



LODI TOWNSHIP BOARD OF TRUSTEES
PUBLIC HEARING FOR
2012 WATERS RD SPECIAL ASSESSMENT
DISTRICT
REGULAR MEETING MINUTES
SEPTEMBER 4, 2012 - 7:30 P.M.
LODI TOWNSHIP HALL
3755 PLEASANT LAKE ROAD
ANN ARBOR, MICHIGAN

- 1. Open Meeting** - The meeting opened with the flag pledge at 7:30 p.m.
- 1. Roll Call** - Present: Lindemann, Godek, Rentschler, Canham-Keeley, Foley, Masters, and Staebler. Others present include Attorney Jesse O'Jack, Planning Commission Chair John Steeb, and the following citizen: Roger Pritzel, Richard and Diane Massimino (Boehm), John Waller, Steven Duddy, Sima & Mike Snapir, Thomas McCormick, Joseph and Donna Schwartzenberger, Karen Edmen, Douglas Veenstra, Mel Ellis, Rich Strader, Kathryn Szewczuk, Laura Spear, Larry Swisher, Joseph Griffin, and Matt MacDonell/WCRC.
- 2. Open 2012 Waters Road Special Assessment District Public Hearing** – Moved Lindemann, seconded Canham-Keeley to open the public hearing. Roll Call Vote: Yea: Masters, Lindemann, Staebler, Canham-Keeley, Foley, Rentschler, and Godek. Nay: None. Absent/Abstain. None.

Supervisor Godek opened the public hearing with Matt MacDonell from Washtenaw County Road Commission.

MAC DONELL “I helped put together the petition for the residents for the paving of Waters Road that was submitted to the township after a project that we did on Waters Road. Essentially the petition was circulated, it was submitted to the township, the township accepted that and set the hearing date, here today, tonight for hearing of any objections for the project. And my understanding is this motion at the tail end of the meeting, if it were to pass, it would go forward and essentially the next step would be at the October meeting to set up the tax roll. Essentially the project is to pave Waters Road from Wagner Road the Township line, the easterly line where the existing pavement is. The project is estimated to cost \$300,000. It’s essentially going to be 4 inches of asphalt on top of what is already there, what was done with the current project. The road commission is committed to funding the remaining balance minus the contribution from the SAD which would be \$100,000. So, the road commission obviously heard the ---- public information that you had where much of the concerns were a lot of through traffic and were aware of the commitment by the road commission to participate in the paving of Waters Road. The commission has put forth the agreement to the township to do that commitment as well for funding that project minus the \$100,000 from the SAD. If all were to take place as planned, tonight’s resolution and the October resolution, we feel confident that we can get the paving completed prior to the season closing this year. So, we would estimate that the paving would be completed in October. And that’s the goal. If there were to be a misstep or any delay in the process that would certainly jeopardize paving this fall and would certainly have to be delayed till spring. That’s a brief summary of where we are at.

GODEK: We will open the meeting up for comments from the floor.

MIKE SNAPIR, 2844 ALEX DR.: Just a question. If it would go through would it end in October or start in October?

MAC DONALL: The work itself probably won't be more than a week. It would essentially re-grade the gravel surface and schedule the paving which would be probably 2 to 3 days. It would be 2 lifts of asphalt. It would be one complete pass, one lane then back the other way and then do the same practice.

SNAPIR: Would they close both sides?

MAC DONALL: They would maintain traffic, absolutely similar to what took place with the gravel road improvement.

STEVE DUDDY, 2833 ALEX DR.: I have just a couple questions. Are there any plans for road restrictions or limiting gravel haulers use? I know that they distribute the weight because of the nature of the trailers.

MAC DONNALL: Currently there are no truck restrictions on the road. That's certainly something I know a lot of residents are asking about, and certainly, I think, that should be taken into consideration to possibly looking at a revision to the township ordinance. That's one thing that is a possibility that the road commission and township could open up dialog about. Generally speaking it is a primary road and is currently eligible for federal aid. That's how this project that is currently getting wrapped up got completed, with federal aid dollars. When you restrict a road to no through trucks, it essentially negates federal aid funds on that road. So that is something to take into consideration. Another thing to take into consideration, obviously the trucks will find another route throughout the township through various communities. By closing it off here, what will it do to the other routes that are available to them? That's something I'm certain that the residents, the road commission and the township could look at. -----
The township truck route currently has no through trucks up and to the westerly township line.

