

# Augusta Charter Township

8021 Talladay Road  
Whittaker, MI 48190

## Board of Trustees Meeting Minutes

November 20, 2017 6:30 p.m.

1. Meeting called to order by Shelby at 6:30 p.m.
2. Pledge of Allegiance
3. Roll Call: Present: Burek, Domas, Howard, Knick, Ortiz, Shelby. Absent: Chie.
4. Motion by Shelby, 2<sup>nd</sup> by Domas that the Board meet in closed session under section 8(e) of the Open Meetings Act, to consult with the township's attorney, John Brennon to privately discuss Nexus Crossing Agreement and memo summarizing facilitators points for resolution of litigation with Augusta Woods as permitted under section 8(h) of the OMA and section 13(1)(g) of the Freedom of Information Act, which exempts from public disclosure "information or records subject to the attorney-client privilege." Roll Call: Ayes Burek, Domas, Ortiz, Shelby, Knick, Howard. Nays, 0 Absent Chie. Motion Passed.
5. Motion by Shelby, 2<sup>nd</sup> by Howard to Adjourn the Closed Session, Special Meeting at 7:06 p.m. and return to regular Meeting. Motion Passed.
6. Meeting called to order by Shelby at 7:06 p.m.
7. Pledge of Allegiance
8. Roll Call: Present: Burek, Domas, Howard, Knick, Ortiz, Shelby. Absent: Chie.
9. Motion by Shelby, 2<sup>nd</sup> by Howard to approve the agenda with the following amendments; Replace Item A with W.R.A.P. Water Residential Assistance Program. Treasurer added Whittaker Oaks and Cash Summary to her Report. Motion Passed.

10. Motion by Domas, 2<sup>nd</sup> by Shelby to approve the Draft Meeting Minutes from 10-23-2017 as submitted. Motion Passed.
11. Motion by Domas, 2<sup>nd</sup> by Howard to approve the Special Meeting Minutes from 11-10-2017 as submitted. Motion Passed.
12. Public Comment Opened at 7:09 p.m. Closed at 7:09 p.m.
13. Motion by Domas, 2<sup>nd</sup> by Shelby to provide a prepared agreement of the Water Residential Assistance Program including a collaboration with D & B billing and UMS to the next board meeting for approval. Motion Passed.
14. Motion by Domas, 2<sup>nd</sup> by Shelby to approve the memo summarizing facilitator's points for resolution of litigation with Augusta Woods, as amended, authorizing Augusta Township attorney, John Brennon, to move forward per the terms outlined, including the necessary consent judgment. Roll Call: Aye; Burek, Domas, Howard, Knick, Ortiz, Shelby. Nay; 0. Absent; Chie. Motion Passed.
15. Motion by Domas, 2<sup>nd</sup> by Shelby to move forward per attorney, John Brennon's counsel to approve Nexus Gas Transmission LLC Crossing Agreement as presented. Roll Call: Aye; Burek, Domas, Howard, Knick, Ortiz, Shelby. Nay; 0. Absent; Chie. Motion Passed.
16. Motion by Domas, 2<sup>nd</sup> by Howard requesting Brian Shelby, member of the Utility Advisory Committee, to appoint an Inspector for the Nexus pipeline construction project to ensure all requirements are met per the Crossing Agreement. Roll Call: Aye; Burek, Domas, Howard, Knick, Ortiz, Shelby. Nay; 0. Absent; Chie. Motion Passed.
17. Motion by Domas, 2<sup>nd</sup> by Shelby authorizing the Clerk request certificate of insurance from Nexus and bill Nexus for the year to date costs incurred per the agreement. Roll Call: Aye; Burek, Domas, Howard, Knick, Ortiz, Shelby. Nay; 0. Absent; Chie. Motion Passed.
18. Motion by Shelby, 2<sup>nd</sup> by Domas to table the discussion of Security Systems for the Modular until further information is acquired. Motion Passed.
19. Motion by Howard, 2<sup>nd</sup> by Shelby to accept the Fire Chief's Fire Department Report as submitted. Motion Passed.
20. Motion by Howard, 2<sup>nd</sup> by Shelby to approve the hiring of Kenneth B. Brown and Darius Van-Hilton Sanderford to the Fire Department. Roll Call: Aye;

Burek, Domas, Howard, Knick, Ortiz, Shelby. Nay; 0. Absent; Chie. Motion Passed.

