

6:00 P.M. – CLOSED SESSION – PENDING LITIGATION Motion by Bennett, supported by Williams to move from open session to closed session at 6:07 p.m. Motion carried by all members present. **Roll Call** Members Present: Anthony (arrived 6:20 p.m.), Bennett, LaJoy, Taj, Williams Members Absent: Caccamo, McLaughlin Staff Present: Director Eva, Director Faas, Audrey Robinson, Timothy Wilhelm (Johnson/Rosati) Dismissed to open session at 6:35 p.m. Motion by Bennett, supported by Taj to move from closed session to open session at 7:00 p.m. Motion carried by all members present. A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, October 26, 2010 at 1150 Canton Center S., Canton, Michigan. Supervisor LaJoy called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance to the Flag. **Roll Call** Members Present: Anthony, Bennett, LaJoy, Taj, Williams Members Absent: Caccamo, McLaughlin Staff Present: Director Conklin, Director Eva, Director Faas, Audrey Robinson Staff Absent: Director Nemecek **Adoption of Agenda** Motion by Bennett, supported by Taj to approve the agenda as amended adding C-7 Set Public Hearing Date for EnovateIT for an Exemption of Personal Property Certificate and G-5 Pending Litigation. Motion carried by all members present. **Approval of Minutes** Motion by Bennett, supported by Taj to approve the Board Minutes of October 12, 2010. Motion carried by all members present. **Citizen's Non-Agenda Item Comments:** Antonio Tomei, 45692 Drexel, stated his concerns regarding the millage increase and taxes increasing every year when the values of homes are decreasing. **Payment of Bills** Motion by Bennett, supported by Williams to approve payment of the bills as presented. Motion carried by all members present. **PUBLIC HEARING: Item 1. PUBLIC HEARING – CONSIDER TAX ABATEMENTS FOR WF WHELAN CO. (SUPERVISOR)** Motion by Bennett supported by Anthony open the public hearing at 7:11 p.m. for a PA 198 Tax Abatement for an Industrial Facilities Exemption Certificate for real property and a PA 328 Tax Abatement for an Exemption Certificate for Personal Property for the WF Whelan Co. Motion carried by all members present. Debbie Bilbrey-Honsowetz stated WF Whelan is a great addition to the community. The former K-Mart Warehouse is over 1 million square feet. Ms. Bilbrey-Honsowetz stated having WF Whelan reside in Canton has retained 48 jobs and they are looking at adding 21 jobs over the next two years. This is the first use of the Public Act 328 formerly not available to Canton. Recent changes in state legislation has made it available to communities and border counties. Ms. Bilbrey-Honsowetz stated 100% abatement is only available on new personal property, added to the state tax roles. James Linton, Chief Operating Officer, stated at this time WF Whelan will assume 60% of the 1.1 million square foot facility. Mr. Linton stated they are working on another program which should take up another 20%-30% of the facility. WF Whelan is hoping to fill approximately 75%-85% of the facility in the next year or two. Motion by Bennett, supported by Anthony to close the public hearing at 7:15 p.m. for a PA 198 Tax Abatement for an Industrial Facilities Exemption Certificate for real property and a PA 328 Tax Abatement for an Exemption Certificate for Personal Property for the WF Whelan Co. Motion carried by all members present. Motion by Bennett, supported by Taj to adopt the resolution to approve the application of the WF Whelan Co., for a PA 198 Industrial Facilities Exemption Certificate for real property. Motion carried by all members present. **CONSENT CALENDAR: Item 1. CONSIDER 2011 MEETING DATES FOR THE BUILDING BOARD OF APPEALS. (MSD)** Motion by Bennett, supported by Williams to establish the Canton Township's Building Board of Appeals' meeting schedule for