

**CHARTER TOWNSHIP OF PLYMOUTH  
BOARD OF TRUSTEES – REGULAR MEETING  
TUESDAY, MAY 27, 2008**

Supervisor Reaume called the meeting to order at 7:01 p.m. and led in the Pledge of Allegiance to the Flag.

**MEMBERS PRESENT:** Richard Reaume, Supervisor  
Ron Edwards, Treasurer  
Marilyn Massengill, Clerk  
Kay Arnold, Trustee  
Charles Curmi, Trustee  
Robert Doroshewitz, Trustee  
Steven Mann, Trustee

**ABSENT:** None

**OTHERS PRESENT:** Mark Lewis, Chief Building Official  
Randy Maycock, Fire Chief  
Thomas Tiderington, Police Chief  
Timothy Cronin, Township Attorney  
Michael Bailey, Dietrich Bailey Associates  
Joseph Bridgman, Deputy Clerk  
Patrick Fellrath, Township Civil Engineer  
Alice Geletzke, Recording Secretary  
12 Members of the Public

**D. APPROVAL OF AGENDA**

Regular Meeting – Tuesday, May 27, 2008

Mrs. Massengill moved to approve the agenda for the Board of Trustees Regular Meeting of May 27, 2008, as presented. Seconded by Ms. Arnold. Ayes all.

**E. CONSENT AGENDA**

E.1 Approval of Minutes  
Regular Meeting – Tuesday, May 13, 2008

**CHARTER TOWNSHIP OF PLYMOUTH  
BOARD OF TRUSTEES – REGULAR MEETING  
TUESDAY, MAY 27, 2008**

E.2 Approval of Township Bills

		<b>Year 2008</b>
General Fund	(101)	\$197,320.91
General Fund Loan to Downtown Development Authority	(101)	-
Water/Sewer	(592)	406,673.41
Improvement Revolving	(246)	530.85
Solid Waste Disposal	(226)	340.80
Trust and Agency	(701)	58,832.00
Tax Pool	(703)	-
Drug Forfeiture	(265)	5,277.38
Special Assessment Capital Project Fund	(805)	-
<b>Total:</b>		<b>\$668,975.35</b>

E.3 Approval of Easements – N/A

E.4 Communications-Resolutions-Reports

- a. Communications – N/A
- b. Resolutions – N/A
- c. Reports  
Building Department, April 2008  
Fire Department, April 2008

Mrs. Massengill moved to approve the consent agenda for the Board of Trustees Regular Meeting of May 27, 2008, as submitted. Seconded by Ms. Arnold. Ayes all.

**F. PUBLIC COMMENT AND QUESTIONS**

Mr. Don Abramowicz of the Western Wayne County Conservation Association presented their application to have a fireworks display on their grounds July 19, 2008, to celebrate their 70<sup>th</sup> anniversary.

Board members discussed the local approvals necessary and the procedure for obtaining a permit from the Michigan State Police.

Mr. Reaume indicated the permit application would be passed on to the Fire Department and Township Attorney. Mr. Abramowicz agreed to return to the Board’s regular meeting on June 10.

**CHARTER TOWNSHIP OF PLYMOUTH  
BOARD OF TRUSTEES – REGULAR MEETING  
TUESDAY, MAY 27, 2008**

**G. PUBLIC HEARING – N/A**

**H. COMMUNITY DEVELOPMENT – N/A**

**I. UNFINISHED BUSINESS**

**I.1** Approve Resolution for Appointment of Attorney Magistrates  
Resolution No. 08-05-27-11

Mr. Cronin explained that this item appeared on the agenda for the Board meeting of May 13, with questions regarding the function of a non-attorney magistrate and Ms. Arnold asked for representation from the 35<sup>th</sup> District Court.

The Hon. Ronald Lowe, Judge of the 35<sup>th</sup> District Court, explained that the only thing a non-attorney magistrate cannot do is hold small claims hearings because those require extensive legal background and knowledge.

Mr. Curmi moved to approve Resolution 08-05-27-11 for Appointment of Attorney Magistrates as allowed by Section 8501 of the Revised Judicature Act, Public Act 236 of 1961, and as requested by the Court Administrator for the 35<sup>th</sup> District court. Seconded by Mr. Mann. Ayes all on a roll call vote.

