

ALMENA TOWNSHIP
27625 CR 375
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ALMENA TOWNSHIP BOARD
MEETING MINUTES
(approved 1-8-14)
December 11, 2013

The Almena Township Board met at the Township Hall. The meeting was called to order at 7:00 p.m. The Pledge of Allegiance was led by Clerk Rickli.

Roll call: Jerry Lentz, Bill Van Tassel, Jim Manning, Sheri Manning, Sandra Rickli, and Mark Roman.

Sandra Rickli, Clerk, asked for a volunteer of the Township Board to chair this meeting upon the absence of the Supervisor. Trustee Jerry Lentz agreed to chair this board meeting. It was the consensus of the board to have Jerry Lentz run the board meeting.

AGENDA APPROVAL:

Bill suggested a few additions and changes as follows: Under New Business, item #1 to add: Discussion of Replacement (after Accepting Supervisor's Resignation), to add, also under New Business, 2014-2015 PPF Budget Proposal. To add under New Business, item #8, Road Committee Report, and to move New Business item #2 Rininger Blight issue to number #9 under Unfinished Business.

REGULAR MEETING MINUTES APPROVAL – November 12, 2013:

Bill Van Tassel recommended the following changes: Page 3, under Parks and Recreation, the last sentence, to strike "over a 10 year span," and add, which would be paid upfront before any cutting would take place; on page 5, under Unfinished Business, item #3, to replace 450 yards with 450 ft. and to add after house, or permanent structure, such as a barn.

MOTION: **Motion** by Jerry Lentz to approve the regular meeting minutes of November 12, 2013 as amended, **second** by Jim Manning. **Motion approved.**

SPECIAL MEETING MINUTES APPROVAL – November 25, 2013:

MOTION: **Motion** by Bill Van Tassel to approve the special meeting minutes of November 25, 2013 as presented, **second** by Sheri Manning. **Motion approved.**

PRESENTATION/APPROVAL OF BILLS:

Clerk Rickli shared that she would like to omit the bill to Mitchell and Morse Land Surveying (survey of the Almena woods property) for this month so that research can be done into the budgeting of this money; to be paid next month. The total is then changed to \$25,419.49

MOTION: **Motion** by Sandra Rickli to approve bills in the amount of \$25,419.49, **second** by Mark Roman. **Motion approved.**

A Special Tribute award was to be made to Dale Conolly tonight as he has retired from the Cemetery Board, serving Almena Township in various capacities for 43 years, giving much of his time and valuable effort over the years. Sadly, Dale Conolly passed away on Monday of this past week, just 2 days short of the recognition ceremony. The award was given to the family, to put on display, at the visitation/funeral. Dale Conolly will be greatly missed.

REPORTS:

Road Commission: Al Svilpe was in attendance. He reported that they are presently working on the budget. The Almena Township Road Committee is working on getting their report together for the Road Commission that is due to the Commission by December 31st. They have more questions and will have a report given by Road Committee member, Jim Martemucci, later in the meeting. Al shared that Barry will be glad to get together with the committee and/or the board to come up with viable options.

Commissioner: Dick Godfrey shared his report. Jeffrey Dufon, of Mattawan, has been appointed by Governor Snyder as the county's new Circuit Court Judge, filling the position left vacant by the resignation of Judge Hamre. He will be sworn in on December 20th. Commissioners were notified by the Sheriff's Department that several "prescription drug collection boxes" have been installed throughout the county.

Sheriff's Department: There were 47 calls for service for Almena Township; 21 of them were approved incidents. In January, they will again be offering the citizens policy academy program, applications will be left for those interested; applications are also available on-line. A list of holiday hazards to be avoided will be left to be posted and is also available on-line on the County website.

LIMITED PUBLIC COMMENT: Was offered.

REPORTS:

Treasurer: Sheri Manning reported on the following: The disabled veterans exemptions are now being accepted, which will be retroactive back to July 1st. If veteran applicants are filed we are required to refund back their taxes. Three (3) residents have filed, thus far, and will be exempted from their winter tax.

Planning Commission: Mark Roman reported that the Planning Commission did some house cleaning at their recent meeting following the resignation of Ron Marvin. Matt Moulds is now the acting Chair to finish the rest of the fiscal year, and Steve Manning the Vice-Chair. Carol Himes has agreed to fill the vacant ZBA position.