the year 2011. Meetings will be scheduled as needed and will be held at the Charter Township of Canton Administration Building, 1150 Canton Center South. Motion carried by all members present. **Item 2. CONSIDER 2011 MEETING DATES FOR THE ZONING BOARD OF APPEALS. (MSD)** Motion by Bennett, supported by Williams to establish the Canton Township Zoning Board of Appeals' meeting schedule for the year 2011 as follows: Second Thursday of each month at 7:00 p.m. to be held at the Charter Township of Canton Administration Building, 1150 Canton Center South. Motion carried by all members present. **Item 3. CONSIDER RE-APPOINTMENT OF BOB PACIOCCO TO THE BUILDING BOARD OF APPEALS. (MSD)** Motion by Bennett, supported by Williams to re-appoint Bob Paciocco to the Building Board of Appeals. (Term expiring December 31, 2012). Motion carried by all members present. **Item 4. CONSIDER RE-APPOINTMENT OF GREG TROMBLEY TO BUILDING BOARD OF APPEALS. (MSD)** Motion by Bennett, supported by Williams to re-appoint Greg Trombley to the Building Board of Appeals. (Term expiring 12/31/2012). Motion carried by all members present. **Item 5. CONSIDER RE-APPOINTMENT OF JOSEPH PHILIPS TO BUILDING BOARD OF APPEALS. (MSD)** Motion by Bennett, supported by Williams to re-appoint Joseph Philips to the Building Board of Appeals. (Term expiring 12/31/2012). Motion carried by all members present. **Item 6. PLANNING COMMISSION RE-APPOINTMENT. (SUPERVISOR)** Motion by Bennett, supported by Williams to re-appoint Greg Greene to the Canton Township Planning Commission, term to expire December 31, 2013. Motion carried by all members present. **Item 7. SET PUBLIC HEARING DATE FOR ENOVATEIT FOR AN EXEMPTION OF PERSONAL PROPERTY CERTIFICATE. (SUPERVISOR)** Motion by Bennett, supported by Williams to set the public hearing date for November 23, 2010 to consider application for an Exemption of Personal Property Certificate for EnovateIT for personal property to be located at their facility at 7820 Lilley Road. Motion carried by all members present. **GENERAL CALENDAR: Item 1. CONSIDER SPECIAL LAND USE REQUEST FOR JOE'S PLACE AUTO REPAIR. (MSD)** Motion by Bennett, supported by Taj to adopt the resolution for special use for an Automotive Repair Establishment in a LI, Light Industrial Zoning District. Motion carried by all members present. **Item 2. FIRST READING OF AN AMENDMENT TO THE CODE OF ORDINANCES, CHAPTER 74 ENTITLED "UTILITIES", ARTICLE IV. SEWER USE AND INDUSTRIAL WASTE PRETREATMENT REQUIREMENTS FOR USER DISCHARGING TO YPSILANTI UTILITIES AUTHORITY SYSTEM. (MSD)** Motion by Bennett, supported by Taj to introduce and table the First Reading of the Amendment to the Code of Ordinances, Chapter 74 Entitled "Utilities", Article IV. Sewer Use and Industrial Waste Pretreatment Requirements for Users Discharging to Ypsilanti Community Utilities Authority System with a publication date of November 4, 2010. The second reading will occur on November 9, 2010 with a publication and effective date of November 18, 2010. Motion carried by all members present. **STATE OF MICHIGAN, COUNTY OF WAYNE, CHARTER TOWNSHIP OF CANTON, AMENDMENT TO WATER AND SEWER SYSTEM ORDINANCE CHAPTER 74, ARTICLE IV AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CHARTER TOWNSHIP OF CANTON, CHAPTER 74, ARTICLE IV ENTITLED "SEWER USE AND INDUSTRIAL WASTE PRETREATMENT REQUIREMENTS FOR USERS DISCHARGING TO YPSILANTI COMMUNITY UTILITIES AUTHORITY SYSTEM PROVIDING FOR CHANGES TO DEFINITIONS, ABBREVIATIONS, INFORMATION REQUIRED PRIOR TO CONNECTION TO SYSTEM, REPORTING REQUIRED AFTER PROMULGATION OR REVISION OF A PRETREATMENT STANDARD AND REPORTING FROM A NEW SOURCE, ADDITIONAL REPORTING REQUIRED; PERIODIC MONITORING REPORTS, RECORDS; ACCOUNTS; AUDITS; CLASSIFICATION OF USERS; INSURANCE, ENFORCEMENT PROCESS, FUNDING, FAT, OILS & GREASE (FOG) INTERCEPTOR AND SAND INTERCEPTOR, PROHIBITED DISCHARGES, PROHIBITED CONCENTRATIONS OF CERTAIN POLLUTANTS; MERCURY REDUCTION PLAN, REPORT OF VIOLATION; ALSO PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; SEVERABILITY OF UNENFORCEABLE PROVISIONS; SAVINGS CLAUSE; PUBLICATION AND EFFECTIVE DATE. THE CHARTER TOWNSHIP OF CANTON ORDAINS: SECTION 1. AMENDMENT TO ORDINANCE: ARTICLE IV OF THE WATER AND SEWER ORDINANCE, CHAPTER 74, IS SUBSTANTIALLY AMENDED TO REFLECT THE CURRENT REQUIREMENTS OF THE EPA, DNRE AND LOCAL ORDINANCES GOVERNING WASTEWATER DISCHARGES TO THE YPSILANTI COMMUNITY UTILITIES AUTHORITY PUBLIC-OWNED WASTEWATER TREATMENT PLANT. SAID AMENDMENTS ARE COMPREHENSIVE AND ARE AVAILABLE FOR REVIEW BY THE PUBLIC THROUGH THE OFFICE OF THE TOWNSHIP CLERK. SECTION 2. VIOLATION AND PENALTY** Unless otherwise provided, any person, corporation, partnership or any other legal entity who violates the provisions of this ordinance shall be guilty of a misdemeanor and may be fined not more than Five Hundred (\$500.00) Dollars or imprisoned for not more than ninety (90) days, or both, at the discretion of the Court. **SECTION 3. REPEAL** All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance, except as herein provided, are hereby repealed only to the extent necessary to give this Ordinance full force and effect. **SECTION 4. SEVERABILITY** If any section, subsection, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion thereof. **SECTION 5. SAVINGS CLAUSE** The repeal or amendment herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending litigation or prosecution of any right established or occurring prior to the effective date of this Ordinance, as amended. **SECTION 6. PUBLICATION** The clerk for the Charter Township of Canton shall cause this Ordinance to be published in the manner required by law. **SECTION 7. EFFECTIVE DATE** This Ordinance shall take full force and effect upon publication. **CERTIFICATION** The foregoing Ordinance was duly adopted by the Township Board of Trustees of the Charter Township of Canton at its regular meeting called and held on the _ date of _ 2010 and was ordered to be given publication in the manner required by law. **Item 3. CONSIDER APPROVAL OF THE REVISED WASTEWATER DISCHARGE ORDINANCE DELEGATION AGREEMENT WITH YCUA. (MSD)** Motion by Bennett, supported by Taj to approve the revised Wastewater Discharge Ordinance Delegation agreement with YCUA as presented; and further, authorize the Township Supervisor to sign the agreement on behalf of Canton. Motion carried by all members present. **Item 4. CONSIDER AGREEMENT WITH WAYNE COUNTY TO PROVIDE WINTER MAINTENANCE ON 17.50 MILES (37.80 LAND MILES) OF COUNTY ROADS. (MSD)** Motion by Bennett, supported by Taj to approve the agreement with Wayne County to provide additional winter maintenance for 17.50 miles (37.80 lane miles) of County local roads and authorize the payment of \$39,187.09 from Account No. 101-447.03.801_0050 (Engineering ROW Professional & Contractual Services). Roll Call Vote: Ayes: Anthony, Bennett, LaJoy, Taj Nays: Williams Motion carried. **Item 5. PENDING LITIGATION. (SUPERVISOR)** Motion by Bennett, supported by Anthony, to approve the recommendation of Township Legal Counsel as related to Canton v. Heron Ridge as discussed in closed session. Motion carried by all members present. **OTHER:** The Tuesday, November 2, 2010 Board Study meeting has been cancelled due to the November 2, 2010 General Election. The next Board Meeting will be Tuesday, November 9, 2010 at 7:00 p.m. at the Administration Building, First Floor, Board Room, 1150 Canton Center S., Canton, Michigan. **ADJOURN:** Motion by Anthony, supported by Williams to adjourn at 7:38 p.m. Motion carried by all members present. . – Philip LaJoy, Supervisor – Terry G. Bennett, Clerk –