

**ADA TOWNSHIP BOARD MEETING
MINUTES
APRIL 10, 2006**

Meeting was called to order by Supervisor Haga at 7:30 p.m. Members present: Supervisor Haga, Treasurer Pratt, and Clerk Ensing Millhuff, Trustees: Damstra, Proos, Sytsma and Westra. Also present: Planner Ferro, Parks Director Tatar, Recording Secretary Smith and 14 community members.

APPROVAL OF AGENDA

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

GENERAL TOWNSHIP BUSINESS

CONSENT AGENDA:

Approval of Minutes

March 27, 2006, Regular Board Meeting

Receive and File Various Reports

1. Fire Call Report - 3/06; 2. Building Permit Report - 3/06; 3. Financial Report - 2/06; 4. Ada Moorings North Update; 5. Village Charrette Update; 6. Ada Park Information: a) Ada Park Prairie Burn Activity; b) Spring activities; c) Ada Park May Happenings; d) Volunteers Needed - Garlic Mustard Weed Removal.

Receive and File Various Communications

1. MTA Legislative Update Fax - 3/31/06; 2. Ada Business Association - Business Connections - 2/06; 3. Preserve Ada Township E-Mail to Clerk with Response; 4. Ada Township Open Space Preservation Board Minutes - 1/18/06; 5. Supervisor Response to Forest Hills Advance Articles.

Moved by Westra, supported by Pratt, 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 \$1,174.04; #205 \$1,228.01; #208 \$275.97; #590 \$133.57; #591 \$133.57; #592 \$166.44. Total Hand Checks \$3,111.60. Warrants: #101 \$17,148.77; #205 \$2,185.28; #208 \$1,335.83; #249 \$39.57; #590 \$10,404.09; #591 \$6,907.01; #592 \$1,130.79. Total Warrants \$39,151.34. Total Checks and Warrants \$42,262.94.

Moved by Damstra, supported by Sytsma, to approve the Warrant Report of April 10, 2006, in the amount of \$42,262.94. Trustee Proos asked about the Resourceful Bag and Tag and whether it was possible to get the items cheaper. Supervisor Haga responded the carriers purchase from the company and the cost per bag was approximately 32 cents and the cost to residents was 50 cents so the cost was recouped. **Roll Call: Yes - Damstra, Proos, Sytsma, Westra, Pratt, Ensing Millhuff, Haga. No - 0. Absent - 0. Motion carried.**

PUBLIC COMMENT

Joanne Voorhees stated she was running for the upcoming 28th Senatorial District race opening encouraged anyone with questions to contact her.

BOARD COMMENT

Trustee Proos stated he was glad to see the status of Ada Moorings site improvements and Eastbrook was finally doing some of the requirements stated by the board; adding, the township needs to continue to insure compliance. Trustee Proos also commended Treasurer Pratt for her excellent handling of township investments.

Trustee Westra expressed the importance of board members working together as a team and the need to improve electronic measures for information sharing.

Clerk Ensing Millhuff furnished a letter to the township board received from an Ada Township resident after the packets were delivered adding it would be on the agenda under Communications for the following meeting. Clerk Millhuff distributed copies of statistics for the web-site and copies of the standards of conduct/ethics policy which will also be on the agenda for the next meeting.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

KCRC WORK ORDER - LUXEMBERG ST. CATCH BASIN

Supervisor Haga presented pictures of flooding from one of last summer's rainfalls. The Road Commission had been granted authority by the Drain Commission to install a drain basin, which would have a cost split of 45% County; 55% Township. Planning Director Ferro further explained the water comes from both a private road and from a public road the developer was required to put in by the Planning Commission.

Clerk Ensing Millhuff added there was not a problem prior to the development and asked if it was possible to get reimbursement from the Developer and other entities that were responsible for permit approvals and requirement standards. Also, asking why the problem wouldn't have been foreseen by the engineer or Planning Director. Planning Director Ferro replied it was probably a problem in the construction of the private road adding water not getting into a catch basin.

Planning Director Ferro stated one possibility for a resolution to cost would be to create a special assessment district.

Trustee Westra asked how long it would take to determine the responsible party and other payment issues.

Trustee Proos stated the township should not pay to take care of this problem and wanted to investigate and pursue the responsible parties and have those responsible pay for the improvements not the township general fund.

Trustee Damstra added this will become more of an issue as we grow and it needs to be looked at before projects are approved.

Clerk Ensing Millhuff suggested holding on to escrow amounts for longer periods to offset cost that may develop after the project is complete.

Moved by Westra, supported by Ensing Millhuff, to postpone action on the Kent County Road Commission work order for Luxemburg Street, to pursue the developer and report back to the board at the next meeting regarding other responsible parties. Motion carried.

691 ADA DRIVE CATCH BASINS

Supervisor Haga explained the correct address is 6375 Ada Drive and this issue is the result of the trail and again relates to storm issues. The water comes from both the trail and the road. The Road Commission's position is there were no problems before the trail was installed.

Trustee Proos stated the Township shouldn't spend a lot of money on problems that affect a small number of people. Trustee Westra referred to the City of Austin which has a policy regarding responsibility and funding. Trustee Proos stated this was not in the budget and he did not see this as a township financial responsibility.

