

**ADA TOWNSHIP BOARD MEETING
MINUTES
MARCH 13, 2006**

Meeting was called to order by Supervisor Haga at 7:30 p.m. Members present: Supervisor Haga, Treasurer Pratt, Clerk Ensing Millhuff, Trustees: Damstra, Proos, Sytsma and Westra. Also present: Planner Ferro, Fire/Rescue Chief DuVall, Parks Director Tatar, Recording Secretary Smith and six community members.

APPROVAL OF AGENDA

Added to the agenda under New Business: Item G. Egypt Valley Country Club - Tax Tribunal.

Moved by Sytsma, supported by Proos, to approve the agenda as amended. Motion carried.

ADA TOWNSHIP FY 06/07 BUDGET PUBLIC HEARING

Moved by Westra, supported by Pratt, to proceed into public hearing. Motion carried.

Supervisor Haga explained the anticipated revenue and expenditures for each account, both with and without the maximum limits imposed by the Headley truth-in-taxation process.

There was no public comment regarding the budget.

Supervisor Haga noted the adoption of the budget would be placed on the agenda for the March 27 board meeting.

Board Comment:

Moved by Sytsma, supported by Westra, to close the public hearing regarding the township budgets for Fiscal Year 2006-2007. Motion carried.

GENERAL TOWNSHIP BUSINESS

CONSENT AGENDA:

Approval of Minutes

February 27, 2006, Regular Board Meeting

Receive and File Various Reports

1. Fire Call Reports - 2/06; 2. Building Permit Report - 2/06; 3. Financial Report - 1/06; 4. Planning Director Report - Pettis Composting and Concrete Recycling History.

Receive and File Various Communications

1. MTA Legislative Update Fax - 2/17/06, 2/24/06 & 3/3/06; 2. Urban Cooperation Board (UCB) Minutes - 9/13/05; 3. Ada Township - KCRC Road Conditions - 2/28/06; 4. Allied Waste - Clean-Up Day/Curbside Leaf Collection Schedule - 3/2/06; 5. Frank Banko - Letter regarding Pettis & Associates; 6. Pat DiPiazza - Letter regarding Pettis & Associates.

Moved by Westra, supported by Sytsma, to approve items on the Consent Agenda. Motion carried.

APPROVAL OF WARRANTS AND RECEIPTS

Treasurer Pratt presented Warrants and Receipts in the following amounts: Hand Checks: #101 \$7,366.42; #205 \$2,377.56; #208 \$355.83; #590 \$97.73; #591 \$97.74; #592 \$141.36. Total Hand Checks \$10,436.64. Warrants: #101 \$20,081.34; #205 \$48,507.17; #208 \$366.31; #590 \$16,739.05; #591 \$6,878.04; #592 \$2,320.37. Total Warrants \$94,892.28. Total Checks and Warrants \$105,328.92.

Moved by Damstra, supported by Proos, to approve the Warrant Report of March 13, 2006, in the amount of \$105,328.92. Roll Call: Yes - Damstra, Proos, Sytsma, Westra, Pratt, Ensing Millhuff, Haga. No - 0. Absent - 0. Motion carried.

PUBLIC COMMENT

Edith Pettis, 1023 Pettis Avenue, stated she had just seen for the first time a document from Planning Director Ferro, dated February 17, 2006, giving a history of her composting and recycling operation. Ms. Pettis stated she believed she should have received some notification when the board first began to take action against her business adding, she had never received either a citation or violation prior to this board's actions. Ms. Pettis stated she believed there was a conflict of interest issue, and she the document was deceitful and prior to the action taken by the board she had not been given any opportunity to discuss her business and had been told that members had been directed by the Supervisor not to talk to her.

BOARD COMMENT

Trustee Damstra inquired about the status of a millage request for parks and trails.

Trustee Proos responded to Ms. Pettis, saying he has sat through meetings and closed sessions and never viewed the process as a witch hunt or shunning. A history was asked for and given to board members.

Trustee Westra referred to the communication from Jon Rice regarding the condition of roads on Pettis and Honey Creek and stated he agreed that they were in very poor condition.

Clerk Millhuff she too was concerned that public officials and/or board members were being instructed not to speak to Ms. Pettis

about her business when there was no pending litigation or even an application to the ZBA. Clerk Millhuff explained as a previous ZBA member the law it is very clear that once an application had been received members of the ZBA are not to speak to the applicant or each other about the issue except within the public forum; adding, in this case no application had been filed and anticipation of one was not justification for the instruction given.

Supervisor Haga stated the bid requests for fertilization of the township grounds were due back at the end of the month.

NEW BUSINESS

RESOLUTION R-031306-1 - ROAD CLOSURE - ADA CRITERIUM BICYCLE RACE

Moved by Westra, supported by Ensing Millhuff, to approve Resolution R-031306-1, which is a road closure request for the Ada Criterium Bicycle Race. Supervisor Haga stated the insurance certificate had not yet been received. Clerk Ensing Millhuff asked Mr. Ippel to address the petition received from residents and business owners opposing the race and what actions have been taken to prevent the concerns addressed in the petition. Jim Ippel, owner of Ada Bike Shop, stated he plans to establish more organized cross-walks across the course and pursuing enhanced safety. Some businesses had agreed to provide their parking lots for village residents. After the resolution is passed, his intention is to go door-to-door and speak to every resident and business to hear and address their concerns and also meet with the Sheriff's Department regarding safety issues. He also stated the Ada Business Association is co-sponsoring the event.

