

EUREKA CHARTER TOWNSHIP BOARD MINUTES
MONDAY, MARCH 10, 2014
Approved

Supervisor Rod Roy 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 10, 2014, at 7:00 pm. After the Pledge of Allegiance, Clerk Ruwersma stated that all Board Members were present, which included the following: Supervisor Rodney Roy, Clerk Linda Ruwersma, Treasurer Cindy Hanson, Trustees Jeremy Austin, Marty Posekany, Elaine Pendrick, and Brad Kelley. These minutes will not be approved until the April 14, 2014 Regular Board Meeting.

Approximately fifteen others were in attendance including Planning Commission Members Mark Wilkin, and Linda Weger; County Commissioner Tom Lindeman, Deputy Clerk Michele Bigelow, City Council Member Fran Schuleit, and Zoning Official Tom Faussett.

During the Public Comment, Tim Scott, Director from the Montcalm County 9-1-1 Dispatch, was present to give a report on the surcharge information that will be placed on the upcoming May 6 Ballot.

Also Mr. and Mrs. Tom Chaffee were present because they were served a 10-day notice to move their family out of a commercially zoned property that they own for their DUX Boat Business at 11644 S. Greenville Road. The Eureka Township Zoning Ordinance #79 does not allow residential use of a commercial property unless it is used for Emergency Response EMT's. Mr. Chaffee explained his ignorance in not getting the proper permits for running his corporate business at the same place he resides; and explained that he could not get out by the deadline, and was given an extension by the zoning official.

After some discussion, Trustee Kelley moved, with a second by Trustee Pendrick to approve to allow the Chaffees to temporarily stay at their residence/business at 11644 S. Greenville Road until June 30, 2014, if they can pass a code review by the Montcalm County Building Department. If he does not comply then he will be given a citation. Motion carried.

Commissioner Lindeman also gave an update on County issues speaking primarily about the upcoming fly over for Montcalm County.

Trustee Austin moved, with a second by Treasurer Hanson to approve the March 10, 2014 Agenda and Consent Agenda. Motion carried.

Approving the Consent Agenda included accepting the February 10, 2014 Board Minutes as written. It also approved the Treasurer's report submitted with an ending balance of \$729,728.26 as of February 28, 2014; and the payment of the bills paid in March in the amount of \$30,878.12 covering e-bills 410-419 and checks numbering 13558-13596.

Also in the consent agenda were the library report, Planning Commission report, the Zoning report from Mr. Tom Faussett with 83.5 hours reported for February, and the Greenville Transit report showing 244 runs for the month. There were no fire or building reports for February.

Deputies Douglas Houser and Charlie Mahar were assigned to Eureka Township for the month of February. The sheriff report showed a total of 2,615 patrol miles, with 141.5 patrol hours, 40 traffic stops, 7 traffic citations, 86 property inspections, and 5 arrests.

Zoning Official gave a brief update on the Compliance with DNR Natural Rivers Act.

Trustee Posekany then moved, with a second by Treasurer Hanson for Trustee Kelley to abstain from voting on the Zoning Ordinance change because of his employment. Motion carried.

Trustee Posekany moved, with a second by Trustee Pendrick to approve to amend Zoning Ordinance #79, Chapter 3 General Provisions, Section 3.27 Waterfront Properties, A. Definitions, adding the following:

“3. Department of Natural Resources Natural River Zoning Standards applying to all property within 400 feet of the Flat River or Wabasis Creek. See Standard B-10 for further information.”

and under B Standards adding the following:

“10. Additional development standards, administered by the State of Michigan under the authority of Part 305, Natural Rivers, of 1994 P.A. 451, apply to all property located within 400 feet of the Flat River and Wabasis Creek. Regulated activities shall include the following: All Construction activities, foot and vehicle bridges, clearing of vegetation within 25 feet of the water, land alteration, septic system location, home occupations, campgrounds, docks, stairways, boardwalks, and mining extraction. A Natural River Program Zoning permit is required for any of these activities. Property owners should refer to the Department of Natural Resources, Natural River Zoning Rules, effective September 15, 2013, for specific standards.”

and in C. Setbacks adding the following in the Waterfront Setback Standards chart:

“Minimum building set back standard for buildings within the State Natural River Zoning Standard area is 100 feet from ordinary high-water mark, or not less than 25 feet from the 100 year floodplain line whichever is the greater distance from the river’s edge. A dwelling shall be set back not less than 50 feet from the top of a bluff.”

