

**ADA TOWNSHIP BOARD MEETING
MINUTES
OCTOBER 13, 2008**

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

APPROVAL OF AGENDA

Added to the agenda under New Business: Item D. Halloween Dog Walk - Ada Drive Trail. **Moved by Westra, supported by Proos, to approve the agenda as amended. Motion carried.**

GENERAL TOWNSHIP BUSINESS

CONSENT AGENDA:

Approval of Minutes

September 22, 2008, Regular Board Meeting

Receive and File Various Reports/Communications

1. Planning Commission Minutes - 08//21/08 & 09/09/08; 2. Township Investment Report - 08/31/08; 3. Supervisor Report - 10/08; 4. Parks Director Report - 09/19/08; 5. Ada Historical Society Minutes - 08/09/08; 6. Open Space Preservation Advisory Board Minutes - 09/11/08; 7. Kent County Community Development Departmental - 09/22/08; 8. MTA Legislative Update Fax - 09/19/08 & 09/26/08; 9. Utility Advisory Board Minutes - 09/18/08. **Moved by Proos, supported by Sytsma, to approve items on the Consent Agenda. Motion carried.**

APPROVAL OF WARRANTS AND RECEIPTS

PAY REQUEST 3, ADA TRAILS CONTRACT 3, KNAPP ST. TRAIL

PAY REQUEST 2, ROSELLE PARK ENTRY PROJECT

Treasurer Pratt presented Warrants and Receipts in the following amounts: Hand Checks: #101 \$4,251.65; #205 \$2,920.85; #208 \$686.55; #211 \$90,767.50; #213 \$487.50; #590 \$3,055.41; #591 \$2,041.06; #592 \$619.79; Total All Hand Checks \$104,830.31. Warrants: #101 \$23,864.61; #205 \$34,239.21; #208 \$2,452.47; #211 \$25,174.51; #590 \$90,606.54; #591 \$185,150.07; #592 \$3,122.48; Total Warrants \$364,609.89. Total All Checks and Warrants \$469,440.20. **Moved by Westra, supported by Sytsma, to approve the Warrant Report for October 13, 2008, in the amount of \$469,440.20.** There were questions/comments by board members regarding trees for the cemetery, Nextel phones, the Ada trail contract pay request, and the Roselle Park Entry Project pay request. Trustee Proos stated he was upset that Steve Groenenboom was not present to answer questions related to the pay request for the trail. Trustee Westra encouraged the board to put out the phones for competitive bid and look for a different provider. **Moved by Proos, supported by Westra, to hold the bill for the trail engineering services and the payment #3 until next board meeting. Motion carried. Roll Call (on motion to approve warrant report less the amount for the trail contract): Yes - Sytsma, Westra, Proos, Pratt, Ensing Millhuff, Haga. No - 0. Absent - Damstra. Motion carried. Moved by Proos, supported by Westra, to approve payment to Twin Lakes Nursery for the Roselle Park entry project in the amount of \$11,715.11. Motion carried.**

PUBLIC COMMENT

Frank Hoover, 700 Marbury, encouraged the board to get the litigation with Edie Pettis resolved. It has cost both Ms. Pettis and the township a lot of money and he believes more community members support her operations than oppose them.

Deb Emery, 7534 Fase Street, asked if Supervisor Haga had talked to the Road Commission about their plans to sweep Fase Street since all the debris was left from the detour: adding the potholes which were filled last month are already coming out.

BOARD COMMENT

Trustee Sytsma stated the Planning Commission had requested the board to pursue with the Forest Hills School District the issue of the wireless equipment being placed on the water tower at Forest Hills Eastern.

Trustee Proos stated a communications tower is needed in the north part of the township and suggested the possibility of placing one on public land. He listed several possible location sites adding the township could receive the rental fees. He also expressed concern with the holiday lights in the village, stating he didn't believe it was appropriate at a time when government needs to take fiscal responsibility. Trustee Proos referenced the proposed heliport ordinance and suggested it be expanded to include all overhead traffic. In regard to the Supervisor's Report, he stated he would be surprised if anyone were pleased about the Ada Cogen Tax Tribunal case update expressing the need to work towards a favorable solution for all parties. Trustee Proos added he was bothered by the MDOT request for an additional \$43,000 for the M-21 Bridge, and objected to the increase. He also suggested the township approach Forest Hills Schools regarding the location for fireworks in the northern part of the township in the future.

Trustee Westra agreed with the communications tower issue and had noticed the lights as well. He suggested the future DDA could be a financial resource for the lights. Trustee Westra stated he had previously called for an ordinance to be drafted addressing private aviation as a whole, adding he too, believed there was no need to spend an additional \$43,000 for the M-21 bridge project.

Clerk Ensing Millhuff agreed with Trustees Proos and Trustee Westra regarding placing cell towers on public land reminding members of a similar discussion and suggestion initiated originally by Trustee Westra. Clerk Millhuff added previously board members had an informal discussion and consensus that projects between \$5-10,000 did not need to go to bid, suggesting if that was the consensus the board purchase policy be reviewed, update and be formally adopted with the approved changes. Clerk Millhuff also distributed copies of an article in the November 2006 MTA Magazine stating it was important to remember any money the township has belongs to the taxpayers and therefore statutory restrictions on spending, and no one board member has the authority to circumvent those policies. Further stating while Ada Township was financially stable, in general everyone was feeling the economic crunch and believes community members will be extremely watchful over how the board spends tax dollars in the future.

Trustee Proos stated he agreed and thanked Treasurer Pratt for her astute investing, adding and asked Treasure Pratt if she would share the procedures she followed for investments.