The resolution reads as follows:

WHEREAS, the State Court Administrators Office (SCAO) has determined statutory requirements under Public Act 95 of 2008 regarding the appointment of Magistrates, and

WHEREAS, the State Court Administrative Office has required that the local Board pass a resolution appointing a person as a District Court Magistrate shall be subjected to approval by the governing body or bodies of the District Control Unit which, individually or in the aggregate, contain more than 50% of the population of the district, and

WHEREAS, the State Court Administrative Office is seeking approval from the in passing a resolution approving the appointment of Eric Colthurst, Theodore Johnson, Linda Gable (Court Administrator for the 29<sup>th</sup> District Court and back-up for out-county) and out-county arraignments (weekends and holidays) via 34<sup>th</sup> District Court.

NOW, THEREFORE, BE IT RESOLVED upon a motion by Charles Curmi and a second by Steven Mann, to approve the following appointments:

1. The Charter Township of Plymouth Board of Trustees does hereby approve the appointment of Eric Colthurst and Theodore Johnson as attorney magistrates.

**CHARTER TOWNSHIP OF PLYMOUTH  
BOARD OF TRUSTEES – REGULAR MEETING  
TUESDAY, MAY 27, 2008**

2. The Charter Township of Plymouth Board of Trustees does hereby approve the use of Linda Gable, Court Administrator at the 29<sup>th</sup> District Court for the City of Wayne, as a non-attorney magistrate.

3. The Charter Township of Plymouth Board of Trustees does hereby approve the multi-jurisdictional plan for out-county arraignments allowing the police department to have arraignments conducted on holidays and weekends via the 34<sup>th</sup> District Court (Romulus), with Romulus then forwarding the paperwork from the arraignments to the 35<sup>th</sup> District Court, all as required by Debra Kubitskey, the Court Administrator for the 35<sup>th</sup> District Court.

**I.2** Request for an Industrial Facilities Exemption Certificate from Isuzu Motors America, Inc., (Isuzu) covering the expansion of an existing facility  
Resolution No. 08-05-27-12

The public hearing for this item was held January 22 and the item was postponed to allow time for the applicant to submit separate applications, one for Isuzu Motors American, Inc., (building expansion) and one for Isuzu Manufacturing Services of America, Inc., (new personal property).

Mr. Dan Peterson of Isuzu Motors addressed the Board and answered questions.

Mr. Curmi moved to approve Resolution No. 08-05-27-12, granting the request from Isuzu Motors America, Inc., for a 12-year Industrial Facility Exemption Certificate covering the expansion to an existing facility located at 46401 Commerce Center Drive, Plymouth Commerce Center, Plymouth Township, Wayne, County, Michigan. Seconded by Ms. Arnold. Ayes all on a roll call vote.

The resolution reads as follows:

WHEREAS, pursuant to P.A. 198 of 1974, as amended, after a duly noticed public hearing held on March 24, 1992, the Board of Trustees of the Charter Township of Plymouth, by resolution, established an Industrial Development District for Plymouth Commerce Center Industrial Park, Plymouth Township, Wayne County, Michigan; and

WHEREAS, Isuzu Manufacturing Services of America filed an application on November 20, 2007, requesting a twelve (12) year Industrial Facilities Exemption Certificate, with respect to the cost of an addition to an existing facility located at 46401 Commerce Center Drive; and

WHEREAS, before acting on said application, the Board of Trustees held a public hearing on Tuesday, January 22, 2008, in the Meeting Room of the Town Hall, 9955 N. Haggerty Road, Plymouth, MI, commencing at 7:00 p.m., at which hearing the applicant,

**CHARTER TOWNSHIP OF PLYMOUTH  
BOARD OF TRUSTEES – REGULAR MEETING  
TUESDAY, MAY 27, 2008**

the assessor, and representatives of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, commencement of the addition to the existing facility had not begun earlier than six (6) months before November 20, 2007, the date of the acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, the addition to the facility is calculated to and will, at the time of issuance of the certificate, have the reasonable likelihood to retain, create or prevent the loss of employment in the Charter Township of Plymouth; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the Charter Township of Plymouth, after granting this certificate will exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Charter Township of Plymouth that:

1. The Board of Trustees finds and determines that the granting of the Industrial Facilities Exemption Certificate, considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of Public Acts of 1974, as amended, and Act No. 255 of the Public Acts of 1978, as amended, shall not have the effect of substantially impeding the operation of the Charter Township of Plymouth, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the Charter Township of Plymouth.

