

**BRIDGEWATER TOWNSHIP
BOARD OF TRUSTEES SPECIAL MEETING
MINUTES OF MEETING
THURSDAY, AUGUST 26, 2010**

I. Call to Order

The special meeting of the Bridgewater Township Board of Trustees was called to order by Supervisor Mull at 7:43 p.m. followed by the pledge of allegiance to the flag at Bridgewater Township Hall, 10990 Clinton Road, Manchester, MI.

Present: Supervisor Jolea Mull, Clerk Laurie Fromhart, Treasurer Amy Riley, Trustees Dave Faust and Geoff Oliver

Also present: Township Attorney Fred Lucas, Township Engineer Bill Craigmile, Sewer Committee Member Ron Smith, and Attorney Paul Burns.

II. Discuss the Township's Wastewater Treatment Plant and Relevant Sewer Issues

Lucas introduced attorney Paul Burns and gave a brief description of Burns' professional background. Lucas explained he has worked with Burns over a number of years and is currently trying a lawsuit with Burns representing Northfield Township. Lucas said Burns is the city attorney for Brighton and has worked closely with Tetra Tech as a result of them being the city's engineer. Lucas noted there is no conflict of interest with Burns providing advice to the Township regarding WWTP issues.

Burns explained he performed all the legal work for the City of Brighton involving their WWTP which included the grant and permit process, design, construction, and all expansions. Burns said he is special counsel for all Northfield Township's WWTP matters and has been special counsel on WWTP matters to many communities over the years. Burns recommended that the Township put in a FOIA request with the MDNRE to make sure the township has a complete record of the sewer system and WWTP along with a set of drawings. Burns indicated the next step would be to have an independent engineering analysis to determine the problem(s) with the WWTP and how much it will cost to fix it based on the engineer's analysis. Burns also recommended making an appointment with the MDNRE to discuss the WWTP issues. Burns said once these steps are completed the Township would then need to negotiate with Tetra Tech to reach a resolution.

Mull moved to submit a Freedom of Information Act request with the MDNRE for the complete file on the Township's sewer system and wastewater treatment plant. Faust seconded the motion. Roll Call Vote: Faust yes; Fromhart yes; Mull yes; Riley yes; Oliver yes. Motion passed.

Craigmile noted that he is not so sure the secondary clarifier tank is the only problem with the WWTP and there may be other factors involved. Craigmile indicated the final clarifier tanks ~~were~~ **was** not built according to Tetra Tech's basis of design and that Tetra Tech has already made four attempts to correct the problem which have not been successful. Craigmile said the problems with the WWTP most likely will not be an easy or cheap fix.

The Board briefly discussed the WWTP's financials and the MDNRE's violation notice. Burns indicated it will be necessary to determine if Tetra Tech's design falls below professional standards in the industry. Burns also indicated the Township may want to consider adopting an industrial pre-treatment ordinance for controlling and monitoring effluent levels and that high levels of phosphorus discharge may cause the plant to be non-compliant. Mull indicated she would follow up with the county regarding monitoring effluent levels for Xela Pack and Ralrube. Craigmile noted that the MDNRE will not issue any additional permits to the Township while in violation.

Mull moved to retain Paul Burns as Special Counsel to the Township's on WWTP matters at a rate of \$150 per hour. Faust seconded the motion. Roll Call Vote: Faust yes; Fromhart yes; Mull yes; Riley yes; Oliver yes. Motion passed.

The Board briefly discussed OHM's proposal and the need to act on it based on tonight's discussions with legal counsel. **Faust moved to approve OHM's proposal for engineering services to evaluate and provide recommendations for upgrading the existing WWTP so the facility is in compliance with the permit limits contained in the Township's NPDES discharge permit. Riley seconded the motion. Roll Call Vote: Faust yes; Fromhart yes; Mull yes; Riley yes; Oliver yes. Motion passed.**

Mull moved to authorize Dave Faust Public Works Director to purchase up to 4 grinder pumps as spares for future use. Oliver seconded the motion. Roll Call Vote: Faust yes; Fromhart yes; Mull yes; Riley yes; Oliver yes. Motion passed.

III. Discuss the Township's Fee Schedule

The Board briefly discussed its fee schedule with Lucas and the claim raised by Washtenaw County attorney Jim Reach that the fees charged for site plan review are excessive. Lucas reported that Reach had also contacted Doug Lewan on this issue claiming the fees charged by the Township are a legal problem. Fromhart indicated if the County has any questions or concerns about the fee schedule they should be contacting the Township directly. The Board agreed to review its fee schedule by comparing it with other surrounding communities and consulting with the MTA.

IV. Discuss Stansley Mineral Resources Mineral Extraction License for Peltcs Property

Mull briefly discussed the lease agreement between SMR and Peltcs and determined the date the agreement took effect after consulting with Lucas.

V. Discuss WCRC Issues

Faust reported the Road Committee is unsatisfied with work performed by WCRC for the project on Willow Road and the brining on all township roads. Faust recommended holding WCRC's bill until these issues are discussed and resolved with WCRC representatives. Mull said she would contact Steve Puuri to invite him to the September 2nd board meeting to resolve these issues.

VI. Adjournment

Oliver moved to adjourn the meeting at 10:25 p.m. Mull seconded the motion which was adopted unanimously.

APPROVED