

**ADA TOWNSHIP BOARD MEETING
MINUTES
APRIL 24, 2006**

DRAFT

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: Planning Director Ferro, Recording Secretary Smith and 13 community members.

APPROVAL OF AGENDA

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

GENERAL TOWNSHIP BUSINESS

CONSENT AGENDA:

Approval of Minutes

April 10, 2006, Regular Board Meeting

Receive and File Various Reports

1. Net Parcel Assessing - 4/9/06.

Receive and File Various Communications

1. MTA Legislative Update Fax - 4/7/06 & 4/14/06; 2. Gilchrist Letter - 4/5/06; 3. Moore Bruggink - 50 Years of Service - 3/31/06; 4. KCRC - Act 50 of 1999 Reporting - 4/3/06; 5. Ada Historical Society Minutes - 3/11/06; 6. Summons & Complaint - John Schloop v Betty Hoffman, Rod Horlings, AJS, Inc. and Township of Ada.

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 \$10,115.03; #205 \$420.67; #208 \$87.05; #590 \$198.02; #591 \$440.01; #592 \$23.35. Total Hand Checks \$11,284.13. Warrants: #101 \$22,225.74; #205 \$27,251.13; #208 \$1,063.29; #249 \$457.00; #590 \$86,017.56; #591 \$109,953.06; #592 \$4,821.71. Total Warrants \$251,789.49. Total Checks and Warrants \$263,073.62.

Moved by Proos, supported by Westra, to approve the Warrant Report of April 24, 2006, in the amount of \$263,073.62. Roll Call: Yes - Damstra, Proos, Sytsma, Westra, Pratt, Ensing Millhuff, Haga. No - 0. Absent - 0. Motion carried.

PUBLIC COMMENT

Mark Jansen, former state representative and former township clerk, announced his candidacy for the 28th District now held by Ken Sikkema.

BOARD COMMENT

Trustee Damstra asked if the riparian protection issue was posted on the web-site.

Treasurer Pratt distributed copies of communication she received regarding Pettis & Associates which arrived too late to be included in the board packets.

Clerk Ensing Millhuff reminded residents of the school election on May 2.

Supervisor Haga gave a summary the Kent County Road Commission Annual dinner on April 20. Stating the viaduct project on Thornapple River Drive was delayed due to the sale of the Railroad. Pettis Avenue is scheduled for some work from Honey Creek to Egypt Valley beginning mid-May adding Honey Creek will be worked on, and will be reconstructed in 2007 and the status of crosswalks at Ada/Thornapple and Fulton/Ada and how to better reinforce the crosswalk at Ada/Thornapple due to vehicle collisions. Supervisor Haga also stated he was receiving calls about dusty and gravel roads and it was anticipated the dust layer would be added very soon.

OLD BUSINESS

ELEVATED TANK CATHODIC PROTECTION

Supervisor Haga explained he had confirmed the cost of \$2,100 for the engineering consulting and inspection services. The estimated cost of the total project is approximately \$15,000. **Moved by Westra, supported by Pratt, to approve the proposal and contract agreement for engineering of the cathodic protection installation for the one-million gallon tank located on Ada Drive. Moved by Proos, supported by Westra, to amend the original motion to include a not-to-exceed cost of \$2,100. Motion to amend carried. Main motion, as amended, carried.**

OPEN SPACE PRESERVATION BOARD RECOMMENDATION REGARDING RIPARIAN BUFFER ORDINANCE

Planning Director Ferro explained the request from the Open Space Protection Advisory Board to request the Planning Commission reexamine the riparian protection regulations had been considered at the last township board meeting, but was postponed in order to obtain more detailed information regarding the reasons.

Planning Director Ferro's memo to the board dated April 11, 2006, described two site circumstances had led the Open Space Advisory Board to make the recommendation. One of the properties is a single-family home site on Honey Creek, and the other is a large tract of undeveloped land on Fulton Street east of the Grand River, between Ada and Lowell. Ferro pointed out both of these activities would be exempt from riparian regulations. The Planning Commission, at its last meeting, passed a motion stating the Planning Commission was ready if the Township Board desired the regulations be re-examined. **Moved by Sytsma, supported by Pratt, to refer the matter of review of the riparian buffer ordinance to the Planning Commission as recommended from the Open Space Preservation Board.** There were questions and comments by board members regarding erosion control technology, having rules versus enforcing the rules, fines and compensation, possible State involvement, possible meeting with Road Commission, relevance to the entire township, issues which pre-date the riparian regulations, adopting more regulations versus giving the existing regulations time to work, enforcement of existing regulations, the right to farm, DEQ awareness and possible violation of State laws.