2. The application of Isuzu Motors America, Inc., for an Industrial Facilities Exemption Certificate with respect to the addition to the existing facility on the following described parcel of real property situated within an Industrial Development District, to wit:

46401 Commerce Center Drive  
Plymouth Commerce Center Industrial Park  
Plymouth Township, Michigan

be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate, when issued, shall be and remain in effect for a period of twelve (12) years, after completion, in accordance with Township requirements and applicable statutory provisions found in MCL et seq.

**CHARTER TOWNSHIP OF PLYMOUTH  
BOARD OF TRUSTEES – REGULAR MEETING  
TUESDAY, MAY 27, 2008**

- I.3** Request for an Industrial Facilities Exemption Certificate from Isuzu Manufacturing Services of America, Inc., (IMSA) covering new personal property to be purchased and installed within an expansion of an existing facility  
Resolution No. 08-05-27-13

Mrs. Massengill moved to approve Resolution No. 08-05-27-13, granting the request from Isuzu Manufacturing Services of America, Inc., for a 12-year Industrial Facility Exemption Certificate covering the cost of new personal property to be purchased and installed within the expansion to an existing facility located at 46401 Commerce Center Drive, Plymouth Commerce Center, Plymouth Township, Wayne, County, Michigan. Seconded by Ms. Arnold. Ayes all on a roll call vote.

The resolution reads as follows:

WHEREAS, pursuant to P.A. 198 of 1974, as amended, after a duly noticed public hearing held on March 24, 1992, the Board of Trustees of the Charter Township of Plymouth, by resolution, established an Industrial Development District for Plymouth Commerce Center Industrial Park, Plymouth Township, Wayne County, Michigan; and

WHEREAS, Isuzu Manufacturing Services of America filed an application on November 20, 2007, requesting a twelve (12) year Industrial Facilities Exemption Certificate, with respect to the cost of new machinery, equipment, furniture and fixtures to be purchased and installed within an addition to an existing facility located at 46401 Commerce Center Drive; and

WHEREAS, before acting on said application, the Board of Trustees held a public hearing on Tuesday, January 22, 2008, in the Meeting Room of the Town Hall, 9955 N. Haggerty Road, Plymouth, MI, commencing at 7:00 p.m., at which hearing the applicant, the assessor, and representatives of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, the installation of new machinery, equipment, furniture and fixtures had not begun earlier than six (6) months before November 20, 2007, the date of the acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, the purchase and installation of the new personal property proposed to be installed within the facility is calculated to and will, at the time of issuance of the certificate, have the reasonable likelihood to retain, create or prevent the loss of employment in the Charter Township of Plymouth; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the Charter Township of Plymouth, after granting this certificate will exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted;

**CHARTER TOWNSHIP OF PLYMOUTH  
BOARD OF TRUSTEES – REGULAR MEETING  
TUESDAY, MAY 27, 2008**

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Charter Township of Plymouth that:

1. The Board of Trustees finds and determines that the granting of the Industrial Facilities Exemption Certificate, considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of Public Acts of 1974, as amended, and Act No. 255 of the Public Acts of 1978, as amended, shall not have the effect of substantially impeding the operation of the Charter Township of Plymouth, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the Charter Township of Plymouth.

2. The application of Isuzu Manufacturing Services of America, Inc., for an Industrial Facilities Exemption Certificate with respect to the installation of new machinery, equipment, furniture and fixtures within an existing facility on the following described parcel of real property situated within an Industrial Development District, to wit:

46401 Commerce Center Drive  
Plymouth Commerce Center Industrial Park  
Plymouth Township, Michigan

be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate, when issued, shall be and remain in effect for a period of twelve (12) years, after completion, in accordance with Township requirements and applicable statutory provisions found in MCL et seq.