Trustee Sytsma stated the Kent County Drain Commission has a rotating schedule of 3 to 5 years for drains to be cleaned, yet they have a zero record of it ever taking place. Trustee Proos suggested sending a letter to the Road Commission requesting a copy of the last time the drains were cleaned. **Moved by Proos, supported by Westra, to postpone action on the 6395 Ada Drive water stormwater flooding issue and request Supervisor Haga to write a letter to the Kent County Road Commission regarding the cleaning of catch basins and requesting the schedule and record of cleaning. Motion carried.**

ELEVATED TANK CATHODIC PROTECTION INSTALLATION

Supervisor Haga explained the request for Dixon Engineering to perform the services of developing a package for seeking bids for cathodic protection for the elevated tank at a cost of \$2,100. **Moved by Ensing Millhuff, supported by Westra, to postpone the cathodic protection installation project until an updated contract is received. Motion carried**

TOWNSHIP PROPERTIES FERTILIZATION CONTRACT

Supervisor Haga explained he mailed proposals to 11 companies and bids had been received by 6. Wendy Tatar, Parks Director, stated the low bidder was Thornapple River Nursery. **Moved by Proos, supported by Ensing Millhuff, to award the contract for fertilization to Thornapple River Nursery in the amount of \$7,158. for a three-year contract.** Trustee Sytsma expressed concerns about the use of synthetic fertilizer. Clerk Millhuff agreed stating she had asked the Park Director to contact WMEAC or Michigan State University for their nitrate and phosphate level recommendations. Director Tatar responded the fertilizer was synthetics and connections were made through MSU, Master Gardeners and Cascade Township. **Motion carried.**

OPEN SPACE PRESERVATION BOARD RECOMMENDATION REGARDING RIPARIAN BUFFER ORDINANCES

Supervisor Haga explained the Open Space Preservation Advisory Board has recommended the Township Board request the Planning Commission to review the riparian buffer regulations. **Moved by Westra, supported by Sytsma, to refer the recommendation from the Open Space Protection Advisory Board regarding riparian protection to the Planning Commission for review and report back to the Township Board.** Trustee Proos stated the whole process was fairly recent and believed it was a waste of time to pursue the issue again. Trustee Westra stated he had commented at the time

the initial ordinance was passed there should not be exemptions to any land owner but believe there needed to be some protection on the books. Trustee Westra stated this was a continuation and should be re-examined. Supervisor Haga stated he felt this wasn't an automatic reinstallation of the parts that had been pulled out, but it was a review. Trustee Sytsma thought this was not aimed at the common property owners and they were not the ones doing the damage. Clerk Ensing Millhuff referred to the kill-off of trout in Honey Creek due to poor land stewardship, fertilization and pesticides: adding if specific incidences were occurring and needed to be investigated if the Advisory Board could summarize those for review by the township board and/or Planning Commission and if needed the ordinance could be amended based on the research.

PUBLIC COMMENT:

Charles Leedham, 3000 Grand River Drive, stated the regulation did give some leeway to property owners to their right to use of their property: Stating the individual property owners are not the ones doing destruction, and the regulations should be given a chance to work.

Moved by Ensing Millhuff, supported by Proos, to postpone action on the recommendation from the Open Space Protection Advisory Board until further clarification is made. Motion carried.

ADA PARK ARBORETUM TREE CARE - MULCHING

Wendy Tatar, Parks Director, explained the Arboretum had been mulched in 2002 and they are again in need. The price comes from a combination of getting the product from B. J. Roark and having it installed by Thornapple River. Trustee Proos suggested asking Thornapple River if they could do the entire project for the same price. **Moved by Proos, supported by Pratt, to contract for mulching for Ada Park in an amount not to exceed \$4,355. Motion carried.**

OPPORTUNITY FOR ADDITIONAL PUBLIC COMMENT

Bill Wood - 8060 Vergennes, noted the article in the Press which stated the Township overspent its legal budget by \$15,000 in its ongoing dispute with Rieth Riley, and had now budgeted for \$200,000. He stated when he was on the board he compared the legal expenses of other townships and Ada Township legal fees were higher. He asked how the board could justify spending public funds and using police authority of the township to serve the goals of private business. Mr. Wood stated it was not just a matter of poor judgment, but a matter of law. He referred to over 10 years of harassment of the Pettis operation and the Township has to be careful of civil rights violations, adding an ethics issue existed with Trustee Damstra having a conflict of interest regarding the Pettis issue.

Lloyd Paul, 1268 Pettis, stated he lives in the heart of the P1A zone, which is for the mining of natural resources. The resources are now gone, and it's time to bring the land back to its natural contours. Legal counsel was sought for clarification and the advice was turned over to the Zoning Administrator. Further stating the board had done the right thing in citing Ms. Pettis and Reith Riley stating it was wrong to attack those who had different opinions and Trustee Damstra was just trying to do what was right for the area.

John Ryan, 2100 Grand River Drive, thanked Bob, Randy and Deb for their positions on the riparian issue; adding the current ordinance should be given a chance to work and to pursue those who violate it.

ADJOURNMENT

The meeting was adjourned at 9:05 p.m.

Respectfully submitted,

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

RS: JS