

**EUREKA CHARTER TOWNSHIP BOARD MINUTES
MONDAY, APRIL 13, 2009**

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 April 13, 2009, 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, Brian Zayler, Marty Posekany, and Elaine Pendrick. Treasurer Cindy Hanson was late, arriving at 7:38 pm. These minutes will not be approved until the May 11, 2009 Regular Board Meeting. Approximately 16 others were in attendance. The meeting was audio taped.

At the First Public Comment, County Commissioner Tom Lindeman gave a brief update concerning the animal control issue. He anticipates a full crowd of animal rights people in attendance at the County meeting on April 27 at the Courthouse. Recycling is Tuesday, April 14, at Grattan Academy and the Hazardous Waste drop off is at the Montcalm County Fairgrounds on Saturday, April 25, 2009.

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

Approving the consent agenda included accepting the March 9, 2009 Board Minutes as written and the Treasurer's Report as submitted with an ending balance of \$372,474.29 as of March 31, 2009; paying the bills totaling \$58,826.30 with checks numbering 10941 through 10993, voiding check #10989. Also in the consent agenda was the zoning report from Mr. Tom Faussett showing 99.5 hours for the month of March. A fire report showed 11 calls and the Greenville Transit report showed 290 rides for March. Deputies John Hannon and Michael Kotenko were assigned to Eureka Township for the month and the sheriff report showed a total of 3,011 patrol miles, with 245 patrol hours, 37 traffic stops, 20 traffic citations, 76 property inspections, and 4 arrests.

Zoning Administrator Tom Faussett reported that there is a Public Hearing set for the April 15 Planning Commission Meeting to receive comments on an application for a Special Use Permit from Greenville Family Worship Center to operate a place of worship in a General Commercial Zoning District.

Library Representative Cindy Lillie gave a brief Flat River Library report stating that the penal fines for January were \$33,001.57 and \$36,279.24 for February. The Library Board was pleasantly surprised when they received a donation of \$100,000.00 from the Ray Tower Estate. Lisa Day and Jim Beckman are in charge of best managing the gift to not only honor the Tower family, but also to put it to good use for the Library. No building report was available from the County.

Mr. Dale Linton and Mr. Mark Christensen from the Road Commission for Montcalm County were present to explain salt stabilization to the Board at Trustee Posekany's request. After Superintendent Christensen introduced himself, he stated that the salt

stabilization is only good for one year during the summer months. It is placed on the heavily traveled dirt roads to help with chatter bumps and dust control, and is the most cost effective way to treat a gravel road. The salt binds the sand and stones together and makes a hard surface. The salt remains in the top four inches of the road and is reactivated when the road is graded. According to the DEQ the salt has no long term effect on the environment and when applied is less than what is put on icy roads in the winter. He also handed out additional road contracts that will be discussed next month and asked for the road liaison to be an elected official from the Eureka Township Board instead of a member of a Road Committee.

Mrs. Ruwersma moved, with a second by Mr. Roy to contract with the RCMC to salt stabilize Berridge Road from South County Line Road North to pavement (1.9 miles) for \$2,020.00. Ayes: 6. Nays: 0. Motion carried.

Mrs. Pendrick moved, with a second by Mr. Roy to contract with the RCMC to salt stabilize South County Line Road from M91 to Berridge Road (2.5 miles) for \$5,050.00. Ayes: 6. Nays: 0. Motion carried.

Mr. Roy moved, with a second by Mrs. Pendrick to contract with the RCMC to gravel resurface Jenks Road from M91 to Stakes Road (.5 mile) for \$6,624.00. Ayes: 6. Nays: 0. Motion carried.

Mr. Posekany moved, with a second by Mr. Zayler to contract with the RCMC to gravel resurface River Road from South County Line Road North to pavement (.75 mile) for \$9,897.00. Ayes: 6. Nays: 0. Motion carried.

Mr. Zayler moved, with a second by Mr. Roy to contract with the RCMC to gravel resurface Youngman Road from Baker Road to South County Line Road (2 miles) for \$26,496.00. Ayes: 6. Nays: 0. Motion carried.

The Road Committee will look over the Road list given tonight by the RCMC and will bring it before the Board for discussion next month.

The next Montcalm Township Association Meeting/Dinner will be held on Tuesday, April 21, 2009, at the new time of 6:30 pm, at the Montcalm Township Complex. This will be the Annual Meeting and an auction is scheduled. They are asking for an auction item from each township and are also asking for each person to bring a food pantry donation. Any reservations made after April 15 will be \$12.50 instead of \$9.50. Trustee Posekany volunteered to go to the City Council Meeting that night instead of attending the banquet.

Sandy Carlton from the Montcalm Citizens for Animal Welfare and Concerned Citizens Coalition of Montcalm County was scheduled at this time to give a presentation, but did not show up.

Treasurer Hanson arrived at this time being 7:38 pm.

After a lengthy discussion Mr. Roy moved, with a second by Mr. Zayler to send Zoning Ordinance #79 Section 3.8 Accessory Buildings, Structures and Uses, back to the Planning Commission to hold a Public Hearing to entertain public comment concerning A3 that states accessory buildings shall not be permitted on a lot or parcel which does not have a principal building on it. Ayes: 7. Nays: 0. Motion carried.