MOTION: **Motion** by Mark Roman to appoint Carol Himes to the ZBA, **second** by Jerry Lentz. The vote was a tie, **motion did not pass**.

There was much concern by some members of the board over the placement of Carol Himes on the ZBA, because she hasn't been on the PC very long, and is still learning. The board would like to check the ZBA by-laws to review the vacancy appointment process. It is believed to be the role of the Township Board, not the PC.

MOTION: **Motion** by Bill Van Tassel to table this appointment to the ZBA until next month, **second** by Jim Manning. **Motion passed**.

Mark continued; in regards to the M-43 Commercial Overlay Section, the committee to work on this section was discussed. Of the Planning Commission, Steve Manning and Mark Kruienza have agreed to be on this committee; and Bill Van Tassel and Jerry Lentz of the Township Board have also agreed. Information from McKenna will be passed on.

The Planning Commission will have a Public Hearing on Zoning Ordinance amendments; PUD Overlay District, PUD Roads, and Commercial Districts in regards to Self-Storage Facilities, on January 6, 2013 at 7:00 p.m.

MOTION: Motion by Mark Roman to approve Jerry Lentz and Bill Van Tassel as members of the joint committee for the M-43 overlay district, as well as Steve Manning and Mark Kruiuzenga of the Planning Commission, **second** by Jim Manning. **Motion passed.**

ZBA: The most recent issue was a variance approval for Mrs. Libbins regarding property lines. **Clerk:** Sandra Rickli reported on the following: The MTA Annual Conference is January 18-31 in Traverse City; the last reminder that December 18th is the last day to register to be eligible for the early bird rates. The recent burial of Janet Burgtorf created a request by her stepdaughter, Lois Barber, as to her residency status for the price of the gravesite. It is the rule of the Cemetery Ordinance adopted November 2010, that, to obtain resident prices for burial in the cemetery an individual must be a resident taxpayer. Unfortunately Janet did not live in Almena Township, only owned property, which is currently being purchased on land contract. She has not lived in the township for 50 years; she grew up in Almena. I was asked to request of the board if Janet would be considered a resident taxpayer to receive the reduced price lot. It was the consensus of the board to follow the Almena Township Cemetery Ordinance in establishing the price for a resident lot, meaning that an individual must have been a resident at the time of death to receive resident pricing for a cemetery lot.

In regards to the Boersen Farms application for Farmland Agreement, which the board voted to return for more complete information, and was also only tentatively approved by the Van Buren County Planning Commission. The township has received another tentative agreement due to the incomplete application that was submitted. It was the consensus of the board to return the application for accuracy before consideration.

NEW BUSINESS:

1. **Accepting Supervisor's Resignation/Discussion of Replacement:**

The resignation letter as submitted by Doug Stiles for his Supervisor position, was received by the board; the resignation must be accepted by the board.

MOTION: Motion by Mark Roman to accept the resignation of Doug Stiles as Supervisor of Almena Township, **second** by ~~Mark Roman~~ *Jerry Lentz*. **Motion passed.**

There was discussion about the vacancy of the position and how to proceed. It was discovered, as per MTA, that the township board has 45 days to appoint a person to fill the vacancy, or the county clerk calls a special election to fill the vacancy. Clerk Rickli had spoken with the County Clerk to inquire about the proper protocol as to filling the vacancy. The County Clerk advised about acting too quickly and how important it is to involve the public in the process, giving the residents the opportunity to be considered, if desired. The Clerk felt this was a very important consideration and that the appointment should wait until the January meeting, in which the 45 day appointment time would still be met. Members of the board felt there were important things to be done, and that the board needed to fill that position right away.

MOTION: Motion by Jerry Lentz to appoint Bill Van Tassel to the Almena Township position of Supervisor to serve until the 2014 Primary Election and General Election by which he must run to retain the position, **second** by Jim Manning. **Motion passed.**

It was the consensus of the board to place an ad in the paper regarding the Almena Township Board Trustee vacancy and to place it on the website to invite any Almena Township residents interested in the position to submit their letter of interest to the board.

