

Augusta Charter Township
8021 Talladay Road, Whittaker, MI 48190
Regular Board of Trustees Meeting
September 22, 2009 7:00 pm

1. Call meeting to order at 7:00 pm.
2. Pledge of Allegiance.
3. Roll Call: Hafler, Lula, Giszczak, King, Sherbine, Jackson and Tobler.
Absent: None.
4. Motion by Hafler, 2nd by Tobler to accept the agenda as submitted.
Motion passed.
5. Motion by King to replace "Motion by Hafler, 2nd by King to recognize that the Supervisor Hafler got an extension from the Department of Treasury for an extension and will be discussed at the September 10th officers meeting with input requested from Trustees. Motion passed." with "Motion by King, 2nd by Hafler to recognize that Supervisor Hafler filed for and received an extension from the Michigan Department of Treasury, related to our budget deficit, and that a budget deficit elimination plan will be discussed at the September 10th officers meeting with input requested from Trustees. Motion passed." Motion passed.
6. Motion by Hafler, 2nd by Tobler to accept the September 8, 2009 minutes as amended. Motion passed.
7. Public comments opened at 7:10 pm, closed 7:36 pm.
8. Motion by Hafler, 2nd by Jackson to accept Sheriff Report as given.
Motion passed.
9. Motion by King, 2nd by Jackson to go in executive session to consult with Attorney Winters with regard to the County Sheriff litigation strategy and the W&W litigation strategy. Roll Call: Aye: Lula, Hafler, King and Jackson. Nay: Sherbine, Giszczak and Tobler. (Motion requires 2/3's vote). Motion failed.
10. Motion by King, 2nd by Jackson to discontinue all action on the County Sheriff police services litigation. Motion withdrawn.

11. Motion by Tobler, 2nd by Sherbine to go into executive session the County Sheriff police services litigation. Motion withdrawn.
12. Motion by King, 2nd by Jackson to go in executive session to consult with Attorney Winters with regard to the County Sheriff litigation strategy and the W&W litigation strategy and to discuss scheduling. Roll Call: Aye: Lula, Hafler, King, Jackson and Tobler. Nay: Sherbine and Giszczak. Motion passed.
13. Motion by King, 2nd by Hafler to adjourn to executive session at 8:03 pm.
14. Regular meeting called back to order at 9:31 pm.
15. Motion by Giszczak, 2nd by Tobler to authorize Attorneys Garan, Lucow to file a motion for re-consideration of the Washtenaw County Sheriff lawsuit. Roll Call: Hafler, Lula, Giszczak, King, Sherbine, Jackson and Tobler. Motion passed.
16. Motion by Giszczak, 2nd by Tobler to designate Trustee Tobler as the Boards representative in the W&W Augusta, LLC vs Augusta Charter Township lawsuit and designate Trustee King to be the alternate representative. Roll Call: Aye: Hafler, Lula, Giszczak, King, Sherbine and Tobler. Nay: Jackson. Motion passed.
17. Motion by Hafler, 2nd by Tobler to accept Attorney report as given. Motion passed.
18. Motion by Hafler, 2nd by Giszczak to accept fire department report as provided. Motion passed.
19. Motion by Sherbine 2nd by Tobler to amend the current budget 1) by reducing the General Fund police services line item #101-207-807.050 Contractual Services - Police by \$17,989 bringing the line item total from \$141,960.00 to \$123,971.00 and, 2) create a new General Fund budget line item called "Prior year budget deficit reduction plan" with the appropriate GL number as determined by the Clerk with the year ending 2010 budget amount of \$17,989 and, 3) to authorize Clerk Giszczak to respond to the State Department of Treasury's letter dated 8/18/09 with the required documentation and verify with the State the necessary documentation requirements then to prepare that communication, certify the required documents under the Clerk's seal, forward the documents to the State by certified return receipt mail in sufficient time so as to fulfill the required due date of 10/2/09 and

- provide a scanned emailed copy of the correspondence in full to the Board of Trustees. Roll Call: Aye: Hafler, Lula, Giszczak, King, Sherbine, Jackson and Tobler. Nay: None. Motion passed.
20. Motion by Giszczak, 2nd by Tobler to forward a letter to the County Sheriffs office that the Township will not be continuing the sheriff contract effective January 1, 2010 and the township board plans to do a millage in August 2010 to allow for services in 2011. Roll Call: Aye: Hafler, Lula, Giszczak, King, Jackson and Tobler. Nay: Sherbine. Motion passed.
 21. Motion by King, 2nd by Jackson to table the USDA special assessment pay down to November 10, 2009 to allow time for the Utility Advisory Committee to meet with the USDA and Rural Water to determine the feasibility of refinancing the USDA loan. Roll Call: Aye: Hafler, Lula, Giszczak, King, Jackson and Sherbine. Nay: Tobler. Motion passed.
 22. Sherbine left at 10:29 pm.
 23. Motion by Hafler, 2nd by King to extend the temp service to the end of the year. Roll Call: Aye: Lula, Hafler and King. Nay: Giszczak, Tobler and Jackson. Absent: Sherbine. Motion failed.
 24. Motion by Giszczak, 2nd by Tobler to accept the Treasurer Cash report as provided. Roll Call: Aye: Giszczak, Tobler, Hafler, King, Lula and Jackson. Absent: Sherbine. Motion passed.
 25. Motion by Giszczak, 2nd by Tobler to approve journal entry #2938-2945. Roll Call: Aye: Giszczak, Tobler, Hafler, King, Lula and Jackson. Absent: Sherbine. Motion passed.
 26. Motion by Giszczak, 2nd by Tobler not to pay \$5,591.30 for "Routine" Water & Sewer of Utility Management Services total Invoice of \$14,962.55 because it is an overpayment, it is not in our contract. Roll Call: Aye: Giszczak and Tobler. Nay: Hafler, King, Lula and Jackson. Absent: Sherbine. Motion failed.
 27. Motion by Giszczak, 2nd by Jackson to authorize payment of warrants #9879 through #9968. Roll Call: Aye: Hafler, King, Lula and Jackson. Nay: Giszczak and Tobler. Absent: Sherbine. Motion passed.
 28. Motion by Hafler, 2nd by Giszczak to accept Utility Advisory Committee Report. Motion passed.

- 29. Motion by Hafler, 2nd by Lula to accept Planning Commission report as given. Motion passed.
- 30. Public Comments opened at 11:02 pm, closed at 11:06 pm.
- 31. Motion by Hafler, 2nd by Lula, to adjourn at 11:07 pm. Motion passed.

Respectfully submitted:

Pete Hafler, Supervisor

Date

Kathy Giszczak, Clerk

Date