DUDDY: Is the engineering done to hold up to the traffic? Is it going to turn into Scio Church Road after 5 years?

MAC DONELL: What I would say to that is a lot of our gravel roads obviously aren't engineered to take a lot of truck traffic. Something like I-94 -----more depth one the aggregate base. Obviously what we did here we put 6 inches of aggregate and 4 inches of asphalt. That's a really good local road section and when I say local road, I say local roads that are open to truck traffic. I would feel confident that that road will last a good deal of time. It is a fact of Mother Nature and that truck traffic, ultimately mother nature and the weight of the trucks does take out the life of the pavement and all roads are designed to fail. One other thing that I would say is that a lot of our county roads, the paved roads, even the primary roads, how they developed overtime, was a gravel road, chip seal, an overly and a chip seal overlay. The thickness really isn't there throughout our county. So 4 inches of asphalt over 6 inches of stone is a decent road ----

-. But certainly it beats---- a lot of trucks using that road negate the life of the road.

DUDDY: The final question relates to the load limits. My understanding, and correct me if I'm wrong, the financing for the paving, some of that is federal dollars. Correct? So that if there were road restrictions with that financing, since the project is funded now, ----- Are we going to end up paying for it in a special assessment district --- higher rate because of lack of funds from the road commission?

MAC DONELL: What I would say is federal funding that we have now currently open traffic and it's not going to have any closing now or in the next month or so. We aren't going to jeopardize any of the federal funds that we have now. There are limited federal

funds the road commission gets for roads through the county. There are a lot of roads with restrictions that aren't able to take advantage of that pot. So there will be some ----- but ultimately how in the future would that road get fixed if there wasn't availability of federal funds? You could get another SAD. There are things we could consider ----- county wide millages, things of that nature. Those would be the viable funding -----.

GODEK: Our understanding, at least my understanding, has always been that state law doesn't allow us to put restrictions on primary roads.

MAC DONELL: No, that....

GODEK: That could have changed, but that's the only thing we have ever been told.

MAC DONELL: Yes, the desire is not to restrict on primary roads. However, there are several townships that have ordinances that cover primary roads. It's not desirable, it's not recommended, but, I think, the law does allow for it. There is some provisions in the law when it's a border line road, between two townships that if the road commission were to object there would be the opportunity to negate that, but I think the -----we can ask attorneys at the road commission and township their opinion on that. I don't think the law has a provision that you cannot do it for a primary road. It's not recommended. A current practice, a primary road does carry truck traffic and I don't think we would be in jeopardy of losing -----of primary road, but losing federal funding?

GODEK: That's just why we did our truck ordinance and set no through trucking on our local roads. The road commission told us we could not do it on primary roads. That was a long time ago too, so.....

MAC DONELL: And that could have been a strong recommendation -----opinion of someone.

GODEK: And we can certainly do that.

MAC DONELL: One other question as a follow up as to load restrictions. The road is currently not a designated truck route, so in the spring time when our roads are subject to heavy loads, when the ground is saturated, it is the spring thaws occurring that road would be subject to weight restrictions so, there would be big fines if they were to traverse that road with a heavy load.

UNKNOWN: Will there be signage?

MAC MONELL: Yah, there is ---- of signs. It's a law that's on our books ----- on our truck map it's classified as a normal route subject to seasonal weight restrictions. So that is one good thing you have going for Waters Road.

GODEK: Yes sir.

RICK STRADER, 2965 WATERS RD: Is Waters a primary road all the way through?

GODEK: From the township line to township line, I mean from Wagner to the township line, yes.

STRADER: Not west?

GODEK: Not west.

STRADER: Here it says we should not need to do a periodic -----of the costs. So, I'm assuming that the road commission is planning on picking up maintenance, normal maintenance?

MAC DONELL: Normal maintenance.

STRADER: If the trucks were to destroy it?

MAC DONELL: Normal maintenance is scraping and plowing and patching. Nothing more.

STRADER: Same as we get on every other road?

MAC DONELL: Right.

STRADER: Equivalent to what we get today.

SNAPIR: Is there a contemplation of putting a speed limit on it as the rest of Waters is 45 MPH especially to the east? Which is theoretically higher density traffic any way.

