

Augusta Charter Township
8021 Talladay Road, Whittaker, MI 48190
Regular Board of Trustees Meeting
July 27, 2010 7:00 pm

1. Call meeting to order at 7:00 pm.
2. Pledge of Allegiance.
3. Roll Call: Hafler, Giszczak, Lula, Sherbine, King and Tobler. Absent: Jackson.
4. Motion by Giszczak, 2nd by Tobler to move agenda item "DEQ Reporting" and "Arnder Reimbursement" to Attorney Reports. Motion passed.
5. Public comments opened at 7:04 pm, closed 7:05 pm.
6. Attorney Winters arrived at 7:20 pm
7. Motion by Hafler, 2nd by Tobler to approve 7/13, 2010 meeting minutes as amended to remove the following "Edwards Plumbing's " and remove "which confirms "Augusta Township sewer main backed up...into crawlspace and yard severe contamination" from the original "Motion by Giszczak, 2nd by Lula, to reimburse John and Gretchen Ardner \$139.00 for Edwards Plumbing's May 15, 2010 invoice for address 10800 Whittaker which confirms "Augusta Township sewer main backed up...into crawlspace and yard severe contamination" with Clerk to mail letter to residents with MCL 691-1419 section 2b and 2c that upon receipt of the required written document, reimbursement will be processed. Roll Call: Aye: Lula, Hafler, King, Sherbine, Tobler and Giszczak. Nay: None. Absent: Jackson. Motion passed.
8. Trustee Jackson arrived at 7:32 pm.
9. Motion by Sherbine, 2nd by Jackson to reimburse McKinnis' \$3,441.59 from Utility operating fund for overpayment of water, friendly amendment Giszczak, contingent upon receipt of signed release of all claims. Roll Call: Hafler, Giszczak, Lula, Sherbine, Jackson, King and Tobler. Absent: None. Motion passed.
10. Motion by Lula, to have attorney review, motion withdrawn.

11. Motion by Lula, 2nd by King to accept the final Utility Management Services, LLC contract that was discussed by Utility Management Services, LLC and Attorney Winters for a six month period with an option to cancel with a 90 day written notice, that this language be incorporated into the contract paragraph 18 and would replace any conflicting information. Roll Call: Aye: Lula, Hafler, King and Jackson. Nay: Sherbine, Giszczak and Tobler. Motion passed.
12. Motion by King, 2nd by Jackson to take a 5 minute break, at 9:11 pm. Meeting called back to order at 9:20 pm.
13. Motion by Giszczak, 2nd by Tobler to forward the DEQ form #EPQ5857, Report of Discharges for untreated sewage" in tomorrows mail, 7/28/2010 to Charles Hill as required by their letter dated July 16, 2010. Roll Call: Aye: Sherbine, Giszczak and Tobler. Nay: Lula, Hafler, King and Jackson. Absent: None. Motion failed.
14. Motion by Hafler, 2nd by King to remove the Ardner Reimbursement from the Agenda for no action. Hafler withdrew motion.
15. Motion by Giszczak, 2nd by Tobler for attorney Winters to review township policy for compliance with Government Immunity Act. Giszczak withdrew motion.
16. Motion by Giszczak, 2nd by Lula for Governmental Immunity Act to be reviewed by the Utility Advisory Committee and to draft a recommendation to the Board for compliance within 60 days. Roll Call: Aye: Sherbine, Giszczak, Lula, Hafler and King. Nay: Tobler and Jackson. Absent: None. Motion passed.
17. Attorney Winters left at 9:38 pm.
18. Motion by Hafler, 2nd by Giszczak to accept the June Fire Department Report as submitted. Motion passed.
19. Motion by Giszczak, 2nd by Lula, to promote Fire Fighter Brian Howell to Lieutenant. Roll Call: Ayes: Hafler, Giszczak, Lula, Sherbine, Jackson, King and Tobler. Nay: None. Absent: None.
20. Motion by Giszczak, 2nd by Jackson to approve the Fire Department recommendation for EMPCO Sergeant Promotion Exam at \$5,452.00 plus