**J. NEW BUSINESS**

**J.1 Reappointments to the Plymouth Township Planning Commission**

Ms. Arnold moved to approve the reappointments of Keith Postell, Kendra Barberena and Dennis Cebulski, to the Planning Commission for three-year terms expiring on June 30, 2011. Seconded by Mr. Edwards.

AYES: Arnold, Doroshewitz, Edwards, Mann, Massengill, Reaume  
NAYS: Curmi

Motion carried.

**CHARTER TOWNSHIP OF PLYMOUTH  
BOARD OF TRUSTEES – REGULAR MEETING  
TUESDAY, MAY 27, 2008**

**K. DEPARTMENT REVIEW AND COMMENTS**

Building Department, Mark Lewis

Chief Building Inspector Mark Lewis presented reports depicting new commercial buildings for 2007 and 2008, as well as new commercial additions and alterations for those years. He also gave a visual presentation of various large commercial enterprises in the township such as Edy's Ice Cream, Prestolite, Flint Group, Rudolph Libby, Exel Corp, Isuzu, Siemens, and Perfection Bakeries (Aunt Millie's).

Mr. Lewis expressed optimism for meeting the 2008 budgeted revenues for his department of approximately \$414,000.

In answer to Mr. Curmi's question, Mr. Lewis indicated the residential ordinance violations are complaint-driven; however, Ms. Pumphrey, the ordinance officer, works with commercial and industrial property owners to resolve their violations.

The Board also discussed his attached report of the decisions reached on ZBA requests from January 2007 to May 2008, particularly with regard to granting six-foot fence requests.

**L. SUPERVISOR AND TRUSTEE COMMENTS**

Mr. Fellrath, Township Civil Engineer, updated Board members on the water line installation at Sheldon Road. He said the main should be ready for activation this week.

Fire Chief Maycock reported that three new firefighters have been hired, bringing the total to 25.

The Board discussed whether any additional firefighters would be hired, in light of the SAFER grant having been denied.

In answer to Mrs. Massengill's question, Chief Maycock said there will be one firefighter eligible for retirement in the coming year, with the potential of three retirements totally for the department.

Mrs. Massengill discussed with Mr. Reaume the use of the Trailwood Association for planting flowers at the Town Hall versus using Plymouth Garden Club who, in the past, has not charged a fee for the flowers they planted.

Mr. Edwards indicated he will be posting the vacant position in his department, and said he had no objection to Mr. Curmi's request for the Board looking over any hiring prior to making an offer, as a courtesy.



**CHARTER TOWNSHIP OF PLYMOUTH  
BOARD OF TRUSTEES – REGULAR MEETING  
TUESDAY, MAY 27, 2008**

Mr. Edwards also noted that Roy Banks and Dean Hamlin took in over \$600 at a sale for used equipment still in the Township's former facility. All monies were received and accounted for and they hope to continue over this weekend.

With regard to the reports from the golf course, Mr. Edwards said he is waiting for new reports to come in. A check was received last August for \$100,000.

**M. PUBLIC COMMENT** – There was none.

**N. CLOSED SESSION**

At 8:10 p.m., it was moved by Mrs. Massengill and seconded by Ms. Arnold that a closed session be called for the purpose of discussing two Confidential Attorney Opinions.

This is a permissible purpose under the Michigan's Open Meeting Act, Public Act No. 267, Article 15.268, Section 8, Paragraph (h)

Ayes all on a roll call vote.

At 9:30 p.m., it was moved by Mrs. Massengill and seconded by Mr. Doroshewitz to return to open session

Ayes all on a roll call vote.

**O. ADJOURN**

Mrs. Massengill moved to adjourn the meeting. Seconded by Mr. Edwards. Ayes all.

Mr. Reaume adjourned the meeting at 9:37 p.m.

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Marilyn Massengill, Clerk  
Charter Township of Plymouth

The Charter Township of Plymouth will provide necessary reasonable aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon two weeks notice to the Charter Township of Plymouth. Individuals with disabilities requiring auxiliary aids or services should contact the Charter Township of Plymouth by writing or calling the Human Resource Office, Charter Township of Plymouth, 9955 N. Haggerty Road, Plymouth, Michigan, 48170, (734) 453-3202, TDD users: 1-800-649-3777 (Michigan Relay Service)-