MAC DONELL: The speed limit is going to be a function of the state law which ultimately is governed by the State Police. So typically they'd do a speed study. I don't think you will see a reduction initially or maybe at all, just because typically when you pave a road, speeds don't generally go down. So, when you start making a paved shoulder, that's a little opener or wider, people are more comfortable. We did a few curb corrections. I don't anticipate the speed decreasing. We can certainly look at that, it's something we look at when we do counts. We do counts every two years on every road in the county. And a function of the tubes on the road does give us what is known as the 85th percentile. What dictates speed. The 85th percentile goes below 55, then we will look into it. We'll do an actual speed study and then if the findings are such that the data shows that it's 45 MPH, then we will submit that to the Michigan State Police. There is a process to that. It's not something the we just dictate, the road is 45. It should be really a function of the data, who is driving at what speed, and the 85th percentile. Basically it's like a bell curve. It's what the speed is dictated by.

SNAPIR: So, I would guess then that the piece between where it's now not paved and Oak Valley is now 55? Clearly people are already driving 55 there.

MAC DONELL: Are you talking about the piece in Pittsfield Township?

SNAPIR: Yah.

MAC DONELL: I don't know when that was set. There is what's called a traffic control order that sets the speed limit. You could research that.

SNAPIR: I don't want it to go up.

MAC DONELL: ---speed study, but typically if no requests come in, we don't re-evaluate. If a request came in to re-evaluate, it could take up given the conditions change or the drivers speed changes.

UNKNOWN: So people driving 60 ad 65 could?

MAC DONELL: Typically if it's 55 and above, it's un-posted, then what you are looking at is called prima fascia, which is essentially that limits drivers to 55.

GODEK: Anything that's not posted is 55.

UNKNOWN: It's not posted. So the question is that to set the limit, it has to be done by collecting the data and that's the way it has to be done, or that's the way it's typically done?

MAC DONELL: Yup. There's other provisions that could qualify for lower speeds: the number of driveways accessing the road, but Waters Road would certainly not qualify. Or if you were in a platted subdivision, then you could dictate it at 25, but you're not.

SNAPIR: Could we petition then to have a lower speed limit?

MAC DONELL: You could ask for a speed study, but again being that's a gravel road, we don't set a speed limit on a gravel road where it's prima fascia, but when it does, if it does move forward and does get paved, certainly that could be looked at. But again, when we do, we do counts on every road every 2 years and when those counts come in we see the speed limit or the 85th percentile of the speed, then we could contact the township and start the process.

GODEK: The Township can request a speed study

MAC DONELL: Absolutely.

SNAPIR: In the subdivision, it's limited to 45----coming to our dirt road- -----paved. There is a sign 45 MPH ends. From there people can get to speed.

MAC DONELL: Yes.

SNAPIR: And ----paved it doesn't make ----- to make difference.

MAC DONELL: That's a function of the traffic control order. We did that, looked at that and set at 45. When you come out of a speed limit and a traffic order ---- and you have to put that sign up to let drivers know.

SNAPIR: My main concern that three school buses going through that. School buses stop at many points. ----speeds.

MAC DONELL: I understand, it's just something that state law is what it is and the Michigan State Police basically follow as the process. So there isn't any --- judgment. The data is what it is, it's based on the ----.

GODEK: Any more comments? Yes...

LAURA SPEAR, 2977 WATERS RD: Did the board want it to be paved? Do you prefer it to be paved?

GODEK: We didn't have a thing to do with it.

SPEAR: Does the township want it to be paved? Do you have an overall opinion?

GODEK: I don't know. No. We don't discuss that outside of board meetings.

SPEAR: I don't want to pave it.

GODEK: We have the petition with over 51% of the people that are using the road. So I guess what you basically have to do is tell us why you don't want it paved. And then the board, each of us, takes that into consideration but it's a board decision, everybody is on their own to decide what they think to do or not to do. I think, you know, with Matt here, I think any questions that you have you really need to ask him, because there are things that obviously the township can and can't do on a road. So I really think that if you have any questions, you should ask him.

SPEAR: I don't have any questions for him. I don't like how they sold this whole paving thing at the meeting that they had. I think that was out of line. And I think the people that live on Waters Road and like myself have lived there for 27 years. We have a say.

GODEK: I think that we have a map, I don't know if you have seen the map or not. The people that live on Waters Road that are against it

SPEAR: I just don't want the traffic. I think when it gets paved there's a lot of people that use Scio Church to Oak Valley, purposely because they don't want to drive on a gravel road. So all those people are going to use our road. Other people that don't even think about it are going to see a paved road and use it. It's 55 MPH, they are going to be going 65 to 70 MPH down our street. It's going to be noisy. It's going to be dangerous. We are not going to be living on Dexter-Ann Arbor Road or Miller Road or these nice paved shaded roads that take you to the next road that takes you to the next road to where you are going. This is the road that takes them to Meijer and the gas station and I-94 and target, to Kohl's, and it's going to be Ann Arbor Saline Road. And....