Charles Leedham, 3000 Grand River Drive, stated it is the property owners' right to sell, not sell, use their property as long as it's not harming the neighbors and is within the current guidelines of the law. He stated the existing riparian regulations were quite severe.

Carl Haskel, 5300 Michigan, expressed concern about the process. He had been watching the agendas and minutes and had not seen the riparian issue mentioned.

Carl White, Fase Street, stated the riparian preservation board was trying to "reinvent the wheel."

Roll Call: Yes - 2. No - 5. Main Failed.

Moved by Westra, supported by Ensing Millhuff, to refer the issue to the Zoning Committee for review and recommendations regarding enforcement of the existing riparian protection ordinance and report back to the township board within 30 days.

Moved by Proos, supported by Westra, to amend the motion to make the referral all-inclusive for all zoning ordinances relative to enforcement and to report back to the board in 60 days. Motion to amend carried. Main motion, as amended, carried.

NEW BUSINESS

STANDARDS OF CONDUCT/ETHICS BOARD

Clerk Ensing Millhuff referred to updates which included some changes to reflect items currently defined within the personnel manual. **Moved by Pratt, supported by Westra, to adopt the Township of Ada Standards of Conduct for Public Officers and Employees.** There were questions by trustee Proos and Sytsma regarding the purpose, timing, members to serve on the ethics board, and reference to typographical errors, the Compensation Commission and Personnel Committee, and if other townships had similar policies. **Roll Call: Yes - Westra, Pratt, Ensing Millhuff, Haga. No - Sytsma, Damstra, Proos. Absent - 0. Motion carried.**

RESOLUTION R-042406-1 - CHEMICAL AWARENESS WEEK

Moved by Westra, supported by Ensing Millhuff, to adopt Resolution R-042406-1, which is Chemical Awareness Week for May 7 - 13, 2006. Roll Call: Yes - Damstra, Proos, Sytsma, Westra, Pratt, Ensing Millhuff, Haga. No - 0. Absent - 0. Resolution adopted.

BOX OFFICE HITS REQUEST FOR EXTENSION OF TIME TO COMPLETE PROJECT

Moved by Westra, supported by Ensing Millhuff, to grant the six-month extension to the original Resolution R-111405-1, for the Box Office Hits project.

Trustee Westra noted it was the contractors and the weather, not the owner, which delayed the project.

Trustee Damstra asked about the parking issue.

Trustee Proos asked if there were any hidden issues. Supervisor Haga stated there had initially been an issue getting the building permit, but that it had not been the fault of the owner.

Motion carried.

ROSELLE PARK LANDSCAPING BIDS FOR ENTRY

Supervisor Haga explained five bids had been received and the low bidder was Twin Lakes. Rare Earth, whose bid was \$73 higher, is a company located in Ada Township. **Moved by Westra, supported by Pratt, to award the Roselle Park landscaping entry bids to Rare Earth in the amount of \$5,306.** Clerk Ensing Millhuff disclosed the owner of Rare Earth is on the Parks Committee but he hadn't seen the bids. Supervisor Haga added Rare Earth had done the design work for the entry and had received payment. There were questions from board members regarding the master plan for Roselle Park and replacement of landscape items don't survive. Wayne Nowak, Rare Earth, stated the bid specifications didn't ask for a warranty but it was his general practice to provide a one-year warranty. **Moved by Westra, supported by Pratt, to amend the original motion to include a one-year warranty on the plant materials. Motion to amend carried. Main motion, as amended, carried.**

TOWNSHIP TRAILS FUNDING COMMITTEE

Supervisor Haga noted there would be a separate funding committee for Roselle Park. **Moved by Ensing Millhuff, supported by Pratt, to approve the trails funding committee as presented. Motion carried.**

OPPORTUNITY FOR ADDITIONAL PUBLIC COMMENT

Bill Wood, 8060 Vergennes, stated he had not received any feedback regarding the legal budget, and he expressed concern about the board's intent to drive Edie Pettis and Rieth Riley out. Mr. Wood stated the board should read Judge Leiber's decision and just because someone can go to court doesn't mean they should. He stated the lawsuit has no connection to the public health, safety and welfare of the people of Ada; also distributed an article from an MTA magazine on legal expenditures of tax dollars.

ADJOURNMENT

The meeting was adjourned at 9:25 p.m.

Respectfully submitted,

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