health insurance increase to be a minimum of 12%.

Trustee Musselman stated that he is disappointed that the term “political” has been used in discussions this evening.

Clerk Mosier pointed out that the election is next week, and that she will contact Board members as emergency help if the need arises.

EXTENDED PUBLIC COMMENT Kris Krol, 12703 Rambler Road, asked questions regarding the proposed Property Maintenance Code regulations, relating to yard requirements, planting, etc. She was referred to CDD Trent for future follow-up.

ADJOURNMENT **Motion carried to adjourn the meeting at 9:10 p.m.**

Respectfully submitted,

Diane Mosier, Clerk

Rick Galardi, Supervisor