

**EUREKA CHARTER TOWNSHIP BOARD MINUTES
MONDAY, JANUARY 12, 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 January 12, 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 February 9, 2009 Regular Board Meeting. Approximately 20 others were in attendance. The meeting was audio taped. Zoning Administrator Tom Faussett and Assessor Linda Miller were also in attendance.

At the First Public Comment, County Commissioner Tom Lindeman stated that the mistreatment of dogs in Montcalm County has made national news. The County plans to have the occupancy permits posted on the internet and Zoning Administrator Faussett will be able to access the information he needs.

Mr. Roy moved, with a second by Mrs. Pendrick to approve the December 8, 2008 Board Minutes as written from the Consent Agenda. Ayes: 7. Nays: 0. Motion carried.

Approving the consent agenda included accepting the Treasurer's Report as submitted with an ending balance of \$467,184.67 as of December 31, 2008, and paying the bills totaling \$44,091.86 with checks numbering 10792 through 10839. Also in the consent agenda was the zoning report from Mr. Tom Faussett showing 91 hours for the month of December. Deputies John Hannon and Michael Kotenko were assigned to Eureka Township for the month and the sheriff report showed a total of 3,736 patrol miles, with 346.5 patrol hours, 32 traffic stops, 13 traffic citations, 135 property inspections, and 3 arrests. A fire report showed 6 calls for the month. The Greenville Transit report showed 346 rides for December. Library Representative Cindy Lillie gave a brief Flat River Library report. There was no building report from the County.

Mr. Roy moved, with a second by Mr. Posekany to pay bills and refunds from the end of December that were not included in the December bill list at the December meeting totaling \$1,376.83 with checks numbering 10765 through 10791. Ayes: 7. Nays: 0. Motion carried.

Supervisor Shears asked Trustees Posekany, Zayler, and Pendrick to check with other townships in the area about how they handle home-based businesses. The responses were discussed with most of the townships not responding and if they did the fee was minimal.

Mr. Roy moved, with a second by Mrs. Hanson to continue to leave the approving of Ordinances with the Planning Commission and their sub-committees, but also to advertize in the paper seeking help from those interested in helping to write the ordinances. Ayes: 7. Nays: 0. Motion carried.

Mr. Posekany moved, with a second by Mrs. Pendrick to approve the additional cost submitted by Dan Kent Construction for \$4,836.00 for extra work done at the Township Hall. The cost of \$2,300.00 for grinding the foundation was approved in August, bringing the total yet to pay to Dan Kent Construction at \$7,136.00. Ayes: 7. Nays: 0. Motion carried. Supervisor Shears stated that Mr. Kent would not be paid until the punch list is approved by her and Mr. Faussett. Mr. Dan Kent wrote that he hoped to be complete by January 16, 2009.

The next Montcalm Township Association Meeting/Dinner hosted by Reynolds and Winfield Townships will be held on Tuesday, January 20, 2009, at 7:00 pm, at the Bethel Lutheran Church in Edmore.

The Board decided by private vote (which were each announced publicly during each tally) on the following Township positions with all applicants being recommended by Supervisor Shears:

Planning Commission (two positions) for term ending December 31, 2011, Joyce Sage received 5 votes, Shawn Decker 3 votes, Mark Wilkin 2 votes, and Peter Hanson 2 votes. Treasurer Hanson abstained from voting. Sage and Decker were appointed to the Planning Commission.

Board of Review (three positions plus two alternates) for a two year term ending December 31, 2010, Lee Gilman received 6 votes, Joshua Almas 6 votes, Steve Elenbaas 4 votes, Mark Wilkin 4 votes, and Shawn Decker 1 vote. Another vote was taken to break the tie between Elenbaas and Wilkin with Elenbaas receiving 4 votes and Wilkins 3 votes. Gilman, Almas, and Elenbaas were appointed to the Board of Review with Wilkin as the 1st Alternate and Decker as the 2nd Alternate.

Zoning Board of Appeals (two positions) for alternating years, Duane Putnam received 5 votes, Jon Town 4 votes, Dick Pendrick 3 votes, with Shawn Decker and Joshua Almas each receiving zero votes. Putnam was appointed to the ZBA for a term ending December 31, 2009, when his term as Planning Commission expires. Town was appointed with his term ending December 31, 2011. Trustee Brian Zayler agreed to continue as the Board Member on the ZBA. Another vote for the ZBA Alternates was between Almas receiving 6 votes, Pendrick 5 votes, and Decker 1 vote. Joshua Almas was appointed as the ZBA 1st Alternate with the term ending December 31, 2011, and Richard Pendrick as 2nd Alternate with term ending December 31, 2010. Trustee Elaine Pendrick abstained from voting for the ZBA positions.

Flat River Community Library Board (one position) for a four year term ending December 31, 2012, Cindy Lillie received 4 votes and Maureen Burns 3 votes. Cindy Lillie was appointed as the Eureka Township representative to the Flat River Community Library Board.