Motion carried.

Trustee Posekany moved, with a second by Trustee Pendrick to approve the re-zoning of the following parcels located in Section 4 from Commercial to Suburban Residential:

59-008-004-034-00	Toby & Gayla Ingraham	9114 Jackson Road
59-008-004-039-00	Roger & Joyce Sage	6799 Sage Drive
59-008-004-037-12	Roger & Joyce Sage	6799 Sage Drive
59-008-004-038-00	Tracy Whipkey	6855 Sage Drive
59-008-004-037-22	Todd & Tracy Whipkey	6806 Sage Drive

Motion carried.

Trustee Kelley moved, with a second by Trustee Austin to approve the 2014 Poverty Exemption Guidelines as presented, changing the present guidelines from the claimant owning 1 acre of land to 3 acres of land, with the excess possibly being considered as an asset. Motion carried.

Trustee Pendrick moved, with a second by Trustee Posekany to approve to amend Zoning Ordinance #79, Chapter 7 and Section 7.2 both labeled Residential Zoning Districts, omitting “*(e) Lots meeting requirements for minimum lot area and minimum lot width prior to the Schedule of Standards established in November of 2005 shall be grandfathered as long as they meet all other requirements.*”, at the end of the section under ‘Notes.’ Motion carried.

Clerk Ruwersma mentioned that there will be a Special Election held in Eureka Township on Tuesday, May 6, 2014, with three items on ballot as follows: Montcalm County ISD Special Education Millage, Montcalm County Central Dispatch 911 Surcharge, and Montcalm County Commission on Aging Millage. An election meeting will be held before next month’s meeting at 6:50 pm, April 14, 2014, to appoint election inspectors for the May 6 Election.

Trustees Pendrick and Posekany volunteered to work at the Eureka Township Cleanup Day along with Supervisor Roy on Saturday, May 10, 2014, from 9:00 am to 3:00 pm. Also Supervisor Roy will check with a recycling company from Lakeview about picking up tires during the Cleanup Day.

Articles for the spring newsletter will be collected by Secretary Michele Bigelow until May 30, 2014.

The next MTA Dinner /Meeting will be held April 15, 2014, with Maple Valley and Pine Townships hosting.

Treasurer Hanson moved, with a second by Trustee Pendrick to approve to pay \$2,680.49 to Montcalm County for the fly over with the County paying the other 50% of the cost. Treasurer Hanson had stated that the parcel lines will be much more accurate than before. The money will be taken from the Assessor and Zoning Funds. Ayes: 7. Nays: 0. Motion carried.

During the Second Public Comment and Board Correspondence, Supervisor Roy stated that he got all of the required permits for the sirens.

Clerk Ruwersma stated that the 2013 Audit will be conducted by Abraham & Gaffney, PC, on April 7, 8, and 9, 2014, at the Eureka Township Hall. Clerk Ruwersma will be present all three days to take care of any questions or situations.

The Board of Review will be meeting Tuesday and Wednesday, March 11 and 12, from 9 am to noon and 4:30 pm to 7:30 pm, at the Eureka Township Hall.

Trustee Posekany gave a brief Planning Commission report stating Custom Collision located at 6537 S. Greenville Road is operating illegally and has been cited with violations of selling cars without a permit and doing collision repair; and they do not have a State license to operate their business. A Public Hearing will be held during the Planning Commission Meeting on March 19, 2014, to review the Special Use Permit request.

Treasurer Hanson gave a brief report stating that out of the sixteen townships with DNR property, Eureka Township was one of three in Montcalm County to get their millage rates and taxable values correct on the new DNR tax roll.

Supervisor Roy adjourned the meeting at approximately 8:20 pm.

Linda J. Ruwersma, CMC
Eureka Charter Township Clerk
March 12, 2014