

## Charter Township of Canton Board Proceedings-July 12, 2011

6:15 P.M. CLOSED SESSION – TAX TRIBUNAL LITIGATION AND PROPERTY PURCHASE. Motion by Bennett, supported by Taj to move from open session to closed session at 6:15 p.m. where tax tribunal and property purchase were discussed. Motion carried by all members present. **Roll Call** Members Present: Anthony, Bennett, Caccamo (arrived 6:45), LaJoy, McLaughlin, Taj, Williams Members Staff Present: Director Eva, Director Faas, Audrey Robinson, Nevin Rose, Doug Shaw Staff Absent: Director Bilbrey-Honsowetz, Director Nemecek, Motion by Taj, supported by Williams to move from closed session to open session at 7:00 p.m. where tax tribunal litigation and property purchase was discussed. Motion carried unanimously. A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, July 12, 2011 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, Caccamo, LaJoy, McLaughlin, Taj, Williams Staff Present: Director Bilbrey-Honsowetz, Director Eva, Director Faas, Audrey Robinson Staff Absent: Director Nemecek **Adoption of Agenda** Motion by Bennett, supported by Anthony to approve the agenda as amended adding G-2 Settlement of Pending Litigation-Robertson Brothers-Fellows Creek v. Township of Canton and G-3 Consider Offer to Purchase Property Under Wayne County Tax Foreclosure. Motion carried unanimously. **Approval of Minutes** Motion by Bennett, supported by Taj to approve the Board Minutes of June 28, 2011. Motion carried unanimously. Director Faas discussed the damage and clean-up process from the storm that went through Canton on Monday, July 11, 2011. **Payment of Bills** Motion by McLaughlin, supported by Anthony to approve payment of the bills as presented. Motion carried unanimously. **PRESENTATION: Item 1. RESOLUTION IN RECOGNITION OF GREG HESTER (CLS)** Motion by Bennett, supported by McLaughlin to adopt the resolution in recognition of Greg Hester. Motion carried unanimously. State Representative Kurt Heise presented a legislative house update. **PUBLIC HEARING: Item 1. AMEND THE CANTON INTERNATIONAL COMMERCE PARK INDUSTRIAL DEVELOPMENT DISTRICT.** (SUPERVISOR) Motion by McLaughlin, supported by Caccamo to open the public hearing at 7:13 p.m. to hear comment on the amendment for Canton International Commerce Park Industrial Development District. Motion carried unanimously. There were no public comments either in favor or opposition of this amendment to the Canton International Commerce Park Industrial Development District Motion by Bennett, supported by Anthony to close the public hearing at 7:15 p.m. to hear comment on the amendment for Canton International Commerce Park Industrial Development District. Motion carried unanimously. Motion by Bennett, supported by McLaughlin to adopt the resolution to amend the South Central Canton Industrial Development District. Motion carried unanimously. **RESOLUTION TO AMEND THE CANTON INTERNATIONAL COMMERCE PARK INDUSTRIAL DEVELOPMENT DISTRICT P. A. 198, 1974, as amended** WHEREAS, pursuant to Act No. 198 of the Public acts of 1974, as amended, the Board of Trustees of the Charter township of Canton has the authority to amend an Industrial Development District within the Charter Township of Canton; and, WHEREAS, Canton's Economic Development office has requested their property be designated an Industrial Development District on property herein described which is located within the unincorporated territory of the Township; and, WHEREAS, construction, acquisition, alteration, or installation of a proposed facility has not commenced at the time of filing the request to establish this district; and, WHEREAS, written notice has been given by mail to all owners of real property located within the district and to the public by newspaper advertisement in the Canton Eagle and/or published posting of the hearing