Treasurer Hanson explained the Hall Rental Policy to the Board. After some discussion, Mr. Posekany moved, with a second by Mr. Zayler to set the hall rental fee at \$75.00 for residents, \$150.00 for non-residents, with a \$50.00 kitchen fee and a deposit of \$250.00, which will be returned if the building is left in an acceptable way. The fee schedule will determine the fees and deposit for the hall rental in the future. Ayes: 7. Nays: 0. Motion carried.

Mr. Zayler moved, with a second by Mr. Roy to approve the said Rental Hall Policy with a few additions and changes such as no pets, the kitchen being a warming kitchen only, and that only small candles on cakes will be allowed to be burned. Ayes: 7. Nays: 0. Motion carried.

Mr. Posekany moved, with a second by Mrs. Pendrick to approve that no one be paid for Committee meetings in the future and mileage reimbursement will only be paid if the volunteers travel more than 30 miles one way for a meeting. This will include all Committee Meetings such as Library, Planning Commission, etc. A policy will be discussed next month. Motion carried.

Mr. Zayler moved, with a second by Mr. Roy to seek legal advice concerning how long audio tapes from the taped Board Meetings should be kept and what kind of a tape policy should be put in place. This will be discussed next month. Motion carried.

Mr. Zayler moved, with a second by Mrs. Pendrick to leave Zoning Ordinance 79, Chapter 18, as it is and send it back to the Planning Commission to remove the permits and fees. Ayes: 6. Nays: 1, Hanson. Motion carried. With the motion made by Mr. Zayler being out of order because the Board cannot dictate what the Planning Commission decides, a new motion was needed and the previous motion is void.

Mrs. Hanson then moved, with a second by Mr. Zayler to move Chapter 18 out of Zoning Ordinance 79, and to adopt it as a separate Regulatory Ordinance. Ayes: 7. Nays: 0. Motion carried.

Mr. Zayler then moved, with a second by Mrs. Ruwersma to set a Public Hearing for May 11, 2009, to revise the new Regulatory Ordinance #80 Home Based Business. Ayes: 7. Nays: 0. Motion carried.

After Zoning Administrator Faussett demonstrated the County GIS System, Mr. Roy moved, with a second by Mrs. Pendrick to approve the purchase of the Montcalm County's GIS system for the basic service charge of \$1,100.00. This would be for the

Eureka Township Zoning Administrator and Assessor to use and will come out of their budget. It will help them gather information quickly concerning buildings, parcel size, and land use in the township. Mr. Faussett will draw up a contract with the County which will include the rights to purchase color maps for the first three years after purchase for \$15.00 each. Ayes: 7. Nays: 0. Motion carried.

Mrs. Ruwersma moved, with a second by Mrs. Hanson to approve to hold a Public Hearing to entertain public comment to remove “the requirement to ban open burning on lots 1,400 ft. or closer from the City limits” from Amendment to Ordinance 25, Article VII, Sections 4A.4 and 5B. Ayes: 7. Nays: 0. Motion carried. At this time approximately 280 parcels are affected by the ordinance and would not be able to get a burning permit. Mr. Faussett checked on line during the meeting to see if there was a State law on this and found that if there is an Ordinance for the local entity in effect, then no ban would be required.

During the Second Public Comment, Mr. Les Lillie stated that the committee wage of \$25.00 needed to be taken out of the fee schedule if the Township is no longer paying for committee meetings. Supervisor Shears said she was aware of that and it would be taken care of. He also was not happy about paying the deposit fee of \$20.00 for a FOIA request he made for the meeting tapes last month because the deposit fee was not on the fee schedule. Supervisor Shears said she would also take care of that. Mr. Lillie also asked if all the Board Members have a copy of the Purchasing and Bid Policy. All of the Board Members did not have a copy of the Eureka Township Purchasing and Bid Policy and the Clerk will make sure each one obtains a copy. He stated that when he was the acting Supervisor for Eureka Township that he had the authority to approve Dan Kent to install the conduit for the Township Hall and the Board did not need to approve it again last month. He wants it on record that he had the authority to approve the installation of the conduit according to the Eureka Township Purchasing and Bid Policy. According to the Purchasing and Bid Policy, Mr. Lillie as Supervisor had the right to purchase routine purchases up to \$2,000.00. Supervisor Shears stated at the March Meeting that the reason the installation of the conduit was approved last month was because she felt that this was not routine and should have been part of the building construction that was going on, which was under contract at the time. According to the Purchasing and Bid Policy something of this matter needed to be approved by the Board and that was done so at the March 9, 2009 Board Meeting.

The Township Cleanup Day is scheduled for Saturday, May 9, 2009. The West Michigan Strategic Alliance membership payment is due and this will be discussed next month. Supervisor Shears stated that she will bring quotes for garbage collection rates for township residents to purchase garbage pickup on their own. This will not be considered a Township wide trash pick up. With no other comments, Supervisor Shears adjourned the meeting at approximately 9:18 pm.

Linda J. Ruwersma, CMC
Eureka Charter Township Clerk
April 23, 2009

