

GRATTAN TOWNSHIP BOARD
Regular Meeting of November 8, 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, and Trustee P. Knoerl. Members absent: Trustee D. Heffron (~~excused~~). Fire Chief Lou Kirkbride also attended the meeting.

4. Approval of the Agenda

J. Fues moved and S. Freeman seconded to approve the amended agenda. All ayes. The motion carried.

(D. Heffron arrived at 7:04)

5. Officers Report (Clerk's Report)

Approval of Minutes

F. Force moved and P. Knoerl seconded to approve the minutes of the October 11, 2010 meeting as presented. All ayes. The motion carried.

Budget Amendments

S. Freeman said the proposed budget amendments move funds to a new sewer line item in the budget. J. Fues asked if there was a request to add the line item to identify expenses. S. Freeman said there was. J. Fues moved and P. Knoerl seconded to approve 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 \$74,797.95 (checks 35123-35193 inclusive with a voided check 35169). All ayes. The motion carried.

6. Consent Agenda

Payroll

Treasurer's Report (all funds)

Correspondence

Draft: 11/17/10

Approved: 12/13/10

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

7. Working Agenda
Hearing of Public

Greg Smith said he was concerned about a farm lease refund being considered by the Board. F. Force said that matter will be discussed later in the meeting. Greg Smith asked if the Board received a copy of the soy bean ~~reduction~~ **COMPENSATION** letter. F. Force said they did.

Ron Smith was also concerned about a farm lease refund. He said there is nothing in the lease regarding crop loss refunds and any refund would be out of the question.

Department Reports

Fire Department

Fire Chief Lou Kirkbride said there were 4 brush fires, 12 medical calls, 6 trainings and 2 training meetings in the month of October for a total of 24. He said the controlled burn at the Mel Trotter property went well. He said there will be no Kent County assessment this year.

Fire Administration and Safety Committee

The FASC held a special meeting in October to approve the new fire fighter candidate.

Zoning Officer Report

Board members reviewed the Zoning Officer's report.

Safety Board of Appeals

There was no meeting.

Sewer Report

Infrastructure Monthly Report

John Rydbeck, Infrastructure Alternatives, reviewed the October 2010 monthly operations report. He said irrigation at the Grattan site was completed October 11, 2010. That system has been winterized. D. Heffron asked if the Grattan/Vergennes site has also been winterized. J. Rydbeck believed that site was winterized, but will verify that. D. Heffron asked if the Grattan/Vergennes lagoon storage information could be graphed in the same way the Grattan lagoons are shown in the monthly report. J. Rydbeck said Infrastructure doesn't have elevations for the Vergennes lagoons. Board members discussed having elevations shot at the Grattan/Vergennes lagoons. D. Heffron didn't think that was necessary. He said it is just easier to read the graphed information. J. Fues said lagoon volume information for the Grattan/Vergennes site could be a useful tool. Board members discussed using existing drawings of those lagoons to

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obtain that information. J. Rydbeck said one of the cells is significantly lower, but the other cells could be done.

D. Heffron asked if the township received clarification of ponding and pooling from the MDNRE. F. Force said he met with Leslie Sorenson, MDNRE, and discussed this matter. He said the MDNRE would not hold the sewer operator liable if ponding or pooling is due to rain. Ron Smith asked if there were any other studies on soil compaction. John Rydbeck said annual soil samples are a requirement of the discharge permit. Ron Smith asked if he could see the soil reports. F. Force told Ron Smith he could request that information by completing a Freedom of Information request at the Township office.

General Fund Loan to Sewer

F. Force said he would like to discuss funding of the Grattan/Vergennes upgrade. He said some portions of that upgrade do not meet the guidelines for a conventional loan. He asked for Board member comments on loaning money from the township's general fund for portions of the sewer project. P. Knoerl asked if the whole irrigation project could be funded with a conventional loan. F. Force said it could be. D. Heffron asked if it would be legal for the township to make that loan. F. Force said the Township attorney said it can be done. F. Force said the township would have more say in how the money is used with a loan from the general fund. P. Knoerl said the township would set the interest rate on the loan. S. Freeman said when set, the interest rate would be similar to interest rates at that time. J. Fues said repayment to the general fund would have to be made promptly. Board members agreed to discuss the matter at the next Board meeting.

Planning Commission

There was no meeting.

Zoning Board of Appeals

The Zoning Board of Appeals held a meeting on October 20, 2010 to approve minutes.

Building Department

There were 6 new and 2 other building permits, 5 electrical permits 1 plumbing permit and 5 mechanical permits issued in the month of October for a total of 19 permits.

Unfinished Business

Farm Lease

F. Force said after the last two meetings the Board has been addressing an allegation by a Board member that the township is violating the sewer discharge permit and therefore some compensation should be given for crop loss on that field. A meeting was held with the Township Engineer and a MDNRE representative to discuss whether or not the discharge permit had been violated.

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Notes from that meeting were provided to Board members. The leasee has provided copies of crop results for the last 2 soy bean and corn crops. Paperwork regarding this matter was also provided to Board members. F. Force said based on that information, he suspects some pooling probably does occur during start up times, during rain events when they mesh unexpectedly with irrigation events, and probably when it is cold and damp, but according to discharge permit language Grattan Township hasn't surpassed the definition of ponding and did not violate the sewer discharge permit. He said that summer was cold and damp and pictures provided by the leasee were taken in November when the ground was firm. He said some compensation is available to the farmer from the USDA for disaster assistance to producers of soybeans. He was concerned that approving compensation for crop loss would set a precedent. He said he would like to see the current contract terminated and rewritten to include the correct acreage and a requirement that a forage crop, not a row crop, is planted for the next 2 years. He noted only a letter written to the MDNRE requesting approval of those changes is required.

