

**EUREKA CHARTER TOWNSHIP BOARD MINUTES
MONDAY, MARCH 9, 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 March 9, 2009, 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 April 13, 2009 Regular Board Meeting. Approximately 15 others were in attendance. The meeting was audio taped. Zoning Administrator Tom Faussett and City Council Member Corey Smith were also in attendance. The new tables were set up and used in a U-shape tonight for the first time.

At the First Public Comment, Mark Wilkin stated he was checking into writing grants for the Township. This will be discussed later in the evening. County Commissioner Tom Lindeman gave a brief update concerning County issues. He stated there will soon be an animal transit system for Montcalm County residents to send their pets to C-SNIP in Kentwood, to get their animals sprayed and neutered. Federal approval was granted to euthanize animals and the County recently received certification to begin euthanizing animals. They will purchase the substance to do this in the near future. On April 13, at 3:00pm, the County will host an Open Meetings Act presentation for any interested Board members. He also stated that an old ambulance is for sale.

Mr. Roy moved, with a second by Mr. Posekany to approve the March 9 Consent Agenda with an adjustment to the bill listing. Ayes: 7. Nays: 0. Motion carried.

Approving the consent agenda included accepting the February 9, 2009 Board Minutes as written and the Treasurer's Report as submitted with an ending balance of \$396,932.61 as of February 28, 2009; paying the bills totaling \$71,346.43 with checks numbering 10894 through 10939, omitting check numbers 10912. Also in the consent agenda was the zoning report from Mr. Tom Faussett showing 73.5 hours for the month of February. A fire report showed 8 calls and the Greenville Transit report showed 185 rides for February.

Zoning Administrator Tom Faussett reported that there is a Public Hearings set for the March 18 Planning Commission Meeting concerning the Home Based Business Ordinance 79 Chapter 18. He stated that the concern is the grandfather clause requirements for zoning ordinances which would exempt certain businesses in the Township from being required to obtain a permit. The Public Hearing is to review removing the ordinance from Zoning Ordinance 79 and to place it as a separate regulatory ordinance outside of zoning.

Library Representative Ann Roberts gave a brief Flat River Library report stating penal fines for January were unavailable. No building report was available from the County.

Treasurer Hanson explained the Hall Rental Policy to the Board. She is on the Hall Rental Policy Committee along with Trustee Pendrick, Joyce Sage, and Steve Klackle. They met twice and gathered information from other townships and rental facilities.

Mrs. Pendrick moved, with a second by Mr. Zayler to allow Town and County Animal Clinic to rent the Hall Meeting Room monthly for \$50.00, with \$100.00 deposit if they choose to continue using the Township's facility. Ayes: 7. Nays: 0. Motion carried. Clerk Ruwersma will notify them about the decision.

Mrs. Hanson moved, with a second by Mr. Roy to not make a decision about the Rental Policy tonight but bring it back next month for approval. Motion carried.

Deputies John Hannon and Michael Kottenko were assigned to Eureka Township for the month and the sheriff report showed a total of 2,652 patrol miles, with 250 patrol hours, 30 traffic stops, 8 traffic citations, 59 property inspections, and 7 arrests.

Carolyn Kane presented information again about the West Michigan Trails & Greenways Coalition in Comstock Park. She was asking the Board for a letter of support in regards to its efforts to convert the local railroad corridors into trails. The letter of support would go on file and be shown at a later date when asking for funds or grants. Years ago the City did not support this effort so the Eureka Board did not support this either for fear there would be a need for the railroad to begin operation again in the future. Councilmember Corey Smith stated that they have not contacted the City about this issue yet. Twelve of the sixteen governmental units along the rail trail have sent letters of support for the Rail-Trail Project.

Mr. Roy moved, with a second by Mrs. Hanson to send a letter of support for the West Michigan Trails Project. Ayes: 1, Roy. Nays: 6. Motion denied. The Board will not send a letter of support at this time, but will wait to see what the City will do.

The next Montcalm Township Association Meeting/Dinner hosted by Home and Richland Townships will be held on Tuesday, March 17, 2009, at 7:00 pm, at the Vestaburg Church of Christ in Vestaburg. "An evening with the Old Fence Rider" will be presented.

