

**ADA TOWNSHIP BOARD MEETING  
MINUTES  
NOVEMBER 27, 2006**

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

**APPROVAL OF AGENDA**

Deleted from the agenda under New Business: Item F - Resolution R-112706-1 - Third Amendment to Wholesale Water and Sanitary Sewer Service Agreement.:

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

**GENERAL TOWNSHIP BUSINESS**

**CONSENT AGENDA:**

**Approval of Minutes and Accept Reports/Communications**

1. Approval of Minutes: November 13, 2006; 2. Planning Commission Report - 10/19/06 & 11/08/06; 3. Clean Up Day Activity Report - 11/6/06; 4. Urban-Rural Connection - Fall 2006; 5. Michigan Dept. of Treasury - Inflation Rate - 11/1/06; 6. Ada Historical Society Minutes - 10/14/06; 7. MTA Legislative Update Fax - 11/10/06 & 11/17/06; 8. Kent County Urban and Rural Community Benefits from County Services - 09/06; 9. Region 8 Notes - 11/06; 10. Utility Advisory Board Minutes - 10/19/06; 11. International Institute of Municipal Clerks - Clerk Millhuff Second Level Membership in the IIMC Master Municipal Clerk Academy; 12. Comcast - Channel Lineup - 11/8/06 & 11/13/06; 13. Investment Report - 10/06; 14. Clerk's Office Monthly Statistic Report - January 1, 2006 through October 31, 2006.

**Moved by Westra, supported by Damstra, to approve items on the Consent Agenda.** Trustee Sytsma referred to the Clerk's Office Monthly Statistic Report and stated she didn't feel the township had customers--it had citizens. Supervisor Haga stated he would take up the matter with the Clerk. **Motion carried.**

**APPROVAL OF WARRANTS AND RECEIPTS**

Treasurer Pratt presented Warrants and Receipts in the following amounts: Hand Checks: #101 \$22,835.61; #205 \$656.05; #208 \$95.05; #401 \$500.00. Total Hand Checks \$24,086.71. Warrants: #101 \$72,600.32; #205 \$3,685.63; #208 \$3,016.43; #590 \$53,167.08; #591 \$97,269.13; #592 \$262.02. Total Warrants \$230,000.61. Total Checks and Warrants \$254,087.32.

**Moved by Proos, supported by Westra, to approve the Warrant Report of November 27, 2006, in the amount of \$254,087.32.** Trustee Proos noted the charrette expenses and asked if a final presentation was ready. Trustee Sytsma responded it was coming along. Trustee Proos inquired about the software support from Firehouse Solutions. Fire/Rescue Chief DuVall explained that Ada had been using the software for several years and it was used to enter data for each call. Information was automatically sent to the federal government. Trustee Proos inquired about how the mileage expense was calculated. **Roll Call: Yes - Pros, Damstra, Sytsma, Westra, Haga, Pratt. No - 0. Absent - Ensing Millhuff. Motion carried.**

**PUBLIC COMMENT**

There was no public comment.

**BOARD COMMENT**

Trustee Proos referred to the assessment information included in the board packets and suggested the board consider not raising tax rates in 2007.

Treasurer Pratt commended Clerk Millhuff on qualifying for the second level Master Municipal Clerk Certification through the IIMC. Trustee Sytsma stated she agreed with Treasurer Pratt and expressed appreciation for the work Clerk Millhuff has done for the community adding she agreed with Trustee Proos comments regarding tax rates.

Deputy Clerk Thompson distributed copies of an article about liquor licenses which was written by student reporter Drew Clouse.

Supervisor Haga explained the letter regarding assessment information was from the State Treasurer Department and reflected the annual taxable value inflation and the history of inflation factors since Proposal A was passed, adding, the township follows the annual "Truth and Taxation" as required by Headley. Supervisor Haga also announced the township appraiser Matt Smith had resigned from Ada in order to accept a more lucrative offer with the Kent County Assessor and Ads for his position are currently running. Adding a part-time clerical worker was hired for work throughout the township offices, but was currently focusing on the assessor's office and some of the field work will be done by the contractor until the position is filled. Trustee Westra asked if an exit interview had been done to determine the reason for leaving. Supervisor Haga responded it was purely a financial matter.

## OLD BUSINESS

There was no Old Business.

## NEW BUSINESS

### **JOHN SCHLOOP V ADA TOWNSHIP - MOTION TO PROCEED INTO CLOSED SESSION TO DISCUSS PENDING LITIGATION REGARDING THE JOHN SCHLOOP MATTER**

**Moved by Proos, supported by Sytsma, to proceed into closed session regarding the John Schloop matter, which is pending litigation. Roll: Yes - Sytsma, Westra, Haga, Pratt, Proos, Damstra. No - 0. Absent: Millhuff. Motion carried.**

**Moved by Proos, supported by Damstra, to return to regular session. Motion carried.**

Scott Timmer, 231 Park Hills Drive, counsel for the township, explained the matter had gone through facilitated mediation in October. An agreement had been reached specifying the township would permit building on the lot and the township would not pay any money damages to the plaintiff. The township's only role would be to permit the construction of the residence on the non-conforming lot which is .8 acres. The three-acre requirement came about in 1990. At the time the lot was created in 1966, there was a one-acre requirement. The proposal is to accept the facilitated mediation recommendation. **Moved by Westra, supported by Proos, to accept the facilitated mediation recommendation as provided from legal counsel and the facilitated mediation meeting, which essentially states that we make the lot a buildable lot as part of the settlement.** Supervisor Haga noted for the record, the parcel number was 41-15-26-400-014. **Motion carried.**