J. Fues asked if a forage crop would be a grass crop. F. Force said the township would have to be selective in what grass crops are allowed. P. Knoerl agreed with F. Force and said the lease states the Township is not liable for crop loss. He said there were unusual conditions that year. S. Freeman said she was in agreement. J. Fues said the acreage listed on the signed lease is correct. He said this Board agreed to offer the lease for the acreage listed if the leasee converted migrant **HOUSING** land to useable land. He said he has documentation from the leasee that the work was completed.

D. Heffron said he did read and sign the lease and assumed irrigation would be done within the discharge permit guidelines. He said the discharge permit was violated and he has a legitimate complaint. D. Heffron said underground drains will take away .25" of water per day and .4" of water was put on the land. He said by the middle of that summer the water couldn't go anywhere. Force said investigation into the under drains might be wise. D. Heffron said the DNR is allowing too much water per day. He also said the irrigation cycle should be changed and the old orchard property should be added for irrigation. D. Heffron said 2 years remain on his lease and he was totally opposed to forage crops at this site. F. Force said Geoffrey List, MDRNE, would like to try a forage crop at this site for 2 years. D. Heffron said he would forfeit the remaining 2 years on his lease if a grass crop is required, but if the township decides to go back to allowing row crops he would like his lease back to finish out his 2 forfeited years.

J. Fues asked for opinions from farmers in the audience regarding grass crops. Ron Smith said seeded alfalfa with clover can take up 8-10" of water in a ~~day~~ **SEASON**. D. Heffron said a grass crop would not work at that site.

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Board members discussed whether a motion not to compensate the leasee was necessary. D. Heffron said a motion would not be necessary. He said he “won’t go forward with it”.

There was a discussion about crop nutrient uptake. Ron Smith said the MSU Agricultural Department could be very helpful. He said the Township is not responsible for crop loss at the irrigation site.

PDR Update

There was no update.

Budget Issues

J. Fues said the auditor’s report showed all township financial accounts were in good order except the sewer fund. The auditors said if something different isn’t done this year the sewer fund will be out of cash by the end of this year. Board members discussed this matter.

Sewer Contractor Registration Fee and Additional Fees Applied for Building Permits

F. Force explained the proposed reduction of the registration fee for sewer excavators and sewer plumbers, and the addition of fees for projects started without first obtaining Township electrical, mechanical or plumbing permits and building permits. Board members discussed the proposal.

F. Force moved and J. Fues seconded to approve **RESOLUTION 10-025 TO REDUCE** ~~reducing~~ the registration fee for sewer excavators and sewer plumbers to \$25.00, the addition of a \$47.50 fee for projects started without first obtaining electrical, mechanical or plumbing permits and the addition of an \$87.50 fee for projects started without first obtaining a building permit. All ayes. The motion carried.

Snow Plow Contract

J. Fues said both current snow plow contractors accepted the Township’s offer to extend their current contract at last year’s price.

Letter to C & L Trucking and Excavating

J. Fues said he recently sent a registered letter to C & L Trucking asking for payment in the amount of \$6538.00 for damage, caused by C& L Trucking in 2 separate incidents, to the Grattan sewer line and power line near the Big Pine Island boat launch. J. Fues said C & L Trucking contacted Miss Dig, but did not contact the township, as required, before excavating at the site. He said if he does not receive payment from C & L Trucking he will file 2 claims against C & L Trucking at small claims court.

New Business

Audit

Draft: 11/17/10

Approved: 12/13/10

J. Fues said the auditors plan to use Grattan Township's systems and practices as an example.

Round Lake Weed Control

S. Freeman moved and J. Fues seconded to approve resolution 10-026 to change the special assessment district of Round Lake assessment to \$0.00 for the assessment collected on the winter 2010 tax bill.

Roll call vote: All ayes. The motion carried.

ZBA Chairman

F. Force said the Planning Commission Chairperson is paid \$100 per meeting and the ZBA Chairperson is paid \$45.00 per meeting. He said both Chairpersons do the same work and asked Board members to consider making their salaries equal.

J. Fues asked if the ZBA Chairperson is aware of and performs those responsibilities. F. Force said they do now. Board members discussed the matter. It was noted the job descriptions for Chairperson's are in the committee's bylaws. J. Fues said he had no problem as long as the Chair accepts those responsibilities and performs them.

F. Force moved and J. Fues seconded to approve a pay increase for the ZBA Chairperson to \$100 per meeting. Ayes: F. Force, J. Fues, S. Freeman and D. Heffron. Nays: P. Knoerl. The motion carried 4-1.

Consumers Resolution

Board members reviewed a resolution to urge Consumers Energy Company to upgrade the electrical facilities within Grattan Township and to institute a proper tree trimming program.

F. Force moved and P. Knoerl seconded to approve the resolution as presented. Roll call vote: All ayes. The motion carried.

D. Heffron said a copy of the proposed resolution should be forwarded to all lakefront owners.

8. Board Member Communications

Meeting Dates

The alternative Board meeting date is November 22, 2010 at 7:00 p.m. (as needed). The next Sewer Advisory meeting is November 23, 2010 at 6:00 p.m. The next regular Board meeting date is December 13, 2010 at 7:00 p.m.

9. Adjournment

There being no further business, F. Force declared the meeting adjourned at 8:25 p.m.

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Approved: 12/13/10

Jim Fues, Township Clerk

Date

Franklin J. Force, Township Supervisor

Date

Diane Timmons
Recording Secretary