on the establishment of the district; and, WHEREAS, on July 12, 2011, a public hearing was held at which all owners of real property within the proposed Industrial Development District and all residents and taxpayers of Canton were afforded an opportunity to be heard thereon; and, WHEREAS, the Board of Trustees of Canton deems it to be in the public interest of the Charter Township of Canton to amend the International Commerce Park Industrial Development District as proposed. NOW, THEREFORE BE IT RESOLVED by the Board of Trustees of the Charter Township of Canton that the following described parcels of land situated in the Charter Township of Canton, County of Wayne, State of Michigan, to wit Original parcels in the Canton International Commerce Park Industrial Development District: PIN #s 140-99-0012-705, 137-99-0012-708, 137-99-0012-707, 137-99-0012-713, 137-99-0012-712, 137-99-0012-002, 137-99-0015-701, Additional parcel added to the Canton International Commerce Park ID#: 35G2—Z2, PT OF SEC 35 T2S R8E DESC AS, BEG N 89DEG 46M 18S W 79.95FT AND S 00DEG 39M 52S W 94.07FT, AND S 03DEG 31M 40S W 537.55FT AND S 79DEG 22M 46S W 1120.10FT, FROM E 1/4 COR SEC 35, TH S 79DEG 22M 46S W 2761.01FT, TH N 00DEG 17M 02S E 2209.46FT, TH S 89DEG 53M 31S E 30.16FT TH N 00DEG 57M 36S W 97.16FT, TH N 83DEG 37M 04S E 1302.83FT, TH S 89DEG 52M 35S E 433.00FT, TH N 00DEG 07M 25S E 546.88FT, TH S 89DEG 52M 35S E 460.00FT TH N 00DEG 07M 25S E 298.32FT, TH ALONG A CURVE TO THE RAD, 2843.66FT CHORD N 81DEG 50M 19S E 60.63FT, TH S 00DEG 07M 25S W 307.07FT TH S 89DEG 52M 35S E 149.51FT, TH S 00DEG 07M 25S W 200.00FT TH S 89DEG 52M 35S E 198.18FT, TH S 00DEG 23M 22S W 371.41FT TH N 89DEG 09M 42S E 114.51FT, TH S 00DEG 23M 22S W 2801.75FT TO POB, 220.10AC, EXC THAT PT DESC AS BEG S 00DEG 24M 45S E 300.00FT FROM C ¼, COR SEC 35, TH S 00DEG 24M 45S E 1235.33FT TH N 81DEG 09M 49S E 43.46FT, TH N 00DEG 24M 45S W 1228.47FT TH N 89DEG 45M 40S W 43.00FT, TO POB 199.40AC PIN# 137-99-0013-706 AYES: Anthony, Bennett, Caccamo, LaJoy, McLaughlin, Taj, Williams NAYS:None RESOLUTION DECLARED ADOPTED. **Item 2. CONSIDER TAX ABATEMENT FOR CANTON RENEWABLES, LLC.** (SUPERVISOR) Motion by Bennett, supported by McLaughlin to open the public hearing at 7:20 p.m. to hear comment on PA 328 Tax Abatement for an Exemption Certificate for Personal Property for Canton Renewables, LLC. Motion carried unanimously Jeffrey Grill, Director of Biomethane Engineering, stated he expects to be operational the end of March, 2012, powering approximately 8,000 homes with natural gas. There were no public comments either in favor or opposition to the PA 328 Tax Abatement for an Exemption Certificate for Personal Property for Canton Renewables, LLC. Motion by Bennett, supported by McLaughlin to close the public hearing at 7:26 p.m. to hear comment on a PA 328 Tax Abatement for an Exemption Certificate for Personal Property for Canton Renewables, LLC. Motion carried unanimously. Motion by Bennett, supported by McLaughlin to adopt the resolution to approve the application of Canton Renewables, LLC. at 5011 S. Lilley Road, for a PA 328 Tax Abatement for a Personal Property Exemption to be in existence for five year. Motion carried unanimously. RESOLUTION TO APPROVE A NEW PERSONAL PROPERTY EXEMPTION APPLICATION P.A. 328 OF 1998, AS AMENDED Minutes of a regular meeting of the Board of Trustees of the Charter Township of Canton, held on June 14, 2011, at the Canton Administration Building, 1150 Canton Center Rd., in Canton, MI, at 7:00 p.m. PRESENT: Anthony, Bennett, Caccamo, LaJoy, McLaughlin, Taj, Williams ABSENT: None The following preamble and resolution were offered by Clerk Bennett, and supported by Treasurer McLaughlin: Resolution Approving a New Personal Property Exemption Application for Canton Renewables, LLC, located at 5011 S. Lilley Road, Canton, MI 