21. Motion by Howard, 2<sup>nd</sup> by Knick to accept the termination of Lucas Schultz from the Fire Department. Motion Passed.
22. Motion by Howard, 2<sup>nd</sup> by Shelby for the Supervisor to have attorney Victor Lillich review the sales contract for the Fire Department Land. Roll Call: Aye; Burek, Domas, Howard, Knick, Ortiz, Shelby. Nay; 0. Absent; Chie. Motion Passed.
23. Motion by Shelby, 2<sup>nd</sup> by Howard to accept the Utilities Report as submitted. Roll Call: Aye; Burek, Domas, Howard, Knick, Ortiz, Shelby. Nay; 0. Absent; Chie. Motion Passed.
24. Motion by Shelby, 2<sup>nd</sup> by Domas for the Supervisor to purchase and post two "NO Parking, Violators will be Towed at Owners Expense" signs, not to exceed \$100, for the Vacant Lot at the corner of Willis and Whittaker Roads, owner has given Supervisor the permission to do so. Roll Call: Aye; Burek, Domas, Howard, Knick, Ortiz, Shelby. Nay; 0. Absent; Chie. Motion Passed.
25. Motion by Shelby, 2<sup>nd</sup> by Ortiz to accept the Supervisor's and Reports as presented. Motion Passed.
26. Motion by Shelby, 2<sup>nd</sup> by Howard to accept the Treasurer's Report as presented. Motion Passed.
27. Motion by Domas, 2<sup>nd</sup> by Shelby to move forward with Whittaker Oaks unpaid balance owed by waiving the Civil Fees charge and accept \$9,539.59 to be paid \$1,000 a month. If they default again the Civil Fees will be reinstated and they will be billed the entire balance due including penalties and interest. Roll Call: Aye; Burek, Domas, Howard, Knick, Shelby. Nay; Ortiz. Absent; Chie. Motion Passed.
28. Motion by Domas, 2<sup>nd</sup> by Howard to reimburse the Clerk \$112 food and beverages provided the election inspectors on November 7<sup>th</sup> election day. Roll Call: Aye; Burek, Domas, Howard, Knick, Ortiz, Shelby. Nay; 0. Absent; Chie. Motion Passed.
29. Motion by Domas, 2<sup>nd</sup> by Ortiz to change the Assessor's status from Independent Contractor to Employee with retroactive pay increase, per budget, back to April 1, 2016. Motion Passed.

30. Motion by Domas, 2<sup>nd</sup> by Shelby to accept the Warrant Report #20289-20363 as submitted. Roll Call: Aye; Burek, Domas, Howard, Knick, Ortiz, Shelby. Nay; 0. Absent; Chie. Motion Passed.
31. Motion by Domas, 2<sup>nd</sup> by Howard to accept the Journal Entry Report 6165-6179 as submitted. Roll Call: Aye; Burek, Domas, Howard, Knick, Ortiz, Shelby. Nay; 0. Absent; Chie. Motion Passed.
32. Motion by Shelby, 2<sup>nd</sup> by Ortiz to accept the Clerks Report as submitted. Roll Call: Aye; Burek, Domas, Howard, Knick, Ortiz, Shelby. Nay; 0. Absent; Chie. Motion Passed.
33. Motion by Shelby, 2<sup>nd</sup> by Ortiz to accept the Assessor's Report as submitted. Motion Passed.
34. Motion by Shelby, 2<sup>nd</sup> by Ortiz to accept the Planning Commission Report, the Urban County Report and the MTA Report as submitted. Motion Passed.
35. Public Comment Opened at 9:02 p.m. Closed at 9:02 p.m.
36. Motion by Shelby, 2<sup>nd</sup> by Ortiz to adjourn.
37. Board of Trustees Meeting adjourned at 9:06 p.m. Motion Passed.

Respectfully submitted:

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 Brian Shelby, Supervisor

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 Date

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 Belynda Domas, Clerk

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 Date