

ALMENA TOWNSHIP BOARD
MEETING MINUTES
SEPTEMBER 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 Supervisor Stiles. A moment of silence was observed to honor all the victims of the September 11th tragedy.

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

AGENDA APPROVAL:

Additions to the agenda as follows: Approval of special meeting minutes of August 20, 2013, and adding, under new business, request made to the Planning Commission.

MOTION: **Motion** by Doug Stiles to approve the agenda as amended, **second** by Jim Manning. **Motion approved.**

REGULAR MEETING MINUTES APPROVAL:

Mark Roman had a correction to the minutes on page 3, under the Planning Commission report, the second sentence which begins, “there was discussion... The end of the sentence, the words “this request” should be deleted, and replaced with storage facilities and their unique attributes. Corrected sentence as follows: There was discussion about looking into the Zoning Ordinance language in regards to storage facilities and their unique attributes.

MOTION: **Motion** by Jerry Lentz to approve the minutes of August 14, 2013 as amended, **second** by Jim Manning. **Motion approved.**

SPECIAL MEETING MINUTES APPROVAL – August 20, 2013:

MOTION: **Motion** by Doug Stiles to approve the special meeting minutes of August 20, 2013 as presented, **second** by Bill Van Tassel. **Motion approved.**

PRESENTATION/APPROVAL OF BILLS:

MOTION: **Motion** by Sandra Rickli to approve bills in the amount of \$39,819.07, **second** by Jerry Lentz. **Motion approved.**

CORRESPONDENCE AND ANNOUNCEMENTS:

Clerk Rickli shared information regarding an upcoming MTA conference, MTA On the Road regional meetings, which will be held in Kalamazoo on October 4th and Grand Rapids on October 3rd; these are the closest locations. If board members are interested in attending, please contact the Clerk.

REPORTS

Commissioner: Dick Godfrey distributed his monthly report from the County Commission. A few items of interest: Commissioners received a grant from the Michigan Department of Transportation in the amount of \$258,684, which will be used to purchase 3 buses for the County Transit System. The County received \$204,276 from the State’s Convention Facilities tax which will be used for Substance Abuse treatment and prevention.

Sheriffs Department: Deputy Wilton reported 70 calls for service for August. He gave the June report to the Supervisor. He also brought up the Smart 911 program, which will be a tremendous improvement to the program; it will decrease response times and increase

productivity. It is free to all members of the county in which they live, but residents must input all of their phone number information per household, including every cell phone number so that each number will be registered to that individual home for assistance in address location when 911 emergency calls are made. He encourages all to partake in this programing improvement. Road Commission: Al Svilpe in attendance; he is here to field any questions, particularly regarding Trestle Creek roads. This then led the Supervisor to open up the limited public comment portion of the meeting. Larry Hummel also in attendance.

LIMITED PUBLIC COMMENT:

Debbie Hurst, 46141 Finch St. questioned where we are with the road improvement project for Trestle Creek. The stones are still not packed down? There is very little traffic to be able to do this efficiently. She questions what is going to be done?

Cindy Anderson, 25946 Trestle Creek Ave., shared that the roads in Trestle Creek still have tons of loose gravel, requested a personal call from the road commission with updates.

Al Svilpe can suggest to the road commission that a qualified person goes out to Trestle Creek Farms Subdivision to look at it, and to see if it is ready to be brushed.

Mark Roman, Trustee, questioned if the cracks can also be looked at to make sure they were repaired correctly before the hot mix was applied, and then the stones dropped. Larry Hummel indicated that the cracks needed to be repaired first with a different material; the hot mix that goes with the stones is not intended to repair or fill in cracks, the stones filling in the cracks would not be an actual repair, it is not designed for that.

Dave VanDyke, 26033 Trestle Creek Ave., questioned the emulsion process, as mentioned. He asked how long it takes, also questioned why a roller was not used. (The Road Commission indicated that it was rolled, but the roller probably doesn't look like you would envision it, it is a tractor tire roller).

Charlie Porn, 26000 Stonebridge Ave., questioned the order of operations, the bid process, and the road committee. He questioned what the proper process is.

Al Svilpe and Larry Hummel, Road Commission, attempted to explain the road selection process and also the application process that was applied to Trestle Creek Farms. It was shared that letters are only sent out with notification to residents if major work is going to be done, not simply road improvements (repairs), as in this case.

