

EUREKA CHARTER TOWNSHIP BOARD MINUTES
MONDAY, NOVEMBER 12, 2012
Approved

Supervisor Laura Shears, at the Eureka Township Hall, 9322 S. Greenville Road, Greenville, MI, called the Regular Meeting of the Eureka Charter Township Board to order on November 12, 2012, at 7:00 pm. After the Pledge of Allegiance, roll call found the following Board Members present: Supervisor Laura Shears, Clerk Linda Ruwersma, Treasurer Cindy Hanson, Trustees Rodney Roy, Brian Zayler, Marty Posekany, and Elaine Pendrick. These minutes will not be approved until the December 10, 2012 Regular Board Meeting. The meeting was audio taped.

Approximately 18 others were in attendance including Secretary Renee Fountain, Planning Commission Members Lee Gilman, Linda Weger, Duane Putnam, Michele Bigelow, and Mark Wilkin; Zoning Board of Appeals Member Jeremy Austin; County Commissioner Tom Lindeman, Zoning Official Tom Faussett, and Deputy Justin Schafer.

During the first Public Comment Linda Weger mentioned that the Greenville City Council endorsed a triathlon scheduled for June 1, 2013.

Trustee Pendrick moved, with a second by Trustee Posekany to approve the items on the November 12, 2012 Agenda and the Consent Agenda. Ayes: 7. Nays: 0. Motion carried.

Approving the Consent Agenda included accepting the October 8, 2012 Election Minutes and Board Minutes as written with a correction to the Board Minutes that Treasurer Cindy Hanson was absent for the meeting; and the payment of the bills for October in the amount of \$119,560.93 covering e-bills 256-261 and checks numbering 12855-12902. The Treasurer's report showed an ending balance of \$695,399.20 as of October 31, 2012.

The consent agenda also included the zoning report from Mr. Tom Faussett showing 95 hours for October; the Greenville Transit report showing 222 runs; the Flat River Library report; the Building report showing 5 permits for September and 5 for October; and the fire report showing 2 fires for the month.

Deputies Justin Schafer and Clayton Thomas were assigned to Eureka Township for the month of October. The sheriff report showed a total of 5,072 patrol miles, with 190 patrol hours, 76 traffic stops, 31 traffic citations, 110 property inspections, and 15 arrests.

There was some discussion about the previous mining meetings concerning Mining Ordinance #84. Attorneys Cliff Bloom and Thomas Hitch were present, and Mr. Hitch explained that if the regulations are too aggressive then it will regulate the mining operations out of business. The key concerns are the issues of fencing, sloping, setbacks, topsoil, hours of operation, and complaint only basis. The Board agreed that both attorneys should meet to resolve any issues that are legal in nature and then meet with the Mining Committee to identify key issues needing Board decisions prior to the adoption of the Ordinance.

Trustee Roy moved, with a second by Trustee Posekany to have the two attorneys meet with the Mining Committee and draft the final Ordinance. Ayes: 7. Nays: 0. Motion carried.

Trustee Posekany moved, with a second by Treasure Hanson to retain the service of Bloom Sluggett Morgan PC for the purpose of preparing a draft for a PA425 Agreement for annexation

of the Mersen property for submission to the Township and the City of Greenville. Ayes: 7. Nays: 0. Motion carried.

Trustee Posekany moved, with a second by Trustee Roy to agree to send the approved draft of a PA425 Agreement for annexation of the Mersen property to the City of Greenville for their review and approval. This also will include a Public Hearing January 14, 2013. Ayes: 7. Nays: 0. Motion carried.

The next Montcalm Townships Association Meeting/Dinner hosted by Pine and Douglas Townships will be Tuesday, December 11, 2012, at 7:00pm.

Treasurer Hanson moved, with a second by Trustee Roy to have Trustee Posekany and Trustee Pendrick abstain from voting on the positions for the Planning Commission because of a conflict of interest. Mr. Marty Posekany and Mr. Richard Pendrick both submitted resumes for the position. Motion carried.

Treasurer Hanson moved, with a second by Trustee Posekany to appoint Trustee Rod Roy as the Township Board Liaison for the Planning Commission for a three-year term expiring December 31, 2015. Motion carried.

Clerk Ruwersma moved, with a second by Trustee Zayler to appoint Mr. Thomas Pridgeon to the Planning Commission for a three-year term expiring December 31, 2015. Motion carried.

Clerk Ruwersma moved, with a second by Trustee Roy to appoint Mr. Mark Wilkin to the Planning Commission for a three-year term expiring December 31, 2015. Motion carried.

Treasurer Hanson moved, with a second by Trustee Roy to appoint Mr. Duane Putnam to the Planning Commission. Motion denied.

Clerk Ruwersma then moved, with a second by Trustee Zayler to appoint Mr. Marty Posekany to the Planning Commission for a two-year term, expiring December 31, 2014, finishing the term of Michele Bigelow who will be resigning at the November 19, 2012 Planning Commission Meeting. Motion carried.

Trustee Posekany moved, with a second by Trustee Zayler to appoint Mr. Duane Putnam to the Zoning Board of Appeals for a three-year term, expiring December 31, 2015. Motion carried.