Supervisor Shears opened the Public Hearing at approximately 7:50pm to entertain public comment concerning the amendment to Ordinance #25 Fire Prevention. Zoning Administrator Faussett explained the changes and answered questions for the Board and the public. The hearing was closed at approximately 8:00pm.

Mr. Roy moved, with a second by Mr. Zayler to approve the Amendment to Ordinance #25, Fire Prevention, Article VII, adding Sections 1-4. Ayes: 7. Nays: 0. Motion carried.

Supervisor Shears announced that she will be signing the contract with AT&T concerning the Metro Act Right of Way Permit Extension. The extension is for a term to end on December 31, 2010.

There was some discussion about having Mark Wilkin be the Grant writer for the township. He has been working on an application for a grant at this time. Wages were discussed along with the option of it being a volunteer position. With the Township not having extra funds, Trustee Pendrick moved with a second by Mr. Zayler to hold off on any grant writings at this time. Motion carried.

Clerk Ruwersma reported that budget cuts were made in the Remonumentation Program. The corners that were approved by the Board for 2009 were J5, K5, L5, J6, K6, and J7. Because of the budget cut the township will only be able to have 3 ½ corners completed.

Mrs. Hanson moved, with a second by Mr. Roy to have Tingley & Associates survey the following corners in the Remonumentation Program: J5, J7, and K6, and to not purchase J6 for \$400.00 but allow the Remonumentation to use the half corner money for future research. Ayes: 7. Nays: 0. Motion carried. An updated map showing the completed corners will be sent soon.

Mrs. Pendrick moved, with a second by Mrs. Hanson to approve an addition of 2" conduit previously installed for a future sign at the entrance of the Township Hall costing \$1,450.00. Ayes: 7. Nays: 0. Motion carried. This was previously approved by Supervisor Lillie, but was not voted on by the Board.

Mrs. Hanson moved, with a second by Mrs. Pendrick to approve to pay Dan Kent \$1,750.00 for the installation of three lights for the parking lot; to receive credit for the following: light and pole, lights, an outlet, floor heaters, and aluminum grills totaling \$770.00; bringing the total amount due to Mr. Kent at \$980.00 after the installation of the lights is complete. Ayes: 7. Nays: 0. Motion carried.

Mr. Zayler moved, with a second by Mrs. Pendrick to approve the amount of \$5,730.00 to be held until the list of unfinished items provided by Zoning Administrator Faussett is completed. Some of the work cannot be completed until warmer weather arrives. The deadline for completion is May 15, 2009. Ayes: 7. Nays: 0. Motion carried.

Mrs. Pendrick moved, with a second by Mr. Roy to pay Dan Kent the remaining \$51,394.37 of the contracted amount, less the \$5,730.00 being held out until work on the close out list is completed. See attached form. Ayes: 7. Nays: 0. Motion carried.

Mrs. Hanson moved, with a second by Mrs. Ruwersma to approve the installation of two way finding signs shared by Eureka Township and the Grattan Academy located in the MDOT right of way, if the Academy agrees to pay the cost for construction and installation of the signs. The Academy has had problems for years with the public not familiar with its location on Jordan Road. Motion carried.

Mr. Roy moved, with a second by Mr. Posekany to wait and discuss the current road projects for 2009 at the April Meeting. Supervisor Shears will ask Mr. Dale Linton to attend next month's meeting to explain salt stabilization to the Board at Trustee Posekany's request. Motion carried.

Mr. Roy moved, with a second by Mrs. Pendrick to accept the recommendation from the Planning Commission to amend Zoning Ordinance #79, Chapter 3 General Provisions, Section 3.14 Seasonal Sales, to be effective April 12, 2009. Ayes: 7. Nays: 0. Motion carried.

Mrs. Hanson moved, with a second by Mr. Zayler to accept the recommendation from the Planning Commission to amend Zoning Ordinance #79, Chapter 8 Commercial Districts, New Retail Merchandise Sales be added as a Special Land Use in the Rural Commercial Zoning District in Section 8.3, Permitted and Special Uses, Item #35 New retail merchandise sales conducted entirely within an enclosed building and limited to new merchandise. This will be effective April 17, 2009. Ayes: 6, Nays: 1, Shears. Motion carried.