Mr. Zayler moved, with a second by Mrs. Pendrick to leave the procedure for updating the Master Plan as it has been in the past by the Planning Commission, bringing the updates to the Township Board for the final approval. The Board is not to hold up the Planning Commission in any way. Ayes: 7. Nays: 0. Motion carried.

Mr. Roy moved, with a second by Mrs. Hanson to approve the following attorneys for the Fiscal Year 2009: (1) Richard Palmer, (2) Jim Thrall, (3) Bauckham, Sparks, Rolfe, Lohrstorfer, Thall, PC and (4) Law, Weathers & Richardson, PC. Ayes: 7. Nays: 0. Motion carried.

Mr. Posekany moved, with a second by Mr. Roy to adopt the Swimming Pool Ordinance as suggested by the Planning Commission. This would amend Ordinance Number 46 and would not pertain to temporary swimming pools. Ayes: 7. Nays: 0. Motion carried.

Mr. Zayler moved to not approve churches with Special Use Permits in General Commercial and Rural Commercial zoning districts. With no second to his motion, the motion was dropped. Mrs. Hanson then moved, with a second by Mrs. Pendrick to approve churches with Special Use Permits in General Commercial and Rural Commercial zoning districts. Ayes: 5. Nays: 2, Zayler and Posekany. Motion carried.

The Board decided that an Ordinance for the gathering of less than 5,000 people was not necessary for Eureka Township.

Mrs. Hanson moved, with a second by Mrs. Pendrick to approve Secretary Deb Carnahan to work up to eight extra hours a week to help Zoning Administrator Faussett get files purged at the Township Hall. Ayes: 7. Nays: 0. Motion carried.

Mrs. Hanson moved, with a second by Mr. Roy for any Board of Review Member to go to training either at an MTA class or the one offered by Mecosta County or both, all being conducted in February. Ayes: 7. Nays: 0. Motion carried.

Mr. Roy moved, with a second by Mrs. Ruwersma for Treasurer Hanson to form a flag committee and purchase material to make a Eureka Charter Township flag for the MTA Conference in January. Trustee Elaine Pendrick will walk with it in the Parade of Flags on Wednesday, January 28, 2009 in Detroit. Motion carried. Different pictures and ideas were discussed.

During the second Public Comment, Harry German questioned the Board of Review (BOR) about being in violation of the Open Meetings Act. It seems a mistake was made on his form and he was not present to be able to clarify the problem. Commissioner Tom Lindeman stated to Mr. German that he was a past Chair of the BOR and explained how the sessions are conducted. Assessor Miller and BOR member Lee Gilman also commented on how the meetings are open to the public and posted. It seems there was a misunderstanding how the meetings were advertised and that Mr. German was welcome to stay as long as he wanted to at any meeting.

Mr. Roy moved, with a second by Mrs. Pendrick to approve the General Appropriations Act for Eureka Township for 2009. Ayes: 7. Nays: 0. Motion carried.

Mrs. Ruwersma moved, with a second by Mr. Roy to approve for any newly appointed members to attend the MTA Conference in Detroit at the end of January. Ayes: 7. Nays: 0. Motion carried.

A representative from Aflec (American Family Life Assurance Company) was present last month and explained its supplemental health insurance. Supervisor Shears announced that if there are enough interested in the Aflec program a meeting time will be arranged. Last month the meeting was cancelled for lack of interest.

It was suggested that the Township purchase new updated *Authorities & Responsibilities* books for all Board members.

Mrs. Hanson moved, with a second by Mrs. Pendrick to approve Treasurer Hanson to create a rental policy to bring before the Board and form a committee for rental of the Township Hall. This will be advertised in the paper. Motion carried.

Mrs. Hanson moved, with a second by Mr. Roy to approve the purchase of eight black mid-back executive chairs for \$99.99 each for a total of \$799.92. Ayes: 5. Nays: 2, Zayler and Posekany. Motion carried.

MBIA Asset Management was added to the list of Banks for 2009. The server package was discussed again and SCS Computers agreed to serve for one year at no additional cost. The fire extinguishers will be replaced this week and the remainder of things from Brad's Storage will be brought back to the Hall this week also.

Mr. Roy moved, with a second by Mrs. Pendrick to approve a \$25.00 phone allowance for Supervisor Shears to upgrade her phone service. Ayes: 6. Nays: 0. Abstain: 1, Shears. Motion carried.

Trustee Zayler handed out a list of problems with the Hall addition done by Dan Kent Construction. He stated if the problems are not taken care of now that it would later cost more to correct.

Mrs. Pendrick asked why Eureka Township is not a member of the Greenville Area Chamber of Commerce, while many of the units are. She thought the membership fee was \$200.00. Trustee Roy suggested that statistics from the article in the MTA magazine should be put in the next newsletter. Mr. Faussett asked about the private road permit fee being on the fee schedule. Clerk Ruwersma will check into this and publish the fee schedule. Supervisor Shears adjourned the meeting at approximately 10:05 pm.

Linda J. Ruwersma, CMC
Eureka Charter Township Clerk
January 19, 2009