GODEK: I'm sure that you are correct. The traffic is going to increase. The speeds will increase. I did have a conversation with our deputy and he has a number of pretty good hiding places on Waters Road. And probably the first people that get tickets on Waters Road are people that live on Waters Road. That's typically what happens. But, I know that it's a concern of his also. But I know that he'll be out there.

SPEAR: I mean there is a woman from the trailer park that has a stroller and a toddler that walks up to Meijer's twice a week. And you know joggers and kids on their bikes and there's a gentleman that walks every morning and night to the bus stop. I know where it's at, why you want it to be primary and paved but it's so residential, it is illogical.

GODEK: It became primary years ago and the township, we approached the road commission, we put the application in for it to become primary, I mean, I did it every year for several years. Because of the different, you can get more money for a primary road than you can for a local road. So, I always felt that you got a more grading, you got more dust control, you got a lot of things more than the local roads got because the township didn't pay for it, the county did, because it's a primary road. Now if you want to apply for a primary road you know, you already have to have it paved. They won't take any primary roads now if it's not paved. But it seemed like years ago it was the right thing to do because the road was so bad and the township just didn't have, you know, the funding to give it everything that it's had. There are a couple of roads in the township I wish we could get federal funding for, but can't because they're not paved. So you know that just.....

SPEAR: With all this work they just did to help drainage, ok cause, you know, 15 years ago there was an older guy that used to grade our road and it was perfect. He went right around the mail boxes, there was no, you know, what I mean, it was fine. And he was an older guy. I don't know if he retired, you know whatever. He did a great job and it hasn't been done that well since then. So now they've done all this work. What if it doesn't work, what if it doesn't drain that good and they go a pave it. Well now what. Now we have a major problem, now all this pavement has to be taken up for the drainage to be fixed. After all this time they spent and they worked their butts off doing it. Why aren't we going to see how it works? How does all the drainage with the new angles and all these things that they have done. Why can't we see if it really works first? And get ourselves through a winter and a spring, and let's see, does it work? O.K., it works, you want to pave it, fine, do it. We're doing it on a good initial base. What if it doesn't work and they go and black top it and then what? Who is going to take it apart and fix it?

GODEK: Road commission.

SPEAR: Well they won't. They don't have the money

GODEK: Well, let's see if there are any other comments. Anybody else have any other comments. Yes sir....

JOSEPH SCHWARTZENBERGER, 2925 W ARBOR: I'd just like to say I would not like to see it paved. I moved to Waters Road, it was rural, it's why I moved there, everybody likes greenbelts. It's all about green. Now you want to pave the road. A few years ago we stopped a subdivision. What's to stop that from coming in?

GODEK: That was a different issue.

SCHWARTZENBERGER: Two hundred acres though, now we have a paved road it might come up again.

GODEK: But the health issues, the sewage issues....

SCHWARTZENBERGER: The water and sewer..... I believe that if they has taken care of the road ----- it turned to the county how many years

GODEK: Years ago. 10 years. At least 10 years ago.

SCHWARTZENBERGER: If the road commission has taken care of the road 10 years ago, the way they take care of other roads in this county, which I drive on a lot, and there are a lot better roads -----a lot less, ok. Maybe our road wouldn't have gotten that way and deteriorate to a point where when the frost comes in. I went out there. When they pulled those culverts out of the roads they were plugged. Water couldn't get through there. The road was bad. The road looks good now. They did a heck of a job. But I believe this is the way it should have looked for the last ten years. They got the money to do it. It looks good. It's almost like a paved road. A lot of people won't drive

on a gravel road, knowing that it's gravel, less traffic. And I don't care about, I don't want to wash my car as much. Wear and tear. If the gravel road is maintained the way it's supposed to be, you won't have the pot holes, and the sink holes, and the wear and tear. So, my opinion, as a resident, I'd like not to see it paved.