Board members had questions and comments regarding participant parking, growth of the race, why there hadn't been discussion with the residents, residents' opportunity to attend this meeting, and road condition issues. Treasurer Pratt reiterated the need to better communicate with the residents that are directly affected by the race.

Brad and Shannon Reincke, 7214 Bronson and business owners, were supportive of the race and happy to hear the comments and concerns were being addressed and encouraged the board to continue to support the race. **Roll Call: Yes - Sytsma, Westra, Proos, Haga, Ensing Millhuff, Damstra, Pratt. No - 0. Absent - 0. Resolution adopted.**

RESOLUTION R-031306-2 - ROAD CLOSURE - ARTS IN ADA

Moved by Pratt, supported by Sytsma, to adopt Resolution R-031306-2, which is a road closure request for the Arts in Ada Day.

Planning Director Ferro liaison for the Ada Council for the Arts stated the event was scheduled for 9:00 to 4:00 on Saturday, May 20 and would take place on Bronson as in previous years and the road closure would affect Bronson St between Ada Drive and the Covered Bridge. Mr. Ferro added the liability insurance policy renewal is soon and when renewed the certificate will be given to the Clerk's Office. Approximately 30 participants are expected.

Roll Call: Yes - Ensing Millhuff, Haga, Pratt, Westra, Sytsma, Damstra, Proos. No - 0. Absent - 0. Resolution adopted.

ORDINANCE O-031306-1 - ZONING ORDINANCE AMENDMENT - ADD PROVISIONS REGARDING PERMITTING OF TEMPORARY USES

Planning Director Ferro explained the Planning Commission had recently recommended approval of this ordinance amendment for things like seasonal sales of Christmas tree sales, produce, bedding plants, etc., which are by their nature temporary and not requiring fixed improvements to property.

Moved by Westra, supported by Sytsma, to adopt Ordinance O-031306-1, which is a zoning ordinance amendment to add provisions regarding permitting of temporary uses.

It was noted the dates should read May 1 to November 1.

There were questions and comments by board members regarding procedures and application fees,

Roll Call: Yes - Pratt, Proos, Damstra, Sytsma, Westra, Ensing Millhuff, Haga. No - 0. Absent - 0. Ordinance adopted.

ADA TOWNSHIP SECTION 125 PLAN

Supervisor Haga explained as a follow-up to discussions at a recent board meeting, this would make it legal for the township to have a Section 125 plan. The suggested date to start is April 1, 2006. There is a possibility for a voluntary short-term disability, but there is a minimum of 10 participants needed.

Moved by Ensing Millhuff, supported by Westra, to adopt the Ada Township Section 25 plan, to be effective April 1, 2006. Motion carried.

TEMPORARY STRUCTURE FOR ROSELLE PARK

Moved by Damstra, supported by Pratt, to approve a not-to-exceed amount of \$10,000 for securing a temporary building, including electrical, for the Roselle Park facility. Motion carried.

RIX ROBINSON ROOM IMPROVEMENTS

Clerk Ensing Millhuff explained shelving and storage was needed because the basement was too humid for the new voting machines and the project was budgeted and previously approved. Thomet Construction was recommended for continuity with previous work. **Moved by Sytsma, supported by Pratt, to approve the cabinets and information as proposed in the estimate from Thomet Construction dated 3-7-06 in the amount of \$5,500. Motion carried.**

EGYPT VALLEY COUNTRY CLUB - TAX TRIBUNAL

Supervisor Haga explained the township by law has the responsibility for defending the assessments, and he was asking for authorization to proceed to obtain an appraiser. Two proposals were received.

Moved by Ensing Millhuff, supported by Westra, to approve the Egypt Valley Tax Tribunal request to obtain the services of an appraisal company to defend the appraisal regarding the Egypt Valley Tax Tribunal matter. Moved by Ensing Millhuff, supported by Proos, to amend the motion to include a not-to-exceed figure of \$12,000. Motion carried.

OPPORTUNITY FOR ADDITIONAL PUBLIC COMMENT

Bill Bos, Bos Greenhouse, stated his grandfather had bought the farm 93 years ago today and he looked forward to being located in Ada Township (next to O'Brien's) this summer. Planning Director Ferro shared with the board correspondence that came to the township from legal counsel regarding the appropriate way for ZBA members to handle any contacts from Ms. Pettis. Clerk Ensing Millhuff stated for the record she too had checked with legal council and the anticipation of legal action does not constitute "ex-parte communication".

ADJOURNMENT

The meeting was adjourned at 8:48 p.m.

Respectfully submitted,

**Deborah Ensing Millhuff, CMC
Ada Township Clerk**

RS: JS