- mileage. Roll Call: Ayes: Hafler, Giszczak, Lula, Sherbine, Jackson, King and Tobler. Nay: None. Absent: None.
21. Motion by Sherbine, 2nd by Tobler to accept Treasurer Cash Report as submitted. Roll Call: Aye: Lula, Sherbine, Hafler, Tobler, Giszczak, King and Jackson. Nay: None. Absent: None. Motion passed.
 22. Motion by Giszczak, 2nd by Tobler to discuss and vote on Utilities Management Services Invoice for 7/18/2010 separately from other warrants because \$7,560.00 is being charged for the contract period of 6/17/2010 to 7/18/2010 for charges listed as "Daily System Duties" not in the Utilities Management Services contract. Roll Call: Ayes: Sherbine, Giszczak and Tobler. Nays: Hafler, Jackson, King and Lula. Absent: None. Motion failed.
 23. Motion by Giszczak, 2nd by Sherbine to pay all invoices (reference #10900-11017) Friendly amendment by King and accepted by Sherbine to exclude warrant #10078 of \$384.00 to Pear Spearling until they provide additional documentation. Roll Call: Aye: Sherbine, Lula, Hafler, King and Jackson. Nay: Giszczak and Tobler. Absent: None. Motion passed.
 24. Motion by King, 2nd by Jackson to approve for payment Utilities Management Services Invoice #1544 for \$3,331.20 at a rate of \$2.40. Roll Call: Aye: Sherbine, Lula, King, Jackson, Giszczak and Tobler. Nay: Hafler. Absent: None. Motion passed.
 25. Motion by Giszczak, 2nd by Sherbine to approve journal entries #3263-3286. Roll Call: Aye: Lula, Sherbine, Tobler, and Giszczak. Nay: Hafler, King and Jackson. Absent: None. Motion passed.
 26. Motion by Giszczak, 2nd by Tobler to accept the Planning Commission report as submitted. Motion passed.
 27. Motion by Tobler, 2nd by Giszczak to direct the Zoning Administrator to initiate a zoning compliance investigation and report a recommendation to the board for 10015 Judd Road. Roll Call: Ayes: Sherbine, King, Giszczak, Tobler and Jackson. Nay: Lula and Hafler. Motion passed.
 28. Motion by Giszczak, 2nd by Lula to adopt the resolution authorizing the Clerk to process the application to the State of Michigan for the Schultz PA116. Roll Call: Aye: Lula, Sherbine, Hafler, Tobler, Giszczak, King and Jackson. Nay: None. Absent: None. Motion passed.

29. Motion by Hafler, 2nd by Lula to send back the YCUA rate increase to the Utility Advisory Committee and to have Trustee Tobler attend. Friendly amendment Giszczak, denied by Hafler, to authorize the Utility Advisory Committee to draft the resolution to amend the water sewer rates for the next board meeting, including a recommendation for the public hearing date and location. Hafler withdrew motion.
30. Motion by Sherbine, 2nd by Tobler to table to next meeting in order for the Utility Advisory Committee to meet; Friendly amendment Giszczak, accepted by Sherbine, to authorize the Utility Advisory Committee to draft the resolution to amend the water sewer rates for the next board meeting, including a recommendation for the public hearing date and location. Roll Call: Ayes: Sherbine, Giszczak and Tobler. Nays: Hafler, Jackson, King and Lula. Absent: None. Motion failed.
31. Motion Giszczak, 2nd Tobler to table YCUA water sewer rates to next meeting. Roll Call: Aye: Lula, Sherbine, Tobler, and Giszczak. Nay: Hafler, King and Jackson. Absent: None. Motion passed.
32. Sherbine left at 10:30 pm.
33. Motion by Giszczak, 2nd by Tobler to table the MTA class on Ordinance Modernization to the board meeting for budget information. Roll Call: Aye: Lula, Hafler, Tobler, Giszczak, King and Jackson. Nay: None. Absent: Sherbine. Motion passed.
34. Public comments opened at 10:41 pm, closed at 10:46 pm.
35. Motion by Hafler, 2nd by Lula to adjourn at 10:50 pm. Motion passed.

Respectfully submitted:

Pete Hafler, Supervisor

Date

Kathy Giszczak, Clerk

Date