

ALMENA TOWNSHIP BOARD
MEETING MINUTES
Approved 12-11-13
NOVEMBER 12, 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 Supervisor Stiles.

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

AGENDA APPROVAL:

Bill made additions as follows: Add under New Business, #8 Township Assessor, add under Unfinished Business, #3 Shooting Restrictions, and #4 Burned house on M-43.

MOTION: **MOTION** by Doug Stiles to approve the agenda as amended, **second** by Bill Van Tassel. **Motion approved.**

SPECIAL MEETING MINUTES:

MOTION: **Motion** by Bill Van Tassel to approve the special meeting minutes of October 9, 2013, **second** by Jerry Lentz. **Motion approved.**

REGULAR MEETING MINUTES APPROVAL:

There were two corrections noted as follows: On page 2, under Public Comment, the name Deedra should be in front of the last name Rhoa; also on page 2, the very first motion was made by Bill Van Tassel and seconded by Jim Manning, not motion and second by Jim Manning both.

MOTION: **Motion** by Jerry Lentz to approve the regular meeting minutes of October 9, 2013 as amended, **second** by Bill Van Tassel, **Motion approved.**

PRESENTATION/APPROVAL OF BILLS:

MOTION: **Motion** by Sandra Rickli to approve bills in the amount of \$59,791.75, **second** by Mark Roman. **Motion approved.**

REPORTS:

Commissioner: Dick Godfrey presented his report from the County Commissioners.

Sheriff's Department: No representative in attendance, Doug had received the report and shared that there were 79 calls for service for Almena for the month of October. There were 932 calls for Almena to date.

Road Commission: Larry Hummel and Al Svilpe were in attendance. Al shared that they have escrowed 150% of remaining construction. The standards the county uses have been the standard for the last 8 years. Woodland Preserve Subdivision was brought up and discussion was had in regards to the 20 year maintenance. It was explained that around 7-10 years after the road is initially paved is when repair work needs to begin on it, but in this case, the Road Commission hasn't taken over the maintenance for it yet, Powell is still maintaining it, but it is getting worse, and the sides are starting to crumble. Fieldstone Meadows Subdivision was also discussed that may need attention soon.

The Road Commission needs a list of planned road work by December 31, 2013. Quotes and estimates will be generated at that time. The actual cost is based on the bid. Estimates will be

provided, but not exact costs. Larry shared that approximate amounts are given initially which is helpful to road planning/prep. As far as maintenance, any overlay is only a surface treatment. Our road committee, in house, is working on a general plan for 30th St., potentially over the next 5 years; hopefully a solution. They are also working on prep work. The next meeting of the road committee is scheduled for November 22.

LIMITED PUBLIC COMMENT: Was offered.

REPORTS:

Treasurer: Sheri Manning reported on the following: She received a state revenue sharing check for \$66,308. There is no update on Championship Construction, she is communicating with the attorney, attempting to get this going again. MTA updates were given: The State is looking at a bill that would affect state sales tax, which ultimately affects our state revenue sharing on vehicles, boats, and RV's, possibly decreasing sales tax revenue, which will overall decrease state revenue sharing; MTA opposes. Personal property tax reduction goes into effect in 2014; which is tied to a voter ballot for August 2014, if it does not pass, the bill is repealed. They are attempting to phase out personal property tax, which will be up to the voters.

The final payment has been made on this building, so we are now free and clear.

The ELC Personal Property Tax Issue update: Initial communication was made with the Assessor. First of all, policy will be put in place that will not allow original files to leave the township hall, it will be copies only.

The County Equalization had requested audits on more than just this parcel. They ask entities to pull their first personal property tax file, and then every 10th one from there so that they could be reviewed; then the next year; pull the next file, and every 10th file, and so on, to review. So there is no specific special request or email, to begin this process. Sheri asked him to check this ELC parcel number to see when it was last looked at; the information was added into their system in July of 2011, meaning it would have been brought to them in May/June of 2011. This file wasn't returned to us until 2-3 months ago. So, this file was, either left at Equalization for 2-2 ½ years, or it was at the assessor's home all this time. As far as the amount of reduction, it was reduced by the Board of Review, which is the top authority in this situation, more authority than the Michigan Tax Tribunal. However, if from one year to the next, such a substantial reduction was given to a property owner and was given by the Board of Review the next year, shouldn't there be notes or documentation to back the decision up for reduction? This situation happened about 4 years ago, after speaking with Ed VanderVries from the Equalization Department, they can only go back on adjustments 3 years. The board can request that the property be reassessed which would be in the form of a letter to a certified personal property tax assessor, of which Ed VanderVries is one. This would give him the authority to audit all of ELC records and make sure nothing was missed, but the request would need to be in before the end of this year, in order to have the past 3 years looked at.

