

**EUREKA CHARTER TOWNSHIP BOARD MINUTES**  
**MONDAY, NOVEMBER 9, 2009**  
**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 November 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, Marty Posekany, Elaine Pendrick, and Brian Zayler. These minutes will not be approved until the December 14, 2009 Regular Board Meeting. The meeting was audio taped.

Approximately eighteen others were in attendance, including Deputy Clerk Renee Fountain, County Commissioner Tom Lindeman, Sheriff Mike Kotenko, Planning Commission Chair Duane Putnam, Zoning Official Tom Faussett, Library Representatives Cindy Lillie and Ann Roberts, and reporter Danielle Arndt.

During First Public Comment, County Commissioner Tom Lindeman stated that in Montcalm County, three cities and twelve townships failed the 14-point review. Eureka Township received a passing score of 100 out of 100. Congratulations to Eureka Township Assessor Linda Miller.

Mr. Posekany moved, with a second by Mrs. Pendrick to approve the November 9 Consent Agenda. Ayes: 7. Nays: 0. Motion carried. City Council Member John Hoppough arrived at this time.

Approving the consent agenda included accepting the October 12 Board Minutes as written. The Treasurer's Report was submitted with an ending balance of \$494,772.20 as of October 31, 2009. It also included paying the bills in the amount of \$28,825.67 covering E bills #6-9 and checks numbering 11259 through 11293.

Also in the consent agenda was the zoning report from Mr. Tom Faussett showing 70 hours for the month of October. The Greenville Transit report showed 274 rides for October. There were no Building or Fire reports.

Deputies Doug Houser and Michael Kotenko were assigned to Eureka Township for the month of October and the sheriff report showed a total of 3,389 patrol miles, with 274.5 patrol hours, 45 traffic stops, 16 traffic citation, 57 property inspections, and 3 arrests.

Library Representative Ann Roberts gave a brief Flat River Library Report stating that the County Penal Fines for September were \$30,144.96.

In September, Susie Vogelsong, manager of "The Community Closet" in Six Lakes, sent a letter to the Board requesting financial support to keep the 'Closet' in operation. It is a non-profit organization affiliated with the Belvidere Community Church. After some

research and discussion, Mr. Posekany moved, with a second by Mr. Roy to not make a donation to the “The Community Closet” at this time. Ayes: 7. Nays: 0. Motion carried. There will be no donation.

Last month there was some discussion of a new flag pole for in front of the Township Hall. Trustee Roy said he would check into getting one donated before we move ahead with a purchase. This month he reported he is still working on getting a pole through Extruded Aluminum Corporation and will report more next month.

In October Supervisor Shears reported that the roof of the small brick building in the Eureka Township Cemetery is in need of repair or should be torn down. After some discussion, Mr. Posekany moved, with a second by Mr. Roy to have the building dismantled in the spring and dispose of the material at the Spring Clean-up. Ayes: 7. Nays: 0. Motion carried.

Mrs. Hanson moved, with a second by Mrs. Pendrick to purchase a computer for the Sheriff/Secretary Office, with money from the Sheriff Millage Fund, not to exceed \$2,000.00. Ayes: 7. Nays: 0. Motion carried.

Mr. Roy moved, with a second by Mrs. Hanson to set a Public Hearing for December 14, 2009, during the Regular Meeting to entertain Public Comment concerning Flood Insurance, etc. for Eureka Township. (Montcalm County signed the Community Resolution and Intergovernmental Agreement to Manage Floodplain Development for the National Flood Insurance Program. Both the Resolution and the Ordinance are State requirements if we wish to comply with the provisions of the Floodplain Insurance Program. We have been a member since 1983 and wish to stay a participant in good standing.) Motion carried. A completed copy of the proposed **Ordinance #81 Floodplain Management Provisions of the State Construction Code** will be available for public review at the Hall.

Trustee Elaine Pendrick reported that the day set aside by the City for the disposing of leaf clippings for Eureka Township on Saturday, November 7, 2009, was not as successful as planned. She does not see a future in this for Eureka Township and would like to encourage Eureka Township residents to learn how to compost their own leaves.

Zoning Official Tom Faussett went over some rules and procedures concerning obtaining a burning permit. He stated he has already been sent out several letters to those who have burned and failed to obtain a burning permit.