48188. WHEREAS, pursuant to P.A. 328 of 1998, as amended, after a duly noticed public hearing held on June 14, 2011, the Board of Trustees of the Charter Township of Canton, Wayne County, Michigan, meets the definition of an Eligible Local Assessing District under P.A. 328 of 1998, Section 7(g), by virtue of being located in a county bordering another state or Canada and by providing the following four services: water, sewer, police and fire, by Resolution, established an Industrial Development District named Canton International Commerce Park Industrial Development District on July 14, 1987, and expanded on July 12, 2011. WHEREAS, the applicant Canton Renewables, LLC, a manufacturing eligible business, has filed an application for Exemption of New Personal Property; and WHEREAS, before acting on said application, the Board of Trustees of the Charter Township of Canton held a public hearing on July 12, 2011, at the Canton Administration Building, 1150 Canton Center Rd., at 7:00 p.m., at which the Applicant, the Township Assessor, and a representative of the effected taxing units were given written notice and were afforded an opportunity to be heard on said Application; and NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Charter Township of Canton: The Board of Trustees of the Charter Township of Canton finds and determines that the granting of the Exemption of New Personal Property currently in force under P.A. 328 of 1998, as amended, shall not have the effect of substantially impeding the operation, or impairing the financial soundness of the taxing unit which levies ad valorem property taxes in the Charter Township of Canton; and The New Personal Property Exemption when issued shall be, and remain in force and effective for a period of five years, beginning July 12, 2011, and ending December 30, 2016; and The Application submitted by Canton Renewables, LLC, is for an Exemption of New Personal Property that will be located in the following described parcel of real estate situated within the Charter Township of Canton, in an Industrial Development District named, Canton International Commerce Park Industrial Development District established on July 14, 1987; 35G2—Z2, PT OF SEC 35 T2S R8E DESC AS, BEG N 89DEG 46M 18S W 79.95FT AND S 00DEG 39M 52S W 94.07FT, AND S 03DEG 31M 40S W 537.55FT AND S 79DEG 22M 46S W 1120.10FT, FROM E 1/4 COR SEC 35, TH S 79DEG 22M 46S W 2761.01FT, TH N 00DEG 17M 02S E 2209.46FT, TH S 89DEG 53M 31S E 30.16FT TH N 00DEG 57M 36S W 97.16FT, TH N 83DEG 37M 04S E 1302.83FT, TH S 89DEG 52M 35S E 433.00FT, TH N 00DEG 07M 25S E 546.88FT, TH S 89DEG 52M 35S E 460.00FT TH N 00DEG 07M 25S E 298.32FT, TH ALONG A CURVE TO THE RAD, 2843.66FT CHORD N 81DEG 50M 19S E 60.63FT, TH S 00DEG 07M 25S W 307.07FT TH S 89DEG 52M 35S E 149.51FT, TH S 00DEG 07M 25S W 200.00FT TH S 89DEG 52M 35S E 198.18FT, TH S 00DEG 23M 22S W 371.41FT TH N 89DEG 09M 42S E 114.51FT, TH S 00DEG 23M 22S W 2801.75FT TO POB, 220.10AC, EXC THAT PT DESC AS BEG S 00DEG 24M 45S E 300.00FT FROM C ¼, COR SEC 35, TH S 00DEG 24M 45S E 1235.33FT TH N 81DEG 09M 49S E 43.46FT, TH N 00DEG 24M 45S W 1228.47FT TH N 89DEG 45M 40S W 43.00FT, TO POB 199.40AC PIN# 137-99-0013-706 AYES: Anthony, Bennett, Caccamo, LaJoy, McLaughlin, Taj, Williams NAYS: None RESOLUTION DECLARED ADOPTED. **CONSENT CALENDAR: Item 1. BOARD RESOLUTION AUTHORIZING PERSONS TO SIGN LIQUOR CONTROL COMMISSION DOCUMENTS.** (CLERK) Motion by Bennett, supported by McLaughlin to adopt the resolution authorizing persons, Supervisor, Clerk, Deputy Clerk and Director of Public Safety to sign liquor control commission documents. Motion carried unanimously. **GENERAL CALENDAR: Item 1. CONSIDER APPROVAL OF MEDICAL BENEFIT CONTRIBUTION CONTRACTS WHICH MEMORIALIZE THE 2010 CONCESSIONS FOR MERIT CLASSIFIED SERVICE AND FULL TIME UNCLASSIFIED SERVICE EMPLOYEES WHO ARE NOT MEMBERS OF A RECOGNIZED CANTON TOWNSHIP BARGAINING UNIT.