MAC DONELL: One thing I would like to say in response to that. Certainly, as a primary road, there are a number of roads throughout the county that are primary gravel. And the gravel roads certainly the primary road gets more maintenance as far as grading, scraping and dust control. What really make longevity and good driving surface is the aggregate base itself. And over time that aggregate goes away. And if you don't reinvest into that roadway, and that money we received from the state for primary, is just for normal maintenance, not for reinvestment. Just like anything in your car, your house or your roof. If you just ignore for 10 years, you're right, it does degrade and ends up being a dirt road rather than a gravel road because there's no gravel left. And ultimately we don't, as a road commission, the money we receive from the state don't have money to invest as we should. That's just the reality of the situation. The gas tax is up 18 cents a gallon. In the 80's the ---- and the gas tax were the same. Now the price of a first class stamp is more than the gas tax on a gallon of gas. Costs have gone up and our revenue has stayed the same. So, that is what it is, I can't change that. The only way you can change that is call our state representatives and change it in Lansing. That hasn't taken traction, regardless. My point being is - your right - the lack of investment in these gravel roads, you're going to go back to the way it was. Because there is no money to add a bunch of gravel to these gravel roads over time. And if this opportunity isn't seized to pave it, then we go back to doing normal maintenance and normal maintenance only, which would be scraping, grading and dust control. It won't get back to adding gravel. It is a unique opportunity because the SAD's, again, it's a portion of the cost. It's 1/3, 2/3rds. And I can say for certain in my career with the road commission, you don't see these opportunities come very often. It is what it is. It's an option and if the township chooses not to move forward, the road stays the same. If they do then it ends up being paved. It's A or B.

GODEK: Yes...

KATHRYN SZEWCZUK, 2505 W ARBOR RD: Just a couple of points I wanted to make: Washtenaw County Road Commission didn't initiate the request for the Waters Road paving. It came from some of the residents. And I understand there are residents here that don't want it paved, but there were a lot of residents that initiated the conversation with the road commission. So, I just wanted to make sure that was clear. I wondered at the last study how many vehicles travel that road now as compared to 10 years ago.

MAC DONELL: I don't know what the count was 10 years ago, it's roughly between 1200 and 1600 cars a day.

KATHRYN SZEWCZUK: And then if the road right now, how much would likely deteriorate by next year?

MAC DONELL: You would definitely lose a little of the aggregate surface that's there.

SZEWCZUK: So it would be wasting resources that are being spent right now.

MAC DONELL: It's not going to be considerable. Certainly it would desirable to cap it now. Because you got it exactly the way we need it to move forward with the paving. It's really, I don't have a strong opinion either, it's the community that is driving this project and you were right, I prepared the petition, but it was circulated and signed by all the residents. So it's, this process is definitely driven by the petitioners. The township is certainly just holding this meeting in reaction to the petition.

SZEWCZUK: As it is right now, the road could be paved, and depending on what kind of erosion happens over the winter there might be some work that will have to

MAC DONELL: The road is sound. It's what we do for a living. It very viable outlets toward the west and there are other good outlets throughout the job. I feel that the drainage is in really good shape.

GODEK: Let me ask first is there anyone else that has a comment before we go back to the same people? OK. Go ahead sir...

SNAPIR: -----very engineering, if we don't do it now and wait through winter. Explain-----do you have to add gravel?

MAC DONELL: It would certainly drive the cost up because you have to do a little more than just grade it prior to paving it. You would have possibility look at sculpting a little and a little more grading. But also right now what we have is a locked in asphalt price. And it's a really good price. It's \$55 per ton. And we have been seeing the price of asphalt varying between \$50 and \$70 per ton. And you know where the price of oil has gone, it's gone way up, and there's no telling what prices in the spring will be. So the cost of the project, it certainly will drive the costs up.

GODEK: Yes..

DEANNA BOEHM, 2016 E ARBOR: I drive that road every day the whole length from E Arbor to go to the gym. I can tell you that since it's been completed I see changes in the road daily where it's beginning to deteriorate where we are getting holes. So, I cannot imagine putting this off and going through a whole winter.

GODEK: Will they take a look at that before they do the paving? I've been on the road quite a bit too and have started to notice where there....

MAC DONELL: It's just like any other gravel road. ----the point of keeping it a gravel road and paving it. You are going to see when you get above 1000 cars a day it really degrades quickly. And it really requires quite a bit of grading, above what our funding level is even above a primary road. So, when you get past 1000 cars, 800-1000 cars a day those are the roads that we really look for ways to keep the dust down, keep the stable road with a safe driving surface. We try and find ways to pave them.

