

GRATTAN TOWNSHIP BOARD
Regular Meeting of October 11, 2010

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, D. Heffron and Trustee P. Knoerl. Members absent: None. Fire Chief Lou Kirkbride also attended the meeting.

4. Approval of the Agenda

F. Force, J. Fues and P. Knoerl added items under new business. F. Fues moved and S. Freeman seconded to approve the amended agenda. All ayes. The motion carried.

5. Officers Report (Clerk's Report)

Approval of Minutes

D. Heffron moved and P. Knoerl seconded to approve the minutes of the September 13, 2010 regular meeting as presented. All ayes. The motion carried.

Budget Amendments

J. Fues explained proposed budget amendments. There was discussion regarding the proposed transfer of funds to the highways, streets and bridges account. J. Fues said he would like to create a roll over line item in the budget for money not used for road construction projects in the fiscal year. He explained there are never enough funds available in a fiscal year for road construction projects. Board members discussed whether the budget should be amended now or changed in the next fiscal year.

J. Fues moved and S. Freeman seconded to approve budget amendments as presented. Ayes: J. Fues, S. Freeman, P. Knoerl and F. Force. Nays: D. Heffron. The motion carried 4-1.

Accounts Payable

J. Fues moved and P. Knoerl seconded to approve accounts payable in the amount of \$101,379.21 (checks 35069-35122 inclusive). All ayes. The motion carried.

Draft: 10/18/10

Approved: 11/08/10

6. Consent Agenda

Payroll

Treasurer's Report (all funds)

Correspondence

J. Fues moved and D. Heffron seconded to approve the consent agenda as presented. All ayes. The motion carried.

7. Working Agenda

Hearing of Public

There were no public comments.

Department Reports

Fire Department

Fire Chief Lou Kirkbride said there were 4 brush fires, 2 structure fires, 2 personal injury accidents without extraction, 11 medical calls, 2 mutual aid given, 1 illegal burn, 2 trainings and 2 training meetings for a total of 26.

He gave a brief report on the fire department pumper truck involved in an accident last month. He said that truck will need to be replaced. F. Force that matter will be discussed later in the meeting.

Fire Administration and Safety Committee

P. Knoerl said at the last meeting FASC members interviewed fire trainee candidates.

Zoning Officer Report

Board members reviewed the Zoning Officers report. F. Force said the school house on Murray Lake Avenue has been burned down. He said Tom Byrne is required to clean up the site.

Safety Board of Appeals

P. Knoerl said the SBA discussed changes to the dock ordinance and agreed to recommend adoption of ordinance amendments to the Township Board.

Sewer Report

John Rydbeck, Infrastructure Alternatives, reviewed the September 2010 monthly operations report. H noted a call out due to a power outage from on September 21, 2010. Power was fully restored September 23, 2010. He said ML-PS 11 continues to be a problem. Consumers Energy is monitoring their side of power at this station to see if that is the source of the problem.

John Rydbeck said a sewer overflow came into contact with the ground when the sewer force main was damaged by an excavator at the DNR boat launch on Big Pine Island Lake. He said a report on that incident was filed with the MDNRE.

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D. Heffron asked if the same data provided for the Grattan site is available for the Grattan/Vergennes site. J. Rydbeck said he will add Grattan/Vergennes data to the next report. J. Rydbeck said irrigation should be completed within the next week.

Board members reviewed the repair priority report provided by J. Rydbeck. D. Heffron said he would like to have Infrastructure's monthly report prior to the meeting. J. Rydbeck said there is not much time available prior to Board meetings to have the report ready. He said he will try to have the information available earlier and noted that Board members can also ask questions regarding previous reports.

Planning Commission

There was no meeting.

Zoning Board of Appeals

F. Force the ZBA reviewed and granted a variance for Ross Holst, 4852 Abrahams Drive.

Building Department

There was 1 new building permit, 4 other building permits, 5 electrical permits, 3 plumbing permits and 1 mechanical permit issued in the month of September for a total of 16 permits.

Unfinished Business

PDR Update

There was no update.

Budget Issues

J. Fues said the general fund and fire department budgets are in good shape.

Steve Williams, Williams and Works, Irrigation Upgrade Update

Steve Williams said the MDNRE review of the proposed irrigation upgrade is complete and comments on the proposed update should not affect construction. He expects MDNRE approval of the submitted irrigation update plans sometime this month.

Board members discussed timing of obtaining funding for the irrigation project and the start of work on the project. D. Heffron asked when tree removal will take place. He did not recommend tree removal in January. Steve Williams asked if he would rather see tree removal in the spring. He said if lagoons levels are low at the end of this year's irrigation season, irrigation in the spring of 2011 could start later to accommodate removal of the trees. He asked if a corn crop could be planted after the trees are removed. D. Heffron said it would be too late then to plant corn, but rye or something similar would work. D. Heffron said he liked the idea of waiting for good weather to start removal of the trees. Steve

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Williams said the irrigation upgrade must be completed by August 11, 2011. D. Heffron asked if a general contractor will be hired for the project. Steve Williams said bids will go out for a general contractor. Board members estimated the awarding contracts for the upgrade happening in late January or early February. F. Force said he spoke with Mark Nettleton about financing this project. Mr. Nettleton said only material costs can be covered with a conventional loan. F. Force agreed to call Jim White for his opinion on that statement.

Farm Lease

D. Heffron appealed to the Township Board for a compensation for his loss of crops at land he leased from the Township at the Grattan irrigation site. He provided photographs of the crops, but did not have time to put together a report of lost income for his crop loss.

J. Fues asked when the photographs were taken. D. Heffron said they were taken November 4, 2009. He said the photographs show ponded water on the field with the irrigation guns running. He said that summer was cold and one of the worst summers for evaporation.