** (SUPERVISOR) Motion by Bennett, supported by Taj to allow Service employees to maintain current medical benefit plan contributions and co-pays until December 31, 2012. Motion carried unanimously. Supervisor LaJoy stated before reading the second resolution, under the Ethics Policy, he must disclose a conflict of interest and remove himself from the discussion until this issue is resolved. The next resolution keeps the healthcare benefits of the full time elected officials' status quo until January 1, 2013, keeping all Township employees equal until that date. Clerk Bennett stated under the Ethics Policy, she must disclose a conflict of interest and remove herself from the discussion until this issue is resolved. Treasurer McLaughlin stated under the Ethics Policy, she must disclose a conflict of interest and remove herself from the discussion until this issue is resolved. Supervisor LaJoy, Clerk Bennett, and Treasurer McLaughlin recused themselves from the Board room prior to the Board's discussion and voting for this motion. Motion by Caccamo supported by Williams move to approve the contract between Canton Township and individual full time Unclassified Service employees, who are not members of a recognized Canton Township bargaining unit, to maintain current medical benefit plan contributions and co-pays until December 31, 2012. Roll Call Vote: Ayes: Anthony, Caccamo, Taj, Williams Nays: None Motion carried. **Item 2. SETTLEMENT OF PENDING LITIGATION – ROBERTSON BROTHER – FELLOWS CREEK V TOWNSHIP OF CANTON.** (SUPERVISOR) Motion by Bennett, supported by McLaughlin to approve the settlement recommendation by the Township Tax Tribunal Attorney as related to Robertson Brothers-Fellows Creek v Township of Canton MTT Docket No. 372281 as discussed in closed session; further, I move to accept the proposal from Dietrich-Bailey and Associates for an amount not to exceed \$8,500 to perform the necessary legal survey and master deed amendment to effectuate the property split as agreed between the two parties. Motion carried unanimously. **Item 3. CONSIDER OFFER TO PURCHASE PROEPRTY UNDER WAYNE COUNTY TAX FORECLOSURE.** (MSD) Motion by Bennett, supported by Taj to approve the offer to purchase the following parcel of land under Wayne County tax foreclosure at the minimum bid amount listed plus interest and summer taxes; Parcel #1 (Tax ID #71-051-99-0025-000) for an amount of \$ 12,167.94, Parcel #2 (Tax ID #71-133-02-0051-000) for an amount of \$ 11,803.43 Further I move to approve a budget adjustment as follows: Increase: 101-200.970, 0070 Capital Outlay Lan \$23,971.37 , Decrease: 101-521.801, 0080 Professional and Contractual Services Rubbish Collection \$23,971.37 Further, I authorize the Municipal Services Director to make the written offer on behalf of the Township Board. Motion carried unanimously. **ADDITIONAL PUBLIC COMMENT:** Don Forrester, 3963 Bruton, stated he would like a time-line on the discussion for the development of the natural gas. Director Faas will contact Mr. Forrester to answer his questions. **OTHER:** Supervisor LaJoy stated the July 19, 2011 Board study meeting is cancelled. The next Board meeting will be July 26, 2011 at 7:00 p.m. at the Administration Building, First Floor, Board Room, 1150 Canton Center S., Canton, Michigan. **ADJOURN:** Motion by Williams, supported by McLaughlin to adjourn at 7:45 p.m. Motion carried unanimously. – Philip LaJoy, Supervisor – Terry G. Bennett, Clerk –

Copies of the complete text of the Board Minutes are available at the office of the Charter Township of Canton, 1150 S. Canton Center Rd, Canton, MI 48188, during regular business hours and can also be accessed through our web site [www.canton-mi.org](http://www.canton-mi.org) after Board Approval Publish: July 21, 2011