MOTION: **Motion** by Mark Roman that we send a letter to, and contract services with, the certified personal property tax assessor, Ed VanderVries and services, requesting him to do a 3 year personal property tax audit on ELC, to bring everything up to date, **second** by Bill Van Tassel. **Motion passed.**

Fire Department: Bill Van Tassel reported that Paw Paw Fire Department recently assisted the Mattawan Fire Department in a house fire, sadly, it was a total loss. There will now be a monthly on-line letter from the chief featured on their website: www.pawpawfiredept.com. Paw Paw Fire Department has used 68% of the budget so far.

Planning Commission: Mark Roman shared that the Planning Commission has begun work on the three issues recommended to them as follows:

- 1- M-43 overlay - They would like to make up a subcommittee of 2 PC members and 2 Township Board members. Bill Van Tassel and Jerry Lentz both agreed to sit on the subcommittee from the board; the PC will determine their 2 committee members. After they meet they can elect a chair from within.
- 2- Storage Facilities, the PC tabled this for new wording from Chris Khorey.
- 3- Subdivision Roads – The PC reviewed, and it is evident that the Road Commission has clear set guidelines that must be followed. The township must make sure that money is in escrow to maintain the roads. This was also tabled for more information.

Parks and Recreation: Jim Manning and Bill Van Tassel have met with Mark Janke, Consulting Forester, of Allegan (President of the Michigan Foresters Association) to walk through the Almena Woods property to discuss potential. He explained that he sees, a potential of earning \$200,000 - \$250,000 ~~over a 10 year span~~ *which would be paid upfront before any cutting took place.*

It was requested that the Zoning Enforcement Officer please begin preparing a monthly report for the board for their review. This will be relayed to Scott Paddock.

Clerk: Sandra Rickli reported on the following: A Claim of appeal has been filed on the ZBA decision; Santora v. Almena Township. Information has been forwarded to the township Attorney; we are awaiting any information regarding a date from the Attorney; a millage election bill is being considered by the House Elections and Ethics Committee that would place restrictions on millage elections; MTA is holding a Policies and Procedures workshop in December; The Department of Ag and rural development has given the MAEAP Cropping System Verification to Brian Morga, Steadfast Farms, LLC, which is good for three years. This signifies a voluntary change in the agriculture industry. There has been a suspension of the 2014 Boundary and Annexation Survey. Mattawan Fire District has invited the board to the their annual Christmas dinner on December 7 @ Heritage Glen; Social hour is at 6:00 and dinner is at 7:00, please RSVP or let the Clerk know. Verification was made as far as minute's postings on the website; they will first be listed as preliminary minutes, then as approved minutes, with any amendments, after board approval.

Supervisor: Doug Stiles gave the following report: The Hazardous Waste Agreement with Kalamazoo County is up for renewal. The board would like copies to review first with more information, such as money spent thus far, and the amount that was budgeted. It was the consensus to table this until next month's meeting agenda so that they will be more informed before making a decision. The annual road commission meeting was recently held in Lawrence; Doug attended, and thanked the three other board members who attended, as well. The next Almena road committee meeting will be on November 22.

NEW BUSINESS:

1. Texas Township Shared Services: Sheri and Sandi recently met with Texas Township representatives as decided by the board, as the contract expires November 19, 2013. Both Townships are generally very pleased with the services thus far, aside from the lack of BS&A Software on the side of Texas Township. Negotiations were attempted for reviews for the ZBA from Bill, which would be a big savings and help in that McKenna

Professional Planner Services would not be used. They will contemplate this and let us know. Negotiations were also attempted for a reduction in the percentage that Almena pays to Texas Township; from 90% down to 65%. They are not interested in continuing shared services unless Almena purchases the BS&A Building Department Software. They explained the extreme difficulty in tracking any permits due to the lack of software, which would make it much better for Texas Township, as well as Almena Township, in that Almena would enter and track everything ourselves. It has been determined that it would take 2 years to recoup the price of the software, but, the money is there to pay for the program, money that has been designated for the building department only. Both Texas Township and Almena Township have all agreed to a verbal extension, until March 19, 2014 for Almena to decide as a board. Are we subject to the BS&A support price increase every year, or we locked in at this support price provided for a period of time; this will be looked into. This discussion will be continued next month, upon which a decision should be made.