2. Recording System: Clerk Rickli wanted to bring to the attention of the board that there was a problem with the recording unit, and unknowingly, the last meeting, which was the special board meeting, the tape, somehow, did not record; possibly a button was switched off, not sure? The small recording unit will be used from now on, as well as the large cassette recorder, Alltronics unit, but the Clerk would like the board to be thinking about this outdated unit and possibly begin to look into alternative options for a recording unit, other than the current recording company of All-tronics. The board will review options during budget planning time for 2014-2015.
3. PPFD Budget Proposal 2014-2015:
Trustee Bill Van Tassel brought to the boards attention, the Paw Paw Fire Department 2014-2015 Budget Proposal Dated December 3, 2013 along with an Apparatus Replacement Schedule, December 2013 (big projected expenditures thru 2026). Trustee Mark Roman said that he just received this and since it is not on the agenda, he feels the board should wait to vote until the next meeting and placed on the agenda.

It was later brought up that if Bill made a motion, there would probably be support among the board.

MOTION: **Motion** by Bill Van Tassel to accept the 2014-2015 Paw Paw Fire Department Budget Proposal, **second** by Jim Manning. **Motion approved**.

UNFINISHED BUSINESS

1. Forester, Mark Janke: Mark Janke, Registered Forester and owner of Mark P. Janke, Consulting Forester, LLC was in attendance to explain more about the proposal and contract. There was a great deal of information shared as well as questions and discussion. The board requested a new printed contract that has the correct dates indicated on it.

MOTION: **Motion** by Jerry Lentz that Almena Township enters into the agreement with Mark Janke, Forester, LLC, with the approved date of December 13,2013, **second** by Bill Van Tassel. **Motion passed**.

2. Term of appointment for Kristen Garceau – ZBA:
The board explained to Kristen that there was false information being given and the board was not sure what she had heard. She would like to work together with the board to make things better. The ZBA is a legal body so the information must be factual. It is very important to state motions verbatim in minutes. Kristen explained to the board what had transpired between herself and the former secretary as far as accuracy in minutes. It was shared that there is a learning curve and this was the first ZBA variance that the secretary had completed full circle, from the original application to the minutes, and everything in between to the end, with completion of the minutes.

Sandra Rickli feels that the ZBA secretarial position should, possibly, be someone that serves on the ZBA, their own secretary for the taking of notes and the transcribing of minutes alone, the secretary to the PC would take on the noticing/publishing portion of the ZBA as well, much like the secretary on the PC; which is an elected position from within the PC. The ZBA originally had their own secretary, it only changed after Sandra was hired 15 years ago. This is something the board can consider.

MOTION: **Motion** by Mark Roman to renew the term of Kristen Garceau on the ZBA for another three (3) year term, **second** by Bill Van Tassel. **Motion passed.**

Kristen shared that she feels it is very important, and vital, to have training sessions with a Professional Planner/Consultant and the ZBA and PC; it would be very beneficial. Kristen feels that it should not be Chris Khorey/McKenna but possibly someone more experienced, maybe a senior member of McKenna?

3. Building Department Software/Texas Township Shared Services:

Sheri Manning began by giving the requested amount of the annual increase in the BS&A Software for the building department. There is a potential to lock in for 3 years at a time at 3%; It would be 3% each year; or the increase would not be locked in and would be based on the increase on the consumer price index. There are funds in the building department that will pay for the software; funds that can only be used for the building department. Jan Quearry, Deputy Treasurer/Clerk has agreed to take on the building department duties of data input/daily entries of all permits through Almena Township. The Deputy Clerk/Deputy Treasurer roles are paid separately to Jan through separate funds, but Jan will be taking on a new daily job/responsibility so Sheri and Sandi think the time to separate the deputy position is now, at the beginning of this building department software purchase and change over. Sandi would appoint a Deputy Clerk, that would be a good possibility to take on the role of PC Secretary, among other duties, and to possibly have the board consider payment of \$11-12/hr, Texas Township has agreed to extend our contract with them for shared services until March 19, 2014 in order for Almena to make decisions/changes. Decisions on the shared services and the separated Deputy Clerk pay should be considered at the January meeting.

MOTION: **Motion** by Mark Roman to purchase the BS&A building department software and to approve the BS&A contract/purchase for 1 year as presented, **second** by Jim Manning. **Motion passed.**

4. Underwood Blight Issue:

The 30 day deadline has arrived, yesterday was 30 days, for the removal of the blight. It was the consensus of the board for Scott Paddock, Texas Township Enforcement Officer, to move forward with this as able. Mr. Underwood will then have the opportunity to pay the bill or for the fee (to remove blight) to be placed on his tax bill.