GODEK: I guess where I was going, will the road commission take a look at that prior to setting the asphalt down.

MAC DONELL: Yes, absolutely. That is built in the cost of the project. We're going to bring a grading crew out and re-sculpt it, bring the aggregate back to the center. Re – the crown, which would be prior to paving. And re-roll it, re-compact it and then pave

GODEK: I was trying to think back to about 10 years ago, I think that there were around 700-800 cars a day about 10 years ago. It's always had a lot of traffic, any more comments from the audience? Yes...

BOEHM: If indeed after it's paved and we see that it becomes the speedway, that we know it already is, that's when we come back to you and ask to have the evaluation done to reduce the speed. Am I correct?

GODEK: We can instigate a speed study without waiting. It must be coming up again next year, cause it seems like it's been 2 years before. But we can ask them to do a traffic study whenever we need to.

BOEHM: The speed is in excess of 55. I mean if I slow down, I get pushed into W Arbor.

GODEK: I think something that I, you know; we tried to have the speed limit reduced on a primary road several years ago. We had a terrible time with it, the State Police turned us down, in fact it got to the point where they told us if we requested it one more time, they were going to increase the speed limit on it. So, it's very difficult...

MAC DONELL: It's really driven by the data. And if you have a speed issue out there the data is going to show it. And you're not going to be able to get it lowered.

GODEK: What I didn't know is that if you restrict it, you will lose federal funding. That means, you know, in the future, if extra maintenance needs on the road, guess who's going to pay for it.

BOEHM: I don't mean to be ridiculous, but to know enough if you step on the brake as you come around the corner.

STRADER: Just have two quick comments ----85th percentile so if they measure the road it will be 55MPH. If they measure it down by Oak Valley they will measure it 55 there to. So, I wouldn't request a study. It's not going to be any better,

GODEK: They will leave it at 55.

SNAPIR: I don't want to be -----but there is some ----the county when they decide to do a traffic light, they counted how many accidents were there at that juncture without a traffic light. So how many accidents do we need to have on Waters Road before they reduce the speed limit?

GODEK: Well, I've been around a long folks, I've fought these battles. To get the four way stop at Scio Church and Wagner Road, now the road commission is going to tell you they don't use those statistics at all, but it was after we had the second or third fatality at the intersection that they put in a four-way-stop. Now I know there has been a fatality on Waters Road, but that was just traffic control at an intersection.

STRADER: My last comment. My wife can't be here tonight, I feel I have share her feelings on this issue. If she were here she would say that she would prefer not see the road paved for all the reasons brought up. When we moved out here with the intent that we will be living on a rural road and not to have the truck traffic. She would prefer to see it unpaved.

GODEK: Any other comments before I ask our attorney for his. OK, should we leave the public hearing open while we look at your comments in case there is anyone else has anything to say, or would like us to close the public hearing.

O'JACK: I'm not sure my comments are public hearing comments.

GODEK: OK, are there any further comments from the floor?

SNAPIR: The special assessment, SAD. We were told earlier that residents would have to pay such an amount and it would be spread for 10 years. Where does that stand now?, and how are you going to do it? Will it be part of the taxes or a special bill or what?

FOLEY: The way it stands now, it would be a special assessment on your winter tax bill every year. This is if got passed. You could pay it off in full and not pay any interest on it in the very beginning when they give the exact total, or you could spread it over ten years and then there is an interest amount built into that, then it would stay over the next ten years. If somebody sold their house, the way it works for special assessments it needs to be paid off whether the buyer or the seller pays it off. That is worked out at closing. Normally if there is a special assessment on a house and it sells, it's required to be paid off.

SNAPIR: And this is going to be on the next winter assessment?

FOLEY: If it did pass, would it go on this winter?

MASTERS: I would assume so.

O'JACK: I believe it would be.

FOLEY: I believe it would. Do you have the dollar amount per parcel?

MASTERS: I believe it's \$1965. I reversed it, it's \$1695.

UNKNOWN: The interest rate?

MASTERS: I believe that we have been told 6 percent. I believe the board could make that lower. I think that is in the last resolutions that we do, isn't it?

GODEK: You can pay that off also, like if you pay on it for two years and then if you decide that you want to pay it off you can do that any time. This is the first hearing that we've done. We haven't passed anything yet.

UNKNOWN: If for some reason it's not done now -----special assessment district down the road it may be ½ million dollars rather than \$100,000. What would be the driving force for paying it at that point. Would it be something the board would impose or something that the residents would request?