Trustee Pendrick moved, with a second by Trustee Zayler to contract with Greenville Lawn Care for snow removal at the Township Hall for the 2012-13 Season. Ayes: 7. Nays: 0. Motion carried.

Trustee Roy moved, with a second by Trustee Pendrick to approve an amendment to Zoning Ordinance 79, Chapter 2 Definitions, adding the definition ***Adult Dwelling Unit. (ADU) A separate temporary additional living unit subordinate to the principal residence which may include separate kitchen, sleeping, and bathroom facilities attached to the primary residential unit on a single-family lot, and used to care for an aging relative or legal designated dependent. ADU are also known as "mother-in-law apartments"***; Chapter 3 General Provisions, Section 3.7 Main Building or Principal Use adding the following: ***Adult Dwelling Units (ADU)'s are allowed only as regulated under Section 11 of this ordinance.***; Chapter 6 Agricultural Zoning District (AG), Section 6.4 Special Land Uses, adding ***m. Adult Dwelling Unit (ADU)***; Section 6.5 Site Development Requirements, adding the letter ***l. Adult Dwelling Unit (ADU)***, Chapter 7 Residential Zoning Districts, Section 7.2 Residential Zoning Districts, under A.4

adding 1. Adult Dwelling Unit (ADU) and under B.4 adding *k. Adult Dwelling Unit (ADU)* and under C.4 adding *n. Adult Dwelling Unit (ADU)*; and Chapter 11 Special Land Uses, Section 11.4 Specific Standards for Special Land Uses adding the following:

V. Adult Dwelling Unit (ADU)

1. *The ADU is temporary in nature and a relative or legal designated dependent shall be identified as being cared for in this living unit. Once the relative or dependent is no longer residing in the unit the unit shall be returned to the living space of the principal dwelling with any exterior access to the ADU removed.*
2. *ADU's shall be attached to the principal residence and shall be a maximum of 400 sq. ft. with a minimum five (5) foot common wall and 36" clear span door having a 1 ½ hour Fire rating between the principal residence and the ADU, which shall include the attic.*
3. *The ADU shall meet all set back standards for the principal residence.*
4. *The ADU shall appear as part of the principal residence with the same building style and appear as part of the principal residence.*
5. *Annually, the owner of the principal residence shall sign an affidavit stating which relative or legal dependent is currently residing within the ADU. If no one is residing in the ADU it shall be reverted to a room or rooms within the principal residence with any exterior entrances removed.*
6. *The ADU shall not be used as a second residence other than as listed above, and under no circumstances shall the unit be rented.*
7. *Prior to issuance of a Special Use Permit, the owner of the principal residence shall receive approval for any additional water or sewer additions from the Mid-Michigan Health Department, and if the system needs to be expanded, a permit shall be obtained from the Department prior to issuance of the Special Use Permit.*

Ayes: 7. Nays: 0 Motion carried.

Trustee Posekany moved, with a second by Trustee Zayler to approve an amendment to Zoning Ordinance 79, Chapter 17 Private Driveways and Private Roads, Section 17.6 Minimum Standard for Private Roads, A-7 for the wording to be changed from "A letter from the Township attorney *'shall'* to *'may'* accompany this document." Ayes: 7. Nays: 0 Motion carried.

The Roads Meeting between Eureka Township and the Road Commission will be held Monday, November 19, 2012, at 2:00pm, here at the Township Hall.

The Budget Hearing was opened at approximately 8:40pm. After a few comments and discussion about the budget the Hearing was closed at approximately 8:50pm.

Trustee Roy then moved with a second by Trustee Pendrick to approve the Proposed 2013 Budget as presented with no changes. Ayes: 7. Nays: 0. Motion carried.

The Township Christmas Party is scheduled for Monday, December 3, 2012, with appetizers at 6:15pm, and dinner at 6:30pm, at the Eureka Township Hall.

Commissioner Lindeman gave an update concerning County issues including recycling, the recent sheriff millage that did not pass, and police protection in Eureka Township when the sheriff is on vacation.

Zoning Official Faussett gave a big thank-you to Renee Fountain for her job as Eureka Township Secretary. She will be leaving her position on November 21, 2012, and Michele Bigelow will be replacing that position at the Hall.

The Michigan Townships Association Conference will be held in Detroit on January 22, 23, and 24, 2013. Those interested in attending will need to tell the Clerk by December 6, 2012.

A letter will be sent to Connie Redding from the Kent Conservation District stating that Eureka Township will serve on a Project Steering Committee, which will meet approximately eight times over two years, concerning the Flat River Watershed Planning Project.

During Board Member Comments Treasurer Hanson stated that she will be inviting Deputy Treasurer Harriet Lillie to the December 10 Board Meeting to honor her for her 30-plus years of service with Eureka Township.

Supervisor Shears thanked both Trustee Marty Posekany and Trustee Brian Zayler for their last four years of service on the Board, as this was their last meeting.

Supervisor Shears adjourned the meeting at approximately 9:10pm.

Linda J. Ruwersma, CMC
Eureka Charter Township Clerk
November 15, 2012