5. Kalamazoo Hazardous Waste Renewal:

MOTION: **Motion** by Sheri Manning to approve the renewal contract with Kalamazoo County Hazardous Waste for a total of \$4000, **second** by Jim Manning. **Motion passed.**

The papers will be signed and returned.

6. Vendor status discussion: Sheri and Sandi have recently discussed vendor vs. employee status for a few vendors, specifically the Assessors. The team of 2 assessors that have a company service name, but the township pays out to one individual name. There was much discussion. This will be looked into and, if a few of the vendors should be changed to employee status and paid out from payroll, it will be talked about at budget time and any change will be initiated by the board, at the beginning of the new fiscal year.

7. Road Committee Report: James Martemucci gave the road summary report for the 2014 road season. The road committee is made up of Bill Van Tassel, Jim Manning, Dave Sager, and (newest member) Jim Martemucci. This is being done by committee members that have no history of this. He explained that they are attempting to get this report of work to be done for 2014 by December 31st, but also with no budget information as this is a new deadline of December 31; which was done previously in the spring, after the winter was over and the damage of winter weather was assessed. Some of the thoughts as mentioned, there is a tentative plan to resurface 38th St., 40th St., 28th St., and 48th Ave. The committee recently met with Jeremy Thomas, Asphalt Materials, who gave excellent explanations and examples. He is willing to continue to work with the committee/board on solutions. He made the following suggestion looking forward; decide which roads to fix, put the township money into the best roads that are still maintainable, and to possibly let the bad roads continue to deteriorate until the township can afford to repave them. He also explained other materials that are available. In regards to Trestle Creek, the sweeping and vacuuming has been done, but it still remains as it is because the work isn't finished. Cape Seal would be the next, and final, step and could be done in the spring. This will be determined.

Debbie Hurst, Trestle Creek resident, questioned if the county would be responsible for the finishing of this project. Could the township hire a private contractor? The Van Buren County Road Commission would still manage and oversee the project. The state mandates that townships only deal with the VBCRC, outside companies cannot contract with townships.

8. Rininger Blight Issue: This issue has mostly been resolved, it is, and will continue to be, a collaborative effort between the property owner, the township, and the state. DEQ takes precedent, the township does not supersede DEQ. It was discovered that an email had been received by the Supervisor on December 6th from Katie Venechuk, Environmental Engineer, which involved setting up a meeting or conference call between Katie, Fred Sellers (District Supervisor for the Office of Waste Management and Radiological Protection), the Supervisor, and Scott Paddock, Enforcement Officer, shared services with Texas Township and Almena Township. A conversation or meeting should happen in regards to this and moving forward with clean up. Much progress has been made and the Rininger's have agreed to clean up the rest in the spring.

OPEN PUBLIC COMMENT:

Linda Rininger, 27th St. in attendance to discuss the blight issue that the board was just discussing. Linda has lived in this township her whole life. She is very disappointed in the township, and how blight issues are researched. They received a registered letter from Scott Paddock on behalf of the township; a phone call was not offered first. Also, Scott Paddock, was to visit their property and, other than the lunch hour, they were there all day to talk with him and he never showed up. Scott has not returned their phone calls. They do not feel the township should interfere with the DEQ. The Riningers' feel the first step should be a phone call, not a threatening letter. What is the proper procedure for blight enforcement? The township will follow up on the complaint and research our procedure for enforcement so that everyone is aware. It was also mentioned the neighbor that initialized the complaint lives in Antwerp Township; the Riningers are located right at the township line.

Deedra Rhoa, Trestle Creek Ave. She commented on how nice it was to attend a calm meeting. She would like to personally thank the board for keeping the residents up to speed and helping them. She feels the township will now begin to move in the right direction. She shared that Trestle Creek residents are here to thank the board and offer support.

Charles Underwood, Whiskey Run. He explained that he has his property pretty much cleaned up. Building materials are all that is left. He will wait to meet with Scott Paddock so that he can evaluate the clean up job.

ADJOURNMENT

MOTION: Motion by Jim Manning to adjourn, **second** by Mark Roman. **Motion passed.**

ALMENA TOWNSHIP

cc: Township Board (7)
Planning Commission (8)
ZBA (5)
Attorney David Lewis