

GRATTAN TOWNSHIP BOARD
Regular Meeting of January 19, 2009

1. Call to Order

Township Supervisor Frank Force called the meeting to order at 7:00 p.m.

2. Pledge of Allegiance

F. Force led the Pledge of Allegiance.

3. Roll Call

D. Timmons read the roll call. Members present: Supervisor F. Force, Treasurer Sabrina Freeman, Clerk J. Fues, Trustee P. Knoerl and Trustee D. Heffron. Members absent: none. Township Fire Chief Lou Kirkbride also attended the meeting.

4. Approval of the Agenda

F. Force added discussion of a request for a school sign on Township property under new business. P. Knoerl added sewer operation and maintenance wastewater agreement and sewer operation and maintenance bids under old business. J. Fues added a brief update on the park property under old business. D. Heffron moved and P. Knoerl seconded to approve the amended agenda. All ayes. The motion carried.

D. Heffron moved and P. Knoerl seconded to approve the amended agenda. All ayes. The motion carried.

5. Officers Report (Clerk's Report)

Approval of Minutes

J. Fues moved and S. Freeman seconded to approve the minutes of the December 8, 2008 regular meeting as presented. All ayes. The motion carried.

J. Fues moved and P. Knoerl seconded to approve the amended minutes of the January 15, 2009 special budget meeting. All ayes. The motion carried.

Budget Amendments

Board members reviewed proposed budget amendments for the fire department. J. Fues moved and D. Heffron seconded to approve the budget amendments as presented. All ayes. The motion carried.

Accounts Payable

J. Fues moved and S. Freeman seconded to approve accounts payable in the amount of \$3149.40 (checks 32445-32457 inclusive). All ayes. The motion carried.

6. Consent Agenda

Payroll

Treasurer's Report (all funds)

Correspondence

F. Force moved and D. Heffron seconded to approve the consent agenda. All ayes. The motion carried.

7. Working Agenda

Hearing of Public

F. Force said any questions regarding sewer would be taken during this portion of the meeting, not during the Sierra Consultants discussion.

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Dave Benson said he had a difficult time trying to find out if there was a Board meeting this evening. He said there was nothing on cable television and because the offices were closed for Martin Luther King Day he had to drive to the Township offices to see if the meeting was noticed on the front door. He asked if the Township could e-mail residents or video tape the meetings. F. Force said the Township doesn't have many e-mail addresses for residents. P. Knoerl said the Cable Television Committee has a video camera on their "wish list", but there is not enough money in the budget to make that purchase.

Jim Vander Ploeg asked how much additional money is generated from the recent sewer rate increase. He said the costs to maintain and run the system are going down. P. Knoerl said that was incorrect. Those costs have been rising. He said the rate increase will also fund capital improvements. J. Vander Ploeg questioned how much money was paid to Prein and Newhof when the Township had a moratorium on that spending. J. Fues said the information provided for the FOIA request included projects other than sewer. He said he would be happy to sit down with Mr. Vander Ploeg and go over that information.

Tom Manikowski said he was disappointed that public comments were not included in the Sierra discussion. F. Force said some comments will be allowed. Mr. Manikowski asked about the proposal to add irrigation across the street from the Grattan irrigation site. F. Force explained D. Heffron's proposal. Mr. Manikowski asked if the Township was just studying this proposal. F. Force said it was just an unfunded study at this time. Mr. Manikowski asked about the potential cost of upgrading the Grattan/Vergennes irrigation site. P. Knoerl said that issue will be discussed later in the meeting.

Jackie Vander Ploeg asked if the Prein and Newhof rate study was available. F. Force said that study could be requested with a FOIA. He said the study provided the Township with a complete inventory of the sewer system. Jackie Vander Ploeg said Earth Tech replaced the whole system. F. Force said Earth Tech replaced worn out parts. Jackie Vander Ploeg asked what happened to those parts. F. Force said the Township has checked and no one knows where those parts went.

Jim Vander Ploeg said Micro Solutions Computer worked on the rate study and asked who that is. F. Force said former Treasurer Maria Bajema helped with the rate study.

