

**ADA TOWNSHIP BOARD MEETING
MINUTES
OCTOBER 12, 2009`**

Meeting was called to order by Supervisor Haga at 7:30 p.m. Members present: Supervisor Haga, Treasurer Rhoades, Trustee Smith, Trustee Westra, Trustee Sytsma, Trustee Proos. Also present: Planning Director Ferro, Recording Secretary Johnson and twelve community members. Members absent: Clerk Burton.

APPROVAL OF AGENDA

Motion to approve agenda as presented. **Moved by Proos, supported by Sytsma, to approve the revised agenda as presented. Yes – 6, No – 0; Motion carried.**

GENERAL TOWNSHIP BUSINESS

CONSENT AGENDA:

Approval of Minutes

September 28, 2009, Regular Board Meeting

Receive and File Various Reports/Communications

1. Comcast Channel Lineup - 9/22/2009; 2. Grand River Expedition 2010; 3. Period Ending 9/30/2009 Revenue/Expenditure Report; 4. MTA Legislative Update Fax - 9/18/2009, 9/25/2009; 5. Trustee Sytsma Residency Update - 10/9/2009; 6. Non-Motorized Trail Update - 10/9/2009. **Moved by Rhoades, supported by Smith, to approve the Minutes and accept the reports and communications under the Consent Agenda.** Trustee Proos inquired as to the statutory guidelines relating to Trustee Sytsma's letter to the Board on her current residency. Supervisor Haga indicated that it would be addressed during Board Comment. Trustee Proos noted that he felt that was procedurally incorrect, and that it should be discussed during the acceptance of communications. Trustee Smith noted that a line was missing from the bottom of the distributed copy of the Minutes for September 28, 2009; she asked that it be verified that the line was present in the original. **Yes – 6, No – 0; Motion carried.**

APPROVAL OF WARRANTS AND RECEIPTS

Treasurer Rhoades presented Warrants and Receipts in the following amounts: Hand Checks: #101 \$2,164.87; #205 \$610.27; #208 \$656.57; #590 \$3,076.29; #591 \$1,734.86; #592 \$452.29; Total All Hand Checks \$8,695.15. Warrants: #101 \$85,630.39; #205 \$107,809.32; #208 \$40,231.74; #211 \$37,696.68; #213 \$17,410.78; #248 \$67.40; #590 \$620.02 #591 \$1,160.90; #592 \$442.28; Total Warrants \$291,069.51. Total All Checks and Warrants \$299,764.66. Treasurer Rhoades noted a few corrections to the previously distributed Warrant Report. In account #211, the hand check #32460 in the amount of \$175,275.95 for the Trails Project Construction is not a hand check, so the amount was reduced accordingly. In addition, Item #28 in the Warrant section had been previously entered, so it was also removed. **Moved by Proos, supported by Sytsma, to approve the Warrant Report for October 12 2009, in the amount of \$299,764.66.**

Regarding Line Item #28, Trustee Smith asked if the cogeneration issue was still ongoing. Supervisor Haga explained that the issue was closed and the new legal fees were related to a review and adjustment to taxing entities and the recalculation of dispersal between entities. The refund costs are disbursed among the appropriate funds. Supervisor Haga noted that the charges do not put any of the fund balances in jeopardy.

In response to Trustee Westra's question on Line Item #25, Supervisor Haga clarified that the expenditure was for two chairs.

Roll Call: Yes - Westra, Smith, Sytsma, Proos, Rhoades, Haga. No - 0. Absent - Burton. Motion carried.

PUBLIC COMMENT OTHER THAN AGENDA

There was no Public Comment.

BOARD COMMENT

Trustee Westra and Trustee Sytsma extended congratulations and thanks to Park Director Mark and his staff on the outstanding Roselle Park celebration; the resident response has been very positive.

Trustee Westra inquired on the status of the project job costing in the BS&A.Net system. Supervisor Haga indicated that the projects have been set up, but that individual staff time allocation is not part of the planned analysis. Trustee Westra responded that job costing should include all expenses at all levels to allow analysis of the numbers and provide drill-down capability.

Trustee Westra raised the issue of Trustee Sytsma's current residency status and requested clarification on the governing statutes for this situation. Supervisor Haga briefly reviewed the copies of the applicable statutes, which were distributed immediately prior to the meeting. The guidance provided by the Michigan Township Association (MTA) and the statutes cited essentially address not only the facts of residency but also the intent to immediately re-establish residency. Supervisor Haga has determined that obtaining a legal opinion in this matter would cost approximately \$3,000.00. Trustee Westra expressed concern regarding Trustee Sytsma's demonstrated commitment to board membership; Trustee Proos corrected Trustee Westra's citation of Trustee Sytsma's recent absences. Supervisor Haga called Trustee Westra out of order; he indicated that if the matter is to be pursued fairly, then due diligence and a legal opinion are in order, along with an agenda item. Trustee Smith felt that the issue was not attendance, but residency. If it is determined that there is a vacancy, then the Board must move quickly to fill it. She urged the Board to resolve the residency question swiftly. Trustee Proos urged the Board to focus on major issues. In alignment with the guidance provided by MTA, he stated that Trustee Sytsma has demonstrated commitment to her Board membership and

has a proven track record. Her letter to the Board indicated that she is actively seeking a residence in Ada Township. Trustee Proos concluded that spending money on a further legal opinion is not fiscally responsible when Trustee Sytsma's actions clearly fall within the parameters provided by the MTA.