GODEK: The Township can do that, we didn't do it, and I don't believe that this board would do that. Because, my personal believe is that, you know, I don't live on the road, it's totally up to you, the residents that live on the road. The majority of the residents that live on the road to decide what they want to do with their road. And, I have my own personal feelings about it, but.....Yes Sir...

O'JACK: The way this act works is the township has a choice of either starting it themselves or taking a petition of 51%. If the township had started it themselves, the land owners if they filed a petition of 20% objecting to the project, then the board would have to go back and get the 51% to proceed. If the township ----- they could still get that 51% required.

UNKNOWN: So you have passed it anyhow. You have the 51%

SPEAR: But it would still have to go before the board. We'd all be sitting here then too. The board would still have to approve it.

O'JACK: It's the initial step. You can bypass the initial step by having the board doing it.

GODEK: Anything else, anybody, speak now.

FOLEY: Is there anyone that signed the petition that has since changed their mind?
Just curious.

GODEK: Do we know what exactly the percentage is?

CAHNAM-KEELEY: That's my question.

MASTERS: I did not figure the percentage, I'm sorry. We looked at road frontage on Waters Road.

UNKNOWN: About 66 percent.

MASTERS: There were forty signatures and Jesse you made a comment to be sure that both owners signed the petition.

O'JACK: If a piece of property is owned by more than one party, everybody from that property has to sign and have that one count.

MASTERS: I don't see any at this point that aren't.

SPEAR: So if a husband and wife both own the property, they both have to sign.

MASTERS: Yes.

UNKNOWN: I hope you are checking on that.

MASTERS: I'm working on it. It appears that anyone that has joint ownership, they have both signatures.

UNKNOWN: That was already done.

MASTERS: I understand that, but we are just trying to be sure it's done.

O'JACK: It's the board obligation to check the signatures.

UNKNOWN: Ok, I didn't know.

MASTERS: The only one I questioned on here was Szewczuk. There is a Helea Szewczuk. (she passed away) someone else signed for that particular one. (It in an estate) But evidently it's still in her name. Steven Szewczuk signed for her and is the

executor of the estate. I didn't know and didn't count that signature. OK Jesse what do you think?

O'JACK: If it is still above 51% it doesn't matter.

UNKNOWN: That changes it from 66 to 64%.

GODEK: We're required to have a public hearing by law. And we have to listen to pros and cons. This is required by law.

O'JACK: You have to make that determination that at least the minimum number.

GODEK: Anyone else?

LARRY SWISHER: Was there a number yet put on this? A cost for each parcel of land?

GODEK: It hasn't been set yet, but doubt that there will be any change.

MAC DONELL: It won't change because the road commission is committed covering anything in excess of \$100,000.

SWISHER: If you let it go over 10 years, what's the interest rate on something like that?

GODEK: We have to set that yet. I think we can go up to 6% maybe.

MASTERS: I think it could higher but we were trying to keep it down as much as possible.

GODEK: It could go the other way. Any other comments on the special assessment district? If not, a motion to close the public hearing.

Moved Lindemann, seconded Canham-Keeley to close the 2012 Waters Road Special Assessment District Public Hearing. Roll Call Vote: Yea: Rentschler, Foley, Staebler, Lindemann, Masters, Canham-Keeley, and Godek. Nay: None. Absent/Abstain: none. Public Hearing closed at 8:21 p.m.

3. Open Regular Meeting Consent Agenda – Moved Lindemann, seconded Staebler to approve the consent agenda.

- C-1: Approve August Board Minutes
- C-2: Accept - Investment Report (treasurer report)
- C-3: Recognize Budget Report
- C-4: Amend Budget as follows
- C-5: Approve - Payment of Bills – 8/15/2012 thru 9/4/2012
- C-6: Recognize Planning Commission Report
- C-7: Recognize Zoning Report

<u>Category</u>	<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
101101:900.1*	Waters Road SAD notices	400.00	
101265:930	Township Hall Maintenance		400.00
	Totals	400.00	400.00

- C-8: Recognize Sheriff Report
- Carried

* Add new category

4. Attorney Report – Attorney O'Jack shared some of his concerns with the resolutions for the Waters Road SAD. He would like a good explanation from the bond attorney why he is using 35 days rather than 30 day.