Department Reports

Fire Department

Fire Chief Lou Kirkbride reported 1 personal injury, 9 medical calls, 3 service calls, 5 non fire, and 5 training for a total of 23 in the month of December. L. Kirkbride reported that the FEMA grant is still in progress, testing for the ISO rating should be completed by March and the fire department should have their basic level EMS in February. The fire department will be hosting 300 and 400 ICS classes for the county. It was noted that 3 fire fighters were injured recently.

D. Heffron thanked Mr. Kirkbride and other Township firefighters for attending funeral services for Harry Morris, Cannon Township Fire Chief. J. Fues said local television recently reported on the fire station opening its doors to the public for the use of showers during a power outage.

Fire Administration and Safety Committee

The committee discussed ISO rating progress and training updates. L. Kirkbride said he worked with Grattan Academy during lockdown procedures. The pizza fundraiser is no longer being conducted as the pizza operator is no longer in business. There has been no further progress on the proposed physical fitness program. The Township is awaiting information regarding liability from the insurance company.

Safety Board of Appeals

There was no meeting.

Sewer Report

Board members discussed the cost of the Grattan/Vergennes irrigation upgrade. They estimated that cost to be about \$265,000. F. Force noted that this was a very rough number and could go 20% higher or more. Board members said the Township has not received any demands regarding that upgrade from the DEQ to date. D. Heffron asked if subsurface drainage is part of the system or random. Because vegetation can

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clog that drainage, he suggested that the Township should have that drainage checked out to see if it is usable. The cost of the subsurface drainage system inspection is not included in the estimated cost of replacement of the irrigation system. He also said removing trees, stumps and drip system should be included in the estimated cost of replacing the irrigation system. F. Force and D. Heffron agreed to go over those costs together. P. Knoerl suggested spreading the cost of the Grattan/Vergennes irrigation system replacement over 2 fiscal years and budgeting \$150,000 per year.

Planning Commission

There was no meeting.

Zoning Board of Appeals

There was no meeting.

Building Department

There were no new and 3 other building permits, 10 electrical, 0 plumbing and 4 mechanical permits for a total of 17 in the month of December.

Old Business

PDR update

D. Heffron said the County is working on additional funding for the PDR program. Three farms neighboring Grattan Township were recently funded privately by Peter Wege. The City of Wyoming is considering a bio-solids program and is looking for land to put the treated waste on.

Fire Station Well

F. Force said the Health Department is requiring that a backflow preventer be installed on the well. The backflow preventer will be installed if the plan Raymer will draw up is approved by the Health Department. The Health Department has given their approval to use the well prior to installation of the backflow preventer. F. Force the project came in under budget and is hopeful the backflow preventer will be covered by the remaining budgeted amount.

Sierra Contract Discussions

F. Force said following the last meeting with Sierra Consultants there were no new cost reduction concessions. D. Ver Sluis, Sierra Consultants, said he has been under the assumption that Sierra was meeting the \$125,120 annual budgeted amount for operations and maintenance. He said Sierra has been staying close to the \$125,120 budget. F. Force said when Sierra was first hired and each year after, he and the Treasurer met with Dave Ver Sluis to go over the budget. The \$125,120 budgeted amount for operations and maintenance does not cover all sewer costs. Total costs for sewer operation and maintenance last year were \$245,000. F. Force said Sierra has used the \$125,120 figure as just their portion of the sewer budget; not the total budget.

D. Ver Sluis said Sierra Consultants has 5 categories for expenses, regular operations, corrective, call outs, capital improvements and indirect costs. He distributed several graphs prepared by Sierra showing the percentage of regular monthly O & M budget Sierra used in 2006, 2009 and 2008, as well as copies of a sewer project/estimates sheet prepared by former Treasurer Maria Bajema and spreadsheet from Treasurer Sabrina Freeman showing the sewer budget for 2006-07, 2007-2008 and 2008-2009 for review. He said the total Sierra budget for 2008-2009 should be reduced by 17% as follows:

1. O & M regular maintenance charges should show an annual savings of \$13,500 due to hourly rate reductions for one employee (Mike's rate was cut from \$60.00/hour to \$45/hour). The full effect of those rate reductions will be realized in 2009. Mr. Ver Sluis said that \$53/hour is the average employee rate Kent County uses and they don't need to make a profit. He said he could not reduce those hourly wages any further.
2. Call out costs should be reduced now that Mission dialers have been installed. This should save the Township \$3000.00 annually.