James Martemucci, 46884 Woodfield Dr., questioned the road committee of the township and who is on it. He would like to be on this committee as he is a resident. 668-3860

Jim Manning, shared that this chip/seal technique was recommended by Lynn Bointnott of the Road Commission. He also shared that there were many roads that needed (still need) repair but this road was chosen for improvement; it was intended to improve the road, not make it worse. This road was at the state that it needed immediate repairs; we were trying to save the road. So this was preventative maintenance. We are still trying to find out why this happened and why it hasn't turned out as expected. Chip/seal was the only option recommended to the board by the Road Commission, specifically Lynn Bointnott.

Sheri Manning questioned of the Road Commission why they only quoted the cheap/seal method to the township? Also, was there was only one quote obtained for chip/seal. Larry Hummel will look into this. Larry Hummel or a member of the Road Commission will go out and physically look at the

road to observe if the process was done correctly or if the emulsion process is finished. He will also check to make sure the cracks were repaired correctly.

Al Svilpe will report back to the board the individual that looked at the road and what the options may be. For now, the Township must give the Road Commission the opportunity to investigate and report back to the board and residents. It was requested that the answers/responses back be in writing

Debbie Hurst, 46141 Finch St., would like clarification as to the lawyer situation.

REPORTS:

Treasurer: Sheri Manning gave the following report: A revenue sharing check recently received for \$61,881. Last day for summer tax collection is Monday, September 16 from 9am-5pm.

Delinquent personal property tax for Championship Construction was asked of Attorney Gary Stewart. It was answered that a law suit has been filed, he has been served and he has defaulted. A judgment has been issued, of which he has 21 days to satisfy that judgment. If nothing is heard, seizure of property will begin.

The Underwood case, on Whiskey Run Road was discussed. The deadline for Mr. Underwood to move his trailers was July 6. The invitations to bid, on removal at the Underwood property, have been prepared and will be posted and published in the paper. The removal will be no later than October 31.

Sheri brought before the board the need for a new hard drive for herself as it is repeatedly having major issues; 2 new computer stations were budgeted for. It was the consensus of the board to replace Sheri's computer.

An update was given to the board in regards to the questionable reduction in personal property tax and the file that was missing, as discussed last month. The file has been located; the assessor had taken it out to satisfy requests made by the County for random audits. Apparently other files were pulled as well as the original one that was missing, due to the random audit requests. Sheri shared that her predecessor told her it had been gone for a while, possibly a year or more. It was curious why the Supervisor did not share this with the board at the last board meeting, if he knew it had been taken by the Assessor previously to meet the County's request, as the Assessor has stated. Per MTA (Michigan Township Association) original files should never be removed from the Township, only copies should be made. This is a procedural issue. Proper guidelines and policy should be in place to monitor this. Authorization should be made by 2 elected officials; 2 signatures should be on all things, in order to protect the Township and elected officials themselves. Sheri was copied on an email that the Assessor had sent to the Michigan Department of Treasury indicating that she is very concerned because she thinks that confidential information was disclosed. Sheri did some research as well, discovering that the personal property tax form distributed to the business owner, by the assessor, is the only form that cannot be made available to the public; any other item is public information. This issue, of policy, will need to be on the next board meeting agenda. A policy regarding non-removal of files from the township hall must be in place. The Supervisor, Clerk, and Treasurer make the immediate decisions, as previously approved by the board, but must be made by 2 of those 3, with 2 signatures on everything.

Trustee: Bill Van Tassel reported on the following: He recently attended the Paw Paw Fire Board meeting. Pre-incident plans were completed by the chief for large events and emergencies. This also falls in line with their efforts to become NIMS compliant, which National Incident Management System, as required by FEMA. At their 6 month mark, 54% of the budget has been used, to date.

Parks and Recreation: Bill explained that the Ducks Unlimited potential situation will have to be put on hold for right now as there are more pressing issues before us.

NEW BUSINESS: The last Farmers Market for the season will be September 28th. The market checking account balance to date is \$1558.66.

1. Senior Services update:

Greg Franciso was in attendance to give the update. Greg was recently appointed by the board to Senior Services as a representative for Almena Township. Greg explained that services for seniors have boomed in this area. Three broad services they offer provide: 1) Social activities for seniors, 2) supportive medical clinics/assistance, and 3) services that allow seniors to stay in their own homes; independent living assistance.