D. Heffron said he asked for compensation because the township was not in compliance with the discharge permit and the land wasn't in the condition it was rented for. He was opposed to growing grass at the irrigation site. He said a grass crop couldn't be cut with that much water on the land. He said he realized there was a lot of water that year. F. Force asked if there was ponded water at that irrigation site before. D. Heffron said there was ponded water at the site when the previous operators irrigated. There was discussion about low areas on the property that may cause ponding. D. Heffron said irrigation should not continue if water has ponded.

P. Knoerl said he wasn't sure what the contract says about this kind of situation. It was noted the contract says the township is not liable. F. Force said the township should work in conjunction with the farmer. D. Heffron said language should be added stating that the township will comply with guidelines of the discharge permit. P. Knoerl asked how the land looked this year. D. Heffron said he hasn't seen it yet this year.

J. Fues said he would like real numbers for actual crop yield and expected crop yield on this property in 2009. D. Heffron said he would provide that information at the November meeting.

New Business

Fireman Candidate-Xaver Szucs

L. Kirkbride said Mr. Szucs has support of Fire Department officers and FASC members.

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F. Force moved and J. Fues seconded to accept Xaver Szucs as a fire fighter trainee. Roll call vote: Ayes: F. Force, S. Freeman, J. Fues, D. Heffron and P. Knoerl. Nays: none. The motion carried.

(The meeting was recessed for 2 minutes)

Dock Ordinance Amendment

P. Knoerl read the proposed amendment out loud. He said the SBA's proposed amendments to the dock ordinance come as result of a unique situation on lake front property with an easement to the lake in their deed. That easement allowed back lot owners to put a dock on the easement. As a result the lake front owners were not allowed to put in a second dock on their property.

P. Knoerl said there could be more unrecorded easements on lakes in the township. The proposed amendment would only apply to existing easements in the property title or deed, with a dock already on the easement. He said Township Attorney Jim Brown has reviewed the proposed amendment. It was also noted that the F. Force and the Zoning Administrator had no objections to the amendments. The Zoning Administrator did say he did not like to see thousands of dollars spent on these issues and then amend the ordinance.

J. Fues read proposed ordinance 10-007 to amend the Zoning Ordinance out loud.

J. Fues moved and P. Knoerl seconded to approve ordinance 10-007 as presented. Roll call vote: Ayes: F. Force, S. Freeman, J. Fues, D. Heffron and P. Knoerl. The motion carried 5-0

Document Control

J. Fues suggested appointing a person or establishing procedures to control distribution of township documents. He recommended dispersing documents electronically. P. Knoerl asked how the office tracks special use permits and variances now. F. Force said a log of those items is kept at the office. Board members discussed this matter and agreed a written procedure should be prepared for further Board discussion. J. Fues and F. Force agreed to prepare that document.

Snow Plowing

J. Fues said he would like to offer the 2 current snow plowing contractors an extension of last year's contract. Board members discussed the proposal.

J. Fues moved and S. Freeman seconded to allow J. Fues to offer the 2 current snow plowing contractors a one year extension of their contracts. All ayes. The motion carried.

Grattan Discharge Permit

Draft: 10/18/10

Approved: 11/08/10

F. Force read two sections of the Grattan discharge permit regarding vegetative cover at the irrigation site. The plan says the irrigation site shall be planted with a mixture of perennial vegetative cover. D. Heffron said if that vegetation is not removed nitrates will go back into the ground and removal of a grass will chew up the fields and be a problem.

F. Force agreed to find out the cost to amend the discharge management plan and if a decision on this matter will be required before the November Board meeting.

Registration Fee- Sewer Contractors

Board members discussed reducing the registration fee for sewer contractors. J. Fues said sewer contractors currently pay \$50 for annual registration.

F. Force moved and J. Fues seconded to reduce the registration fee for sewer contractors from \$50 to \$25. All ayes the motion carried. It was agreed the reduced rate will apply for the next completed registration.

Big Pine Island Boat Launch

J. Fues explained damage to a phone line, power line and the sewer force main by an excavator hired by Kent County to do work at the DNR boat launch at Big Pine Island Lake. He said the excavator called Miss Dig, but did not contact the township as required by state law regarding excavation in the area even though paperwork identified a sewer easement and sewer line on that property. J. Fues said the excavator does not believe he was at fault.

Board members discussed the matter. J. Fues said the two incidents have cost the township \$6,500. He suggested taking the excavator to small claims court. D. Heffron asked J. Fues to bill the excavator.

Replacement of Fire Department Pumper Truck

P. Knoerl said the fire department pumper tank involved in an accident last month was a Kent County pumper insured by the county. There has been no word about what the county's insurance company will pay for the lost pumper truck. The county's insurance company plans to file for compensation from the insurance company of the other driver involved in the accident. P. Knoerl asked what funds are available in Grattan's fire department reserve funds. He said the township should be prepared to have those figures available.

Jim Hegarty Memo Regarding 2011 Grant Program

J. Fues read J. Hegarty's memo out loud. Board members agreed no further investigation into this matter was necessary.

8. Board Member Communications

Meeting Dates

The alternative Board meeting date is October 25, 2010 at 7:00 p.m. as needed. The next regular Board meeting date is November 8, 2010 at 7:00 p.m. SAC

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Meeting/Field Trip to Grattan Treatment Site October 19, 2010, 6:00 p.m. public welcome. Kent County Road Commission - Presentation of programs and policies for 2011, November 10, 2010 at 6:00 p.m. Boulder Creek Golf Club.

9. Adjournment

There being no further business, F. Force declared the meeting adjourned at 9:29 p.m.

Jim Fues, Township Clerk

Date

Franklin J. Force, Township Supervisor

Date

Diane Timmons
Recording Secretary