### **ADA TOWNSHIP V CASCADE JEHOVAH'S WITNESSES - MOTION TO PROCEED INTO CLOSED SESSION PENDING LITIGATION REGARDING THE JEHOVAH'S WITNESSES MATTER**

**Moved by Proos, supported by Sytsma, to proceed into closed session to discuss pending litigation re: Jehovah Witness matter. Roll Call: Yes - Westra, Sytsma, Pratt, Haga, Damstra, Proos. No - 0. Absent: Millhuff. Motion carried.**

**Moved by Proos, supported by Damstra, to return to regular session. Motion carried.**

Mike Roth explained the township is party plaintiff in a case against the Ada and Cascade Township Jehovah Witness congregation. The issue arose during construction when the church hired a contractor that broke the sanitary sewer line. In order to help out the property owner, the township secured its own contractor and incurred some \$40,000 debt. The congregation had initially agreed to pay the bill, but reneged when the bill was presented to them. The congregation has now agreed to pay \$25,000. Mr. Roth recommended the township accept the settlement offer in the amount of \$25,000. **Moved by Proos, supported by Sytsma, to approve the recommendation by counsel to settle the dispute with Cascade congregation of Jehovah's Witnesses, in the amount of \$25,000.** Trustee Damstra commented measures need to be put into place to avoid these types of situations, possibly by requiring the posting of bonds. Trustee Westra agreed. Trustee Proos disagreed, citing the added cost is responsibility of the contractor who created the problem and their insurance should be in place to cover the cost. Supervisor Haga added there should be some type of financial guarantee. He explained the congregation was in a hurry to get into the church; the township utility department did them a favor and now is stuck. **Motion carried.**

### **GO!BUS SERVICES CONTRACT WITH ADA TOWNSHIP, KENT COUNTY, AND THE INTERURBAN TRANSIT PARTNERSHIP**

Supervisor Haga explained the contract is in need of renewal. Also, under the CDBG program we were previously able to make adjustments in the program by advancing funds from the next year. That is no longer allowed. There are currently two options: approval of a nine-month agreement or transferring the amount designated for senior alarms to the GO!Bus program. **Moved by Proos, supported by Sytsma, to approve the contract between the County of Kent, Township of Ada, and Inter-Urban Transit Partnership for GO!Bus for a nine-month period of October 1, 2006 through June 30, 2007.** Trustee Westra stated he would like to see a greater GRATA connectivity in the future. **Motion carried. Moved by Proos, supported by Sytsma, to transfer the \$5,000 allocation for alarm devices for seniors to the GO!Bus program.** Trustee Proos stated he felt if there was truly a need for the senior alarm devices. Fire/Rescue Chief DuVall stated it had been offered two or three times in the Adaview, and approximately four or five smoke detectors had been given away. Supervisor Haga noted we were talking about personal alarms. Trustee Sytsma added there had been a fund at one time to supply and install motion activated lights on senior citizens' homes. **Motion carried.**

**OPTION TO PURCHASE REAL PROPERTY - 1770 GRAND RIVER DRIVE - 17.543 ACRES OF GRAND RIVER FLOOD PLAIN**

Planning Director Ferro explained in the last year the former home of the FOP lodge had been sold to a veterinary practice. The vet practice had received zoning approval and had demolished the FOP lodge and constructed a new vet practice building. After they developed the property, the township approached them regarding acquiring the excess property. 90% of the property is in the 100-year flood plain and is wetland. The Administrative Committee, comprised of Supervisor Haga, Treasurer Pratt and Clerk Ensing Millhuff, based on the recommendation from the Open Space Advisory Committee, has negotiated and entered into an option agreement to acquire 17.5 acres of land along the river, at a proposed purchase price of \$137,535. In addition, the township agreed to assume about \$6,600 in property taxes for 2006. In addition to the estimated \$2,000 for environmental evaluation, there would be some minor closing costs, not to exceed an additional \$2,000. Funding would come from the parks and land acquisition fund (which hold revenues from the voter-approved millage). The Open Space Advisory Board recommended the cost of purchase be evenly split between the Parks and the Open Space portion of the fund. Also included in the option agreement is a commitment from Ada to give the vet practice a license agreement to use an existing two-track to access the property by the business only. **Moved by Westra, supported by Sytsma, to approve the option to purchase real property at 1770 Grand River Drive for 17.5 acres in the amount of \$137,535 along with payment of the real estate taxes for the summer and winter of 2006 estimated at \$6,600, to approve the Phase One environmental survey by Dixon Engineering, and approve the 50-year two-track access.** Trustee Proos asked if there should be a contingency. Trustee Damstra asked how the cost was decided. Trustee Sytsma asked for clarification of the language regarding the access license. **Motion carried. Moved by Proos, supported by Sytsma, to recognize this option to purchase the Grand River property of an incidental closing cost not to exceed \$2,000 as part of cost package. Motion carried.**

**PAINTING OF OFFICE AREAS IN TOWNSHIP HALL**

Fire/Rescue Chief DuVall explained the bidding process. **Moved by Proos, supported by Westra, to approve the low bidders of Techniques Painting in the amount of \$4,975, Kemp Floor in the amount of \$7,097.38, and Powell Relocation in the amount of \$3,170, for a total of \$15,242.38.** Trustee Proos made some suggestions regarding coordination of the contractors. Fire/Rescue Chief DuVall explained there would be a mandatory meeting. There was discussion among board members regarding the bidding process. Supervisor Haga added it was probably time to review the purchase policy. **Motion carried.**

**OPPORTUNITY FOR ADDITIONAL PUBLIC COMMENT**

Trustee Sytsma announced that Dr. David Warner would be doing an inventory on the natural resources.

**ADJOURNMENT**

The meeting was adjourned at 8:52 p.m.

**Respectfully submitted,**

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