

EUREKA CHARTER TOWNSHIP BOARD MINUTES
MONDAY, FEBRUARY 13, 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 February 13, 2012, at 7:00 pm. After the Pledge of Allegiance, roll call found the following Board Members present: Supervisor Laura Shears, Clerk Linda Ruwersma, Trustees Rodney Roy, Marty Posekany, Elaine Pendrick, and Brian Zayler. Treasurer Cindy Hanson was absent. These minutes will not be approved until the March 12, 2012 Regular Board Meeting. The meeting was audio taped.

Approximately five others were in attendance including Deputy Kevin Germain, Planning Commission Members Mark Wilkin and Linda Weger, Deputy Clerk/secretary Renee Fountain, and County Commissioner Tom Lindeman.

During the Public Comment Deputy Germain stated that the man who robbed Huntington Bank has been arraigned. County Commissioner Lindeman stated that the County is adding a correction officer to the jail.

Mr. Posekany moved, with a second by Mrs. Pendrick to approve the February 13 Consent Agenda. Ayes: 6. Nays: 0. Motion carried.

Approving the Consent Agenda included accepting the January 9, 2012 Board Minutes as written. It also approved the Treasurer's report submitted with an ending balance of \$582,202.28 as of January 31, 2012; and the payment of the bill paid in February in the amount of \$32,331.96 covering e-bills 184-191 and checks numbering 12427-12474.

Also in the consent agenda was the zoning report from Mr. Tom Faussett showing 89 hours for January; the Greenville Transit report showing 215 runs; the Building report showing 1 permit for December. There was no fire report.

Deputies Kevin Germain and Doug Houser were assigned to Eureka Township for the month of January. The sheriff report showed a total of 2,083 patrol miles, with 80.5 patrol hours, 15 traffic stops, 7 traffic citations, 62 property inspections, and 5 arrests.

Mr. Roy moved, with a second by Mr. Posekany allow Mr. Wilkin to get 3 bids for the construction of a pavilion with cement flooring on the Township's property west of the building; and also to check into getting some picnic table made by the students in their class at Greenville High School. Motion carried.

The February Montcalm Townships Association Meeting/Dinner hosted by Day and Ferris Townships is scheduled for Tuesday, February 21, 2012, at 7:00pm. Montcalm Townships Association has proposed to hold their dinner/meetings bimonthly instead of monthly for 2012. It will be decided at the February 21, 2012 Meeting.

Planning Commission Member Mike Blanding will be moving from the Township in a few months. A notice will be put in the paper seeking applications to fill this position.

Mr. Posekany moved, with a second by Mr. Roy to amend Ordinance #22 Junk Yard, Section 2.0 Issuance of License from being due on Jan1st of each year to ***January 15 of each year***, and also amending Section 8.0 Penalty to read as follows: ***Any person, firm or corporation who violates any of the provisions of this Ordinance shall be deemed guilty of a municipal civil infraction. The amount of fines shall be set annually by the Eureka Charter Township Board, at the discretion of the Court and in addition to all other costs, damages and expenses provided by law. For purposes of this Section, "subsequent offense" means a violation of the provisions of this Ordinance committed by the same person within 12 months of a previous violation of the same provision of this Ordinance for which said person admitted responsibility or was adjudicated to be responsible; provided, however, that offenses committed on subsequent days within a period of one week following the issuance of a citation for a first offense shall all be considered separate first offenses.***

Ayes: 6. Nays: 0. Motion carried.

Mr. Roy moved, with a second by Mrs. Pendrick to amend Ordinance #26 Outdoor Gathering, Section 4.0 Application for License to read as follows: ***Each application shall be accompanied by a nonrefundable fee established annually by the township board.*** Also Section 12.0 Violations to read as follows: ***Any person, firm or corporation who violates any of the provisions of this Ordinance shall be deemed guilty of a municipal civil infraction. The amount of fines shall be set annually by the Eureka Charter Township Board, at the discretion of the Court and in addition to all other costs, damages and expenses provided by law. For purposes of this Section, "subsequent offense" means a violation of the provisions of this Ordinance committed by the same person within 12 months of a previous violation of the same provision of this Ordinance for which said person admitted responsibility or was adjudicated to be responsible; provided, however, that offenses committed on subsequent days within a period of one week following the issuance of a citation for a first offense shall all be considered separate first offenses.***

Ayes: 6. Nays: 0. Motion carried.

Mr. Zayler moved, with a second by Mr. Roy to revoke Ordinance #30-A Anti-Noise. Ayes: 6. Nays: 0. Motion carried.

Mr. Roy moved, with a second by Mrs. Pendrick to amend Ordinance #30 Anti-Noise and Public Nuisance Ordinance, Section 5.0 Penalties to read as follows: ***Any person, firm or corporation who violates any of the provisions of this Ordinance shall be deemed guilty of a municipal civil infraction. The amount of fines shall be set annually by the Eureka Charter Township Board, at the discretion of the Court and in addition to all other costs, damages and expenses provided by law. For purposes of this Section, "subsequent offense" means a violation of the provisions of this Ordinance committed by the same person within 12 months of a previous violation of the same provision of this Ordinance for which said person admitted responsibility or was adjudicated to be responsible; provided, however, that offenses committed on***

subsequent days within a period of one week following the issuance of a citation for a first offense shall all be considered separate first offenses.

Ayes: 6. Nays: 0. Motion carried.

Mrs. Pendrick moved, with a second by Mr. Zayler to amend Ordinance #78-A Land Division and Lot Line Adjustment, Section 7.0 Penalties and Other Remedies to read as follows: ***B. Any person, firm or corporation who violates any of the provisions of this Ordinance shall be deemed guilty of a municipal civil infraction. The amount of fines shall be set annually by the Eureka Charter Township Board, at the discretion of the Court and in addition to all other costs, damages and expenses provided by law. For purposes of this Section, “subsequent offense” means a violation of the provisions of this Ordinance committed by the same person within 12 months of a previous violation of the same provision of this Ordinance for which said person admitted responsibility or was adjudicated to be responsible; provided, however, that offenses committed on subsequent days within a period of one week following the issuance of a citation for a first offense shall all be considered separate first offense.***

Ayes: 6. Nays: 0. Motion carried.

There was much discussion about the Eureka Charter Township Regulatory Ordinance #84 Mining. A draft copy was distributed for the Board to review and bring back with suggestions concerning the purpose, licensing, and fees of the ordinance.

Mr. Posekany moved, with a second by Mr. Roy to approve sending the Eureka Charter Township Regulatory Ordinance #84 Mining back to the Planning Commission for further review and added information. Ayes: 6. Nays: 0. Motion carried.

During the Second Public Comment Clerk Ruwersma mentioned that the Presidential Primary Election will be held February 28, 2012, at the Township Hall for Eureka Township Residents.

Supervisor Shears adjourned the meeting at approximately 7:50pm.

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