2. Rezoning Request for Parshall:

Mark Roman began by explaining that self-storage facilities do not fall into our zoning, we do not offer any opportunity for them. It may be something to refer to the Planning Commission.

The Planning Commission has recommended to the Township Board to deny the rezoning request by Robert Parshall due to 1) Commercial uses are not consistent with the Master Plans of neither Almena or Oshtemo; and 2) Approval of rezoning would allow for a wide range of commercial uses, which would not be compatible with zoning.

MOTION: Motion by Mark Roman to deny the rezoning request of Robert Parshall as recommended by the Planning Commission, second by Bill Van Tassel. **Motion passed.**

3. Cemetery:

A. Tree removal approval: The bids of 2 tree companies were presented to the board for removal of a dead Chinese Elm tree located on the NW corner of the Cemetery. This must be removed before the remainder of the fence can be installed. The two companies we have received estimates from are: DJ Tree Service with an estimate of \$975, and Handley's Tree Service with an estimate for \$725.

MOTION: Motion by Jim Manning that the board accepts the estimate of Handley's Tree Service for removal of the dead Chinese elm tree at the Almena Cemetery, second by Sandra Rickli. **Motion passed.**

B. Flag pole placement: The cemetery board would like to recommend that a flag be placed at the front of the cemetery by the sign. Sandra has checked into this and it will be a little over \$400 for a flag pole and flag. It was recommended that we wait until next spring, and this can be a budgeted item, as the tree removal was an unexpected expense.

C. Prepayment of cemetery lots: There was discussion, as recommended by the cemetery board that the board considers allowing pre-payment of cemetery lots for living spouses contingent upon the individual being 62 years of age or older and their name to be placed on the headstone with the deceased. The board tabled this to come up with policy wording/language that would be added to the Cemetery Ordinance.

4. Audit report:

The board has received their official report of the 2012-2013 fiscal year audit report as prepared by Siegfried Crandall. The report should be sufficient, but if there are questions they can be asked of Steve Bryor, who conducted the audit.

5. PC/ZBA Secretarial position, consideration of hourly rate: There was discussion brought before the board of potentially paying the PC/ZBA Secretary an additional amount for work outside of coming to the meeting, taking the minutes, and transcribing the minutes. It has become more apparent that the \$60 may not be sufficient, especially if there are notices to prepare, people to notice regarding meetings and packets to prepare, and/or if the meeting gets cancelled for the month. Also, the instance when all the preparatory work was done, but no compensation, due to the meeting being cancelled. It was also shared that money was budgeted in the event that more administrative work might be needed. The Secretary has indicated that she feels she is doing a lot of work, but not really being compensated for it. She did not realize what the job entailed when she accepted the position with the monthly amount being all inclusive for each board. Sandra suggested an hourly amount. Sheri does not agree with an hourly amount, but a flat amount, Mark suggested possibly a flat rate; there was discussion among the board members about it. It was the consensus of the board to contemplate this and a decision will be made at the next board meeting.

6. Request to make of Planning Commission:
There was discussion that possibly the Board should request that the PC take a look at the M-43 corridor, possibly look at a change, a commercial extension or an overlay to encourage appropriate development adjacent to the commercial district as it is.

MOTION: **Motion** by Bill Van Tassel that the Planning Commission revisit the M-43 non-commercial areas and their potential; also to revisit the Township Subdivision Regulations and Road Commission Booklets, **second** by Jim Manning. **Motion approved.**

UNFINISHED BUSINESS

1. Media com Cable Franchise agreement (renewal):
There was brief discussion. The new form was received, as requested, with the municipality name correction of Almena Township. It is a renewal agreement; with all the same terms.
MOTION: **Motion** by Jim Manning to approve the proposed Media Com Cable Franchise Agreement renewal, **second** by Bill Van Tassel. **Motion passed.**

OPEN PUBLIC COMMENT

Juris Kaps, 35420 23rd St. questioned the missing file and the astounding reduction in taxable value of a property. He questioned what is being done to rectify this?
It was answered that we have no further comment at this time, as advised by our attorney. We hope to know more by our next meeting.

ADJOURNMENT

MOTION: **Motion** to adjourn by Jim Manning, **second** by Bill Van Tassel. **Motion passed.** The meeting adjourned at 9:24 pm

ALMENA TOWNSHIP

cc: Township Board (7)
Planning Commission (8)
ZBA (5)
Attorney Kelly Page
Attorney Gary Stewart