Mr. Roy moved, with a second by Mrs. Pendrick to accept the recommendation from the Planning Commission to amend Zoning Ordinance #79, adding Chapter 19 Administration and Enforcement, to be effective April 12, 2009. Ayes: 7. Nays: 0. Motion carried.

Supervisor Shears announced that Mr. Duane Putnam was selected to continue being Chair of the Planning Commission, with Mr. Lee Gilman selected as Vice-chair, and Mrs. Candace Larkin continuing as Secretary.

During the Second Public Comment, Deb Carnahan asked if larger items will be picked up during the Township Cleanup Day, May 9, like in the past. She will run an ad on the cable channel to recruit volunteers for this.

Mr. Roy moved, with a second by Mrs. Pendrick to accept the recommendation from the Clerk for the following line item adjustments for the 2008 Budget:

Township Board	\$7,200.00
Contingency	-700.00
Treasurer Expense	1,000.00
Elections	4,500.00
Township Hall Expense	4,200.00
Cemetery	1,600.00
Fire Department	-26,800.00
Planning Department	6,300.00
Uncategorized Expense	2,700.00

Ayes: 7. Nays: 0. Motion carried.

Mr. Posekany moved, with a second by Mr. Zayler to approve to add separate alarm system codes for each individual entering the Township Hall for an additional \$10.00

monthly through Engineered Protection Systems. Deputy Kottenko asked if an additional code could be added for any other deputies on duty. He also suggested that the deputies be called first instead of other individuals. Ayes: 7. Nays: 0. Motion carried.

The Board agreed that those serving on different committee meetings will not be paid but will be considered volunteers. A policy will be discussed next month.

Trustee Roy volunteered to attend the March 17 City Council Meeting. Hazardous Waste will be at the Montcalm County Fair Grounds on April 25, 2009, from 9a-2p. Treasurer Hanson and Shawn Decker will be the recording secretaries for the upcoming Board of Review.

Supervisor Shears adjourned the meeting at approximately 9:53 pm.

Linda J. Ruwersma, CMC
Eureka Charter Township Clerk
March 17, 2009

TOWNSHIP HALL ADDITION CONTRACT

<u>PROGRESS APPLICATION #</u>	<u>DATE</u>	<u>AMOUNT</u>
1	6/9/2008 #52308	\$19,699.48
2	6/26/2008 #62608	\$58,355.41
3	7/23/2008 #702	\$69,380.40
4	8/25/2008 #825	<u>\$65,008.34</u>
Subtotal Paid to Date:		\$212,443.63
Original Contract Amount		\$272,250.00
Deducts Prior to Contract Award		<u>-\$23,775.00</u>
Revised Contract Amt. Approved by Board 7/21/08		\$248,475.00
C.O. 1 Value Engineering Deducts approved by Board 7/21/08		-\$10,800.00
C.O. 1 Additions approved by Board 7/21/08		\$17,577.00
Addition not yet approved by Board (2" conduit for future sign at entrance		\$1,450.00
Additions approved by Board 8/11/08		\$2,300.00
Additions approved by Board 1/12/09		<u>\$4,836.00</u>
Total Contract Amount		<u>\$263,838.00</u>
Amount Remaining to be Paid to Dan Kent once Punch & Close-out completed		\$51,394.37
Additions approved by Board at 3/9/09 meeting - lighting		\$1,750.00
Credits approved by Board at 3/9/09 meeting		<u>-\$770.00</u>
Additional payment approved by Board at 3/9/09 meeting		<u>\$980.00</u>
NEW CONTRACT TOTAL 3/9/09		\$264,818.00
FINAL AMOUNT APPROVED TO PAY DAN KENT		\$52,374.37
AMOUNT TO HOLD UNTIL COMPLETION OF WORK		<u>-\$5,730.00</u>
AMOUNT APPROVED TO PAY DAN KENT ON 3/9/09		\$46,644.37