5. **Planning Commission** – Mr. Steeb stated that the Planning Commission has seven sections done with eight more getting ready to go. Still have to go back through definitions.
6. **Public Comment** - Public comment was offered at 8:31 p.m. None
7. **Approve/Revise Agenda** - Moved Masters, seconded Canham-Keeley to approve the revised agenda, adding an agreement for the Waters Road SAD with the Road Commission under new business. Carried
8. **Unfinished Business** –
 - a. **Peddler Ordinance** – Masters stated that she understands that the county has an ordinance and wondered whether we needed to have one with the county having one. Masters will try to get a copy of it for the board to review.
 - b. **Fee Schedule** – Moved Foley, second Lindemann to approve the Lodi Township fee schedule as presented. Carried.
 - c. **Flood Plain** – The county wants Lodi Township to pass the flood plain contract like everyone else has. We haven't because the attorney feels some of the things that are in the contract aren't according to the statutes. Mr. Hedger now says it will take two or three months to get it passed correctly. (Lodi Township addressed the county with the problem 2 or 3 months ago!) Moved Masters, seconded Godek to direct the county to correct the contract according to the statute. Carried.
 - d. **Bethel Church Road** – Repair to the bridge between Alber and Parker Road because of an accident. The bridge was put in too narrow for farm equipment to traverse. New because of the accident repair needs to be done. The township desires that the road commission widen the bridge during the repair process so farm equipment can use it. Moved Rentschler, seconded Staebler to allow a maximum of \$20,000 from Lodi Township to widen the Bethel Church Road Bridge to 17 1/2 feet. Roll Call Vote: Yea: Godek, Canham-Keeley, Rentschler, Lindemann, Foley, Masters, and Staebler. Nay: None. Absent/Abstain: None. Carried.
9. **New Business**
 - a. **2012 Waters Road Special Assessment District Resolution 2** – Moved Rentschler, seconded Canham-Keeley to adopt Resolution 2 with changes as suggested by the attorney and amended. Roll Call Vote: Yea: Rentschler, Staebler, Lindemann, Canham-Keeley, Godek, Foley, and Masters. Nay: None. Absent/Abstain: None. Resolution declared adopted.
 - b. **2012 Waters Road Special Assessment District Resolution 3**– Moved Masters, seconded Lindemann to adopt Resolution 3 as amended, changing the number of days for written appeal period as the attorney advises 30 or 35 days (30 days) and adding the auxiliary aids in the legal notice. Roll Call Vote: Yea: Godek, Masters, Foley, Lindemann, Canham-Keeley, Staebler, and Rentschler. Nay: None. Absent/Abstain: None. Resolution declared adopted.
 - c. **Washtenaw County Road Commission Agreement** – Moved Masters, second Canham-Keeley to adopt as amended the agreement with Washtenaw County for the 2012 Waters Road Special Assessment District Paving Project changing the title and changing part of paragraph 5 to read “The Township agrees to pay the Road Commission the \$100,000 toward the Project on behalf of the 2012 Waters Road Special Assessment District: which \$100,000 will be repaid to the township through the special assessment district;”. Roll Call Vote: Yea: Foley,

- Godek, Canham-Keeley, Staebler, Rentschler, Masters, and Lindemann. Nay: None. Absent/Abstain: None. Carried.
- d. Home Occupation/Special Use Renewals** – Moved Foley, seconded Staebler to renew the following Home Occupations and Special Uses for two (2) years.
Dan Riddle – Lodi Farms, Public Storage, John Hollowell, Kimberly Jackson, Mary & Irene Francis, VFW Post, Vicki Moser, Swisher tower, Adele Yunck, Lee Reichenberger, James Bradley, Ginger Winter, Norman Lambarth, Rodney DesMarais, Loraine Witt, Lewis Richards, Lisa Henes, Kent Hyne, Oscar Zahn, Timothy Chaffee, George Schnierle, Roy Knoedler, Jess Franklin, Karen Young, Kent Pruss, Ted Zimmer, Virginia Hamman, Jody Miller, Donald Gingras, Paul Schwimmer, James Reeves, March McCullough, Lynn Daugherty, Ken Coleman, James Wingler, Jr., and Connie McQuade. Caried.
- 10. Public Comment** – Offered at 9:22 p.m. Brian Sweetland has received permission to finish the cleaning of the drain for his land.
- 11. Adjournment** - Moved Staebler, seconded Foley to adjourn at 9:24 p.m. Next meeting will be October 2, 2012 at 7:30 p.m.

Elaine E. Masters
Clerk, Lodi Township