The Budget Public Hearing was opened at 7:42pm to entertain public comment on the proposed 2010 Budget. After several comments, mostly about using more of the contingency fund money on roads, the Budget Public Hearing was closed at 7:55pm.

Mrs. Hanson moved, with a second by Mrs. Pendrick to move \$25,000.00 from the Contingency Fund of \$50,000.00 to Roads for the Proposed 2010 Budget, leaving

\$25,000.00 in the Contingency Fund. Ayes: 3. Nays: 4, Posekany, Zayler, Ruwersma, and Shears. Motion denied.

Mr. Posekany moved, with a second by Mr. Zayler to accept the Proposed 2010 Budget as printed. Ayes: 5. Nays: 2, Roy and Hanson. Motion carried.

Mrs. Ruwersma moved, with a second by Mr. Roy to transfer \$29,000.00 from the Fund Balance to the General Fund 2009 Road Budget to cover the extra amount for the road work done in 2008 which was billed and paid for in 2009. Ayes: 7. Nays: 0. Motion carried.

The next Montcalm Townships Association Meeting/Dinner hosted by Bushnell and Bloomer Townships will be held on Tuesday, November 17, 2009, at 7:00 pm at Settlement Lutheran Church. Pat McCall will be the speaker.

Township Hall Insurance Quotes will be discussed next month.

The proposed Sheriff Contract was discussed and found to be incorrect. Supervisor Shears will contact Sheriff Barnwell and this will be on the agenda for December.

Mrs. Hanson moved, with a second by Mr. Zayler to accept the following changes recommended by the Planning Commission for the following:

*Adding **Waterfront Properties** to Zoning Ordinance 79, Chapter 3, Section 3.27 and removing **D. Waterfront Residential District** from Chapter 7 as a Residential Zoning District.* Ayes: 7. Nays: 0. Motion carried.

Mr. Posekany moved, with a second by Mr. Roy to accept the following changes concerning recommended by the Planning Commission for the following:

*Amending Zoning Ordinance 79, Chapter 4, Section 4.1 Uses Subject to Site Plan Review*

A. *A Zoning and/or Building Permit for any proposed use or building requiring a site plan shall not be issued until a Final Site Plan has been reviewed and approved in accordance with the requirements of this Chapter.*

1. *The following uses shall be subject to Final Site Plan Review by the Planning Commission:*

a. *Platted subdivisions as required by the Michigan Land Division Act 288 of 1967 as amended.*

b. *Condominium Developments as required by the Michigan Condominium Act 59 of 1978 as amended.*

c. *Special Land Uses within any Zoning District.*

d. *Planned Unit Developments.*

e. *Commercial and Industrial developments in excess of four acres.*

2. *All site plans not subject to review by the Planning Commission shall be subject to site plan review and approval by the Zoning Administrator. Such review is required to ensure Zoning Ordinance compliance.*

Ayes: 7. Nays: 0. Motion carried.

Mr. Posekany moved, with a second by Mrs. Pendrick to accept the following changes recommended by the Planning Commission for the following:

*Rezoning the eastern 330 feet of Parcel #59-008-003-006-01, located at 6255 S. Greenville Road, owned by Tim Jones of Quality Collision, to be rezoned from Suburban Residential to General Commercial.*

Ayes: 7. Nays: 0. Motion carried.

During the Second Public Comment and Board Comments there was more discussion about the roads and the MTA Conference in January 2010. Clerk Ruwersma will check with MTA to make sure all Board members are receiving the monthly MTA magazine.

The Fifth Annual Eureka Township Christmas Party is scheduled for Tuesday, December 15, 2009, at the Eureka Township Hall for Eureka Township officials and workers. There will be no monthly Montcalm Township Meeting/Dinner this year, which would have been scheduled on that evening.

Mrs. Ruwersma moved, with a second by Mrs. Hanson to continue to have First Choice Lawn Care take care of snow removal for Eureka Township for the 2009/2010 season.  
Ayes: 7. Nays: 0. Motion carried.

Recently Supervisor Shears, Zoning Officer Tom Faussett, and Trustees Rod Roy and Marty Posekany met with City Manager George Bosanic, Mayor Ken Snow, and Mike Stuck to discuss a new Fire Contract between the City and Township. A new contract is being drawn up and will be discussed next month.

Supervisor Shears adjourned the meeting at approximately 8:40 pm.

Linda J. Ruwersma, CMC  
Eureka Charter Township Clerk  
November 12, 2009