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3. Fuel Surcharges should be reduced by \$1,900.00 due to lower fuel prices.
4. Administrative services and project management charges should be reduced by \$2,500.00-\$3000.00 annually due reduced amounts being billed.
5. "Other" charges of \$10,000 should be removed as these charges are not Sierra's.

J. Fues said the \$10,000 line item needs to be better defined and those charges may just move to another category. P. Knoerl said using those figures Sierra's total budget would be about \$127,000 annually. He asked D. Ver Sluis if that was a workable number. He also asked Mr. Ver Sluis if he would consider reducing the 15% administrative fee to 5%. D. Ver Sluis said he would consider that. J. Fues said the Board must compare actual costs to see if \$127,000 is a realistic number and asked if that Township spreadsheet was available for review. F. Force said he could get copies of that spreadsheet.

D. Ver Sluis said the May 1, 2009 estimated lagoon levels (based on 2008 precipitation) at 2' below the free board level would be 903.3' at lagoon #1, 903.2' at lagoon #2, 901.8' at lagoon #3 and 901.9' at lagoon #4. This should provide a buffer of 2.24-4.24 million gallons. These estimated levels were calculated using a table provided by Prein & Newhof for calculating lagoon levels. Marc Middlestadt, Sierra Consultants, said there was lots of snow and 2 days of rain in December 2008. D. Heffron asked if Sierra could estimate the May 1, 2009 lagoon levels with that increased amount of precipitation. D. Ver Sluis said he could probably do that. D. Heffron asked if irrigation could begin April 1, 2009. D. Ver Sluis said irrigation could not begin then.

D. Ver Sluis read Sierra's position on the spring 2008 lagoon overflow into the record. D. Timmons asked if he would provide a copy of that position. D. Ver Sluis said he would. Mr. Ver Sluis said the lagoons have overflowed 30 million gallons since 1996. He said Earth Tech was pumping "out the back". He said Prein & Newhof, the Township's Engineering Firm, has declined to meet with Sierra and Sierra Consultants has no choice but to defer that Sierra is correct. He said Prein & Newhof encouraged the Board to blame Sierra for the lagoon overflow and Prein & Newhof was overcharging the Township. F. Force asked Mr. Ver Sluis if he was accusing the Board of negligence. Mr. Ver Sluis said he was not, but the Board was being given bad information.

D. Ver Sluis said he was in favor of irrigation with the traveler, but with extra irrigation time and the repair of the infiltration problem at the Trailer Park, he did not think the traveler was needed. D. Ver Sluis said F. Force told him the Township would still use the traveler. D. Heffron said the Township will not know until spring 2009 if the predicted lagoon estimates are correct. D. Ver Sluis said if the levels of the lagoon are higher it won't be Sierra's fault, just more precipitation.

J. Fues said D. Ver Sluis said he took responsibility for the low irrigation at a previous Board meeting. Mr. Ver Sluis denied that. J. Fues also said he was disappointed when Marc Middlestadt said he did not report the lagoon overflow because there was an overflow chute at the lagoons.

There was a discussion about irrigation of the lagoons in 2008. D. Ver Sluis said Sierra could not irrigate more because they couldn't legally do that based on the IMP. D. Ver Sluis said Sierra irrigated 6-7 million gallons in 2006 with only 3 guns working for awhile. He said maybe additional gallons could have been irrigated, but Sierra would have gone over budget. He said in 2007, 10 million gallons were irrigated. D. Heffron said he watched irrigation of that land because he farms the irrigation land and questioned how often irrigation was done. He said in the spring of 2006 nothing had been irrigated by May 15th because a line was blown out. He said timing of the guns may have been the problem and it was Sierra's job to irrigate. D. Ver Sluis said he had aerial photo that proved that Earth Tech was running all the guns. D. Ver Sluis said Sierra began irrigating on the weekends in 2008 with Tuesdays and Wednesdays used as make up days. During that year 21 million gallons were irrigated. D. Heffron asked why it took Sierra 3 years to get the irrigation system working properly. D. Ver Sluis did not have an answer. M. Middlestadt said Sierra must irrigate legally as outlined in the IMP. M. Middlestadt accused F. Force of not allowing Sierra Consultants to attend a meeting with Prein & Newhof. F. Force said that meeting was originally a

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meeting with himself and Jim Hegarty, Prein & Newhof, but was later changed to include the entire Township Board. F. Force said that meeting was a public meeting and any one was allowed to attend.