2. PC/ZBA Secretary: The secretarial position was initially discussed. It was presented by Sheri and Sandi that, in regards to the BS&A Building Software Program as discussed, that if approved to purchase, Jan has agreed to be the person that uploads and tracks all of the information. Sheri and Sandi discussed the possibility then, of separating the deputy positions so that Jan would be the Deputy Treasurer only (with added duties of the permit processing and tracking) and that Sandi would possibly appoint a Deputy Clerk, that could also be the Secretary for the PC/ZBA, and that would possibly be the extra office person combination that we may hire to work set office hours, such as the Deputy Treasurer position. The board will contemplate this but also requested more information such as a suggested base rate and hours. This decision was tabled until next month.
3. Phone System: There was discussion of potentially putting the phones on automated answering system, which is easy to switch to, and/or back and forth to. There has been increased concern over incorrect information being given out on the phone by the answering party, and that calls are not being forwarded to the appropriate official or person qualified to answer the question, instead attempting to answer himself. It was the consensus of the board for the office staff to do whatever is necessary. It was also shared that answering the phones could also possibly be added to the potential Deputy Clerk position, if it becomes a combination office position.
4. Terms of Appointment (Ron Marvin-PC; Kristen Garceau-ZBA): There was much discussion regarding concerns over reappointments of positions. It was the consensus of the board to have the Supervisor and 1-2 other board members have a smaller discussion with each of the individuals first, and wait to make a decision.

MOTION: Motion by Sheri Manning to extend the appointment of Ron Marvin, for Planning Commission, 1 month, term to expire on 12/31/13, **second** by Bill Van Tassel. **Motion approved.**

MOTION: Motion by Sandra Rickli to extend the appointment of Kristen Garceau, for ZBA, 1 month, term to expire on 12/31/13, **second** by Doug Stiles. **Motion approved.**

5. Application for Farmland Agreement: Per the County Conservation District, this form is to be returned to the applicant, because it is not complete, there are many sections left blank.
6. Snow Removal proposal /Parking lot Salting proposal:
Eric Lantz, of Lantz Excavating, has submitted his proposal for cost per plow, for 2013-14 winter season to be \$125 (up \$5 per plow from last year). In addition, a request for an estimate for parking lot salting application was made, which is estimated at \$55 per trip for the 2013-14 winter season. It was the consensus of the board to accept the proposed amounts for snowplowing and salting of the Township Hall parking lot.

MOTION: **Motion** by Jim Manning to accept the 2013-14 proposals from Lantz Excavating for per plow snow for \$125; and parking lot salting, per trip, of \$55, **second** by Bill Van Tassel. **Motion passed.**

7. Resolution – Van Buren County and Local Governmental Units Tax Assessment Collaborative Effort Grant:
MOTION: **Motion** by Sandra Rickli to approve the resolution as presented, for the Van Buren County and Local Governmental Units Tax Assessment Collaborative Effort Grant, **second** by Jerry Lentz.
Roll call vote: Jerry-yes, Sheri-yes, Bill-yes, Jim-yes, Mark-yes, Sandra-yes, and Doug-yes. **Motion approved.**
8. Township Assessor:
Jim Manning and Bill Van Tassel brought up a strange situation in regards to an assessor being at the resident of Almena Township, looking at a newly built pole barn. The person was not identified with a badge or as part of the Almena Township Assessors office, only Assessor, and questions were not answered by the man as assessor, or tax collector; as asked by the resident; he never identified himself. This will be looked into and confirmed with the Assessor's office, as to his identity.

UNFINISHED BUSINESS

1. Underwood Court Order: A report was given by Sheri. Sheri contacted a demolition company but they did not go out and look at it the proposed property bid needed, nor provide a bid. Bill and Scott, of Texas Township were planning to meet at the property to determine the exact blight to be removed. Bill also provided the name of a good removal company that he has had pretty good success with, he was going to contact them to obtain a quote for us. Sheri will follow up with Bill tomorrow.
2. Trestle Creek Farms: This section was originally added for the residents of Trestle Creek Farms Subdivision (if they were in attendance); for updates and to get feedback from the residents, but there are not residents from there in attendance at this time. The residents are generally happy with the sweep job at this time, and it is what it is for now.
3. Shooting Restrictions: Bill Van Tassel shared the following; after doing some research, that for target practice, other than being 450 yards feet from a house, or permanent structures, such as a barn; there are no restrictions. Target practice is totally legal with no restrictions.

4. Burned house on M-43: This burned house, located next to the, Gene the Pumpkin Man, Farm on M-43 is a health and safety concern. It has been sitting as is for quite some time with nothing boarded up and tarps blowing off of it. It was the consensus of the board to have the building department (blight) look into this. Doug will check with Bill Henderson tomorrow.

OPEN PUBLIC COMMENT:

Chuck Underwood: Mr. Underwood shared that Bill Henderson from the building department came out to look at his property. He has the footings poured, so the foundations are set for the 2 parts of the double-wide. He questioned, of the board, if he can keep the original permit, it was answered that there is a court order in place.

Juris Kaps, indicated that a grievance can be filed by our attorney in this issue, possibly a code of ethics has been violated.

Dave Sager, complained about the condition of 32nd St., needs attention.

ADJOURNMENT

MOTION: Motion by Jim Manning, to adjourn, **second** by Mark Roman. **Motion passed.** The meeting adjourned at 9:10 p.m.

ALMENA TOWNSHIP

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