Trustee Smith raised the issue of the current year budget given the fiscal situation. Supervisor Haga noted that Ada Township is still in good shape for this year, but changes in revenue sharing may have some impact.

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

ROSELLE PARK NATURE TRAIL 2009 CONTRACT AWARD

Wes Steer, the Ada Township landscape architect with O'Boyle Cowell Blalock & Associates, presented the Roselle Park Nature Trail 2009 contract award. **Moved by Westra, supported by Proos to approve the recommendation to award the Roselle Park Nature Trail 2009 contract to Youngstrom Contracting, Inc. in the amount of \$23,500.00 with a \$1,200.00 contingency.** The Board discussed the changes from the original project plan and the subsequent cost reductions in the project. Mr. Steer indicated that pending DEQ permits, the project should be completed in 2009. Due to the heavy wear caused by mountain bikes, Trustee Westra encouraged the Parks Department to consider limiting mountain bike use of this trail. **Yes – 6, No – 0; Motion carried.**

APPROVAL OF DDA BYLAWS

Planning Director Jim Ferro presented the Downtown Development Authority (DDA) bylaws, which were recently developed and must be submitted for Board approval. **Moved by Proos, supported by Smith to approve the Downtown Development Authority (DDA) bylaws as presented.** The Board discussed the planned posting of the DDA Minutes to the Ada Township website, as well as the agendas and schedule eventually. **Moved by Sytsma (correction: Moved by Smith as noted at board meeting), supported by Westra, to amend the DDA bylaws Article VI, Section 2, to change the notice of any meeting of the Board from at least two (2) days to at least four (4) days. Yes – 6, No – 0; Amendment to the motion carried. Yes – 6, No – 0; Motion as amended carried.**

THORNAPPLE RIVER DRIVE CROSSWALK AT LEONARD FIELD

Planning Director Jim Ferro presented the proposal for the installation of a striped crosswalk on Thornapple River Drive at Fase Street and Leonard Field connecting to the existing sidewalk in the park and a short stretch of new sidewalk on the north side of Fase Street. To meet Kent County Road Commission stipulations, the plan includes a 50-foot five-foot concrete sidewalk along Fase Street. **Moved by Westra, supported by Smith to approve the recommended bid by G.E.T. Concrete for the Thornapple River Drive Crosswalk at Leonard Field in the amount of \$3,900.00.** Trustee Westra inquired if signaling would be added; Supervisor Haga indicated that it is unlikely the Road Commission would consider the traffic sufficient to warrant signaling.

In addition, Supervisor Haga explained that this project is not eligible for funding from the Parks and Safety fund. The Board also discussed the necessity for the crossing and balancing potential safety concerns with cost and the lack of actual accidents at the location. Trustee Sytsma inquired as to the legal implications of the crosswalk on motor vehicle traffic. **Yes – 5, No – 1; Motion carried.**

RESOLUTION R-092809-1, MORATORIUM EXCEPTIONS

Supervisor Haga presented the request to allow two exceptions to the moratorium on land division that was instituted by recently approved Resolution R-092809-1. Both of the exceptions had purchase agreements in place prior to the adoption of the resolution; they do not impact the intent of the moratorium. **Moved by Smith, supported by Westra to approve the two presented exceptions for 9070 Bailey Drive and 2652 Egypt Valley Drive to the moratorium instituted by Resolution R-092809-1.** The Board briefly discussed the reasons for granting the exceptions. **Yes – 6, No – 0; Motion carried.**

PLANNING COMMISSION APPOINTMENT AND RE-APPOINTMENTS

Supervisor Haga presented his recommendations for Planning Commission appointments: Mr. Lloyd C. Paul for a 1st three-year term (to expire October 2012), Ms. Angela Butterfield for a 3rd three-year term (ending October 2012), Ms. Sara Easter for a 1st full three-year term (ending October 2012), Mr. Tom Korth for a 4th term (ending October 2011). **Moved by Smith, supported by Sytsma, to approve Supervisor Haga's recommendations for appointments and re-appointments to the Planning Commission as outlined in the memo dated October 6, 2009.** The Board noted that Mr. Paul was present in the audience and commended him on his long participation and activism in the Ada Community. **Yes – 6, No – 0; Motion carried.**

WIRELESS PHONE PROPOSAL

Supervisor Haga presented the wireless phone proposal to the Board; there were several options available. **Moved by Proos, supported by Smith, to approve the Sprint phone plan with an option to allow individuals to purchase insurance and pay for it themselves; all individuals given Township phones are to be responsible for that equipment.** The Board discussed the options presented in the different plans, including phone insurance, push-to-talk options, local mobile coverage, unlimited text and data, etc. The Board also discussed the IRS policy on classifying cell phones as a taxable asset for employees. **Yes – 6, No – 0; Motion carried.**

TOWNSHIP HALL ROOF REPAIR

Supervisor Haga outlined the need for the Township Hall roof repair and presented the three proposals received for the work. **Moved by Rhoades, supported by Proos, to accept the recommended quote for Thomet Construction to replace the shingled portion of Township Hall in the amount of \$3,990.00.** The Board discussed aspects of the proposed repairs, including valley handling and drip edges. **Yes – 6, No – 0; Motion carried.**

OPPORTUNITY FOR ADDITIONAL PUBLIC COMMENT

Frank Hoover, 700 Marbury, urged the Board to resolve the residency issue quickly.

ADJOURNMENT

The meeting was adjourned at 9:06 p.m.

Respectfully submitted,

**Susan Burton
Ada Township Clerk**

RS/kj