T. Manikowski said he would like to see all parties involved present to discuss the matter. D. Heffron said the Township is interested in why the lagoons overflowed.

(There was a 10 minute break in the meeting.)

The meeting reconvened at 9:25 p.m.

J. Fues reviewed the 2007/2008 budget spreadsheet provided by F. Force to make a comparison with Sierra's proposal. D. Ver Sluis said he did not understand why the Township said he went over budget. Board members said the former Township Treasurer's budget line item for Sewer O & M appeared to be the budget amount Sierra was using, but that line item was for all sewer O & M expenses. It appears Sierra's confusion stemmed from that wording. D. Ver Sluis said if the Township gave Sierra an annual budget he would hit that amount.

Sierra representatives and Board members discussed their sewer system priority items. It appeared both had similar priority items. D. Ver Sluis said he would like to combine his list with F. Force's priority list. Sierra also suggested purchasing a standby generator for BPI pump station #3. They explained that this pump station is located down a steep incline and it can be difficult to get bring in a generator. P. Knoerl asked how many times Sierra has had to bring a generator to that pump station and asked Sierra to let the Board know if anything like that happens in January.

O & M Agreement and Bids

P. Knoerl said the Township Board and Sierra have been going back and forth trying to negotiate a contract. He asked Board members if they would like to continue negotiations or go out for bids. F. Force said he would like to have Board members go over information they received at this meeting before making any decisions. Board members agreed they would like to see the 15% administrative fee reduced. J. Fues said he would like a flat contract fee. He said that type of contract encourages better performance and as when the service of system equipment gets better the operator's profits increase. D. Ver Sluis said Sierra can do that and asked Board members to let him know what they want him to do. P. Knoerl agreed to send a copy of the draft flat rate contract to D. Ver Sluis. Board members will set a meeting date to discuss the contract with Sierra. Board members unanimously agreed that they would like to see the administrative fee changed to 5%.

D. Ver Sluis said the June 2008 Township Board minutes make it appear that Sierra was unprofessional when they sent a letter to the Township not on letterhead. He said Sierra wanted the letter to be put on Grattan letterhead and that was not clear in the minutes.

Township Committee Appointments

F. Force moved to nominate Tom Manikowski for a 3 year term on the Sewer Advisory. D. Heffron seconded. All ayes. The motion carried.

F. Force moved to nominate Brian Johnson for a 3 year term on the Zoning Board of Appeals. D. Heffron seconded. All ayes. The motion carried.

F. Force said there were no applicants for the Cable Television Committee. P. Knoerl said there are currently 3 members on the committee and they would have a quorum if all members were in attendance. It was agreed to continue with 3 committee members.

Building Permit Re-Inspection Fees

J. Fues said he checked with other Townships to see how much they charged for re-inspection fees. He said most Township's charges were close to what Grattan is currently charging. Board members discussed the matter and agreed to leave inspection charges as they currently are.

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Satterlee Park Update

F. Force said the Township has closed on the purchase of property for the park and is awaiting required paperwork to file for reimbursement for the DNR. F. Force and J. Fues will work together to obtain the necessary paperwork.

8. New Business

MTA Election

J. Fues informed Board members he received official notice of meetings January 28-30 in Detroit to elect MTA officers.

Kent County Solid Waste

J. Fues presented a proposed resolution for the Township's approval of the Solid Waste Management Plan Amendment for Kent County, Michigan. F. Force moved and P. Knoerl seconded to approve the resolution. All ayes. The motion carried.

D. Heffron said the County is considering a new collection program where all material is collected together and then sorted for recycling at a new state of the art plant. D. Heffron said he would report back to the Board on this issue at the next meeting.

9. Board Member Communications

Meeting Dates

The alternative Board meeting date is January 26, 2009 at 7:00 p.m. The budget review meeting is February 4, 2009 at 10:00 a.m. The next regular Board meeting date is February 9, 2009 at 7:00 p.m.

10. Adjournment

There being no further business, F. Force declared the meeting adjourned at 10:35 p.m.

Jim Fues, Township Clerk

Date

Franklin J. Force, Township Supervisor

Date

Diane Timmons
Recording Secretary