Treasurer Pratt explained the procedures she has used to invest the township's money, included choosing banks that were financially sound, using the Kent County pool, and moving some money to banks with higher ratings. She added she is very comfortable with the current status of township investments.

Trustee Sytsma stated the Planning Commission has been working hard on several different issues, including the heliport ordinance and the heliport ordinance is nearly complete. She agreed with Clerk Ensing Millhuff cell towers will disappear in the future and they should only be allowed where they're not obnoxious: stating there are many ways to obfuscate the appearance of towers. She added the township has no jurisdiction over schools and churches regarding cell towers, fireworks, or mandate private aircraft landing on the rivers because they are a natural resource. Trustee Sytsma added when the subcommittee met with representatives from the school district, the school did not agree with the request but was willing to work with the township.

Supervisor Haga stated Forest Hills Schools have not refused to consider cell towers and he and the planner had been meeting with them stating the township indicated it would take a leadership role in getting feedback and input and report back to the school system, noting after researching the original agreement the school district does own the water tank located at Forest Hills Eastern. Supervisor Haga stated he had given approval for the holiday lights mentioned earlier and the cost was \$446.00. Further stating he appreciated the comments regarding the M-21 Bridge and would be sending a letter regarding the boards concern about the additional cost to MDOT. He would refer the matter of the four acres of donated to the township by Reith-Riley to Planning Director Ferro to research as a feasible location for a cell tower.

NEW BUSINESS

RESOLUTION R-101308-1 - UTILITY DEPARTMENT DELINQUENT CHARGES

Supervisor Haga explained the process by the Utility Department to place delinquent charges for water and sewer services onto the tax roll for collection. He stated the amount for 2008 was considerably less than for 2007. **Moved by Pratt, supported by Westra, to adopt Resolution R-101308-1, which are the Utility Department delinquent charges. Roll Call: Yes - Westra, Ensing Millhuff, Haga, Pratt, Proos, Sytsma. No - 0. Absent - Damstra. Resolution adopted.**

APPOINTMENT TO OPEN SPACE PRESERVATION ADVISORY BOARD

Moved by Sytsma, supported by Proos, to approve the appointment of Mr. Jeffery VandenBerge to the Open Space Preservation Advisory Board. Motion carried.

GYPSY MOTH SURVEY PROPOSALS - KENT COUNTY PROGRAM

Supervisor Haga stated he had not had a chance to talk to Dr. Forbes. Clerk Ensing Millhuff stated the board moved at the last meeting to have Dr. Forbes present when this issue was considered. **Moved by Proos, supported by Sytsma, to contract to use the services or connectivity of Kent County regarding the gypsy moth suppression program and their recommendation to contract with Aquatic Consultants, at a fee of \$8,576.** Trustee Proos asked for clarification about the budgeting and millage. Supervisor Haga noted the township spent \$5,700 for spraying in 2003 and \$9,100 in 2004. The proposed amount is for a survey. Trustee Westra stated just as any other pest this was a homeowner issue and responsibility, adding, he did not believe the local government and taxpayers dollars should be involved. Further stating prior to spraying there needed to be factual evidence the treatment would not harm other species of moths and butterflies. He suggested local college and university departments be asked if they would be interested in providing survey services. Supervisor Haga stated he had called the MSU Extension Office and had not received a call back.

Moved by Proos, supported by Westra, to postpone action on the gypsy moth survey until further information or until the next meeting with further information from MSU and Dr. Forbes. Motion carried.

HALLOWEEN DOG WALK - ADA DRIVE TRAIL

Supervisor Haga stated he had received a call from Ms. Terpstra who was interested in doing a dog walk. He also said waivers were available and it seemed to be for a good cause and for a short distance. **Moved by Proos, supported by Westra, to postpone action because of the lack of presence of the applicant. Motion carried.**

OPPORTUNITY FOR ADDITIONAL PUBLIC COMMENT

Deb Emery, 7534 Fase, asked for clarification about the amount of money that could be spent without board approval, including legal fees.

Tom Bamborough, 5550 Forest Bend Drive SE, comment on Gypsy Moth and referred to his written correspondence.

OLD BUSINESS

MOTION TO PROCEED INTO CLOSED SESSION TO DISCUSS PENDING LITIGATION REGARDING PETTIS MATTER

Moved by Sytsma, supported by Proos, to proceed into closed session to discuss pending litigation regarding the Pettis matter. Roll Call: Yes - Haga, Proos, Sytsma, Westra, Pratt, Ensing Millhuff. No - 0. Absent - Damstra. Motion carried.

Moved by Proos, supported by Westra, to return from closed session to regular session. Motion carried.

RESOLUTION R-101308-2 - RESOLUTION APPROVING CONSENT JUDGMENT FOR THE PURPOSE OF DISSOLVING PENDING LITIGATION - PETTIS V ADA TOWNSHIP

Moved by Westra, supported by Pratt, to adopt Resolution R-101308-2, which is a resolution approving the consent judgment for purposes of resolving pending litigation, Pettis v Ada Township.

Attorney - explained the background of the lawsuit and the settlement terms and stated it was his recommendation to agree to the settlement. **Roll Call: Yes - Westra, Sytsma, Haga, Pratt, EM, Proos. No - 0. Absent - Damstra. Resolution adopted.**

ADJOURNMENT

The meeting was adjourned at 9:09 p.m.

Respectfully submitted,

Deborah Ensing Millhuff, CMC
Ada Township Clerk

RS: JS