

**ADA TOWNSHIP BOARD MEETING
MINUTES
FEBRUARY 13, 2012**

Meeting was called to order by Supervisor Haga at 7:30 p.m. Members present: Supervisor Haga, Clerk Burton, Treasurer Rhoades, Trustee LeBlanc, Trustee Proos, Trustee Westra, and Trustee Smith. Also present: Planning Director Jim Ferro, various presenters and three residents.

APPROVAL OF AGENDA

Motion by Proos, supported by LeBlanc, to approve the Agenda as presented. Yes – 7; No – 0; Absent – 0. Motion carried.

**SPECIAL PRESENTATION-KENT COUNTY SOLID WASTE
MANAGEMENT PLAN AMENDMENT/PUBLIC COMMENT**

Dennis Kmiecik, from the Solid Waste Division of Kent County Public Works, stated by state law, Public Act 451, every county in Michigan is required to have a solid waste plan which is to be updated every 5 years. He stated the DEQ is in charge of the update which has only been done twice, with an amendment process that takes about 1-1/2 years. Kmiecik stated the draft amendments are approved by the Solid Waste Planning Commission for a 90-day public comment period and public hearing, after which the amendments are approved by the Board of County Commissioners and sent to all the municipalities for review and final approval. He stated the amendment is to: update the goals and objectives to be more consistent as defined by the Michigan Solid Waste Policy of 2007; incorporate “institutional wastes” at the Waste-To-Energy Facility, which may be accepted from municipalities located outside the County and from State or Federal Department and Agencies; and define and create the legal framework for establishing an approved “enforcement mechanism” that may include, as recommended by the Board of Public Works, a county-wide ordinance for management of solid waste that must be adopted by the Board of Commissioners.

Kmiecik stated there will be a public hearing on March 7th with the public comment period ending on March 30th. He stated at that time they will take the comments back to the solid waste committee for review, and then go to the County Board toward the end of March. If approved, the updated plan will be sent to all the municipalities in April for approval. There must be a 67% response to approve it.

GENERAL TOWNSHIP BUSINESS

CONSENT AGENDA

Approval of Minutes

January 23, 2012 Regular Board Meeting

Receive and File Various Reports/Communications

1. Planning Commission Minutes-12/15/11; 2. Ada’s DDA Minutes-1/3/12; 3. Kent County Road Commission-I-96 @ Fulton Street (M-21); 4. Utility Advisory Board Minutes-12/15/11; 5. Poverty and Request for Tax Relief Application; 6. Open Space Preservation Advisory Board Minutes-1/12/12; 7. MTA Legislative Update Fax-2/3/12. **Motion by Westra, supported by Smith, to approve the Minutes, Reports and Communications under the Consent Agenda. Yes – 7; No – 0; Absent – 0. Motion carried.**

APPROVAL OF WARRANTS

ADA TOWNSHIP GENERAL WARRANTS

Treasurer Rhoades reported the general township warrants, with receipts in the following amounts: Hand Checks: #101 \$1,987.54; #205 \$2,962.58; #208 \$492.49; #248 \$125.00; #590 \$491.96; #591 \$507.69; #592 \$196.79; Total all Hand Checks: \$6,764.05; Warrants: #101 \$39,674.21; #205 \$34,313.64; #208 \$4,587.93; #211 \$1,150.21; #590 \$107,749.86; #591 \$99,106.00; #592 \$4,654.68; Total Warrants: \$291,236.53. Total All Checks and Warrants: \$298,000.58. **Moved by Smith, supported by LeBlanc, to approve the Warrant Report for February 13, 2012, in the total amount of \$298,000.58. Roll Call: Yes – Westra, Smith, Rhoades, LeBlanc, Proos, Burton, and Haga; No – 0; Absent – 0. Motion carried**

PUBLIC COMMENT

Deputy Ryan Rowe, Kent County Sheriff’s Department, gave a status report on police responses for Ada Township. He stated he has gotten responses from neighborhood watch programs regarding the home invasions, such as reporting a suspicious vehicle in the neighborhood.

Treasurer Rhoades and Trustee Westra asked Deputy Rowe questions concerning the success of the office hours he holds every other Wednesday for the Sheriff’s Department, at the Township, and about how the enforcement of the new Solicitation Ordinance is going.

BOARD COMMENT

Treasurer Rhoades made a statement regarding tax payments are coming in, and are due February 14th.

Trustee Westra commented on the good response time by the Sheriff’s Department on a call by a resident concerning a solicitor. He stated he acquired copies online of all presentations given at the MTA conference should anyone want one.

Trustee Smith reported she was an attendee at the Annual MTA conference this year, and felt it was a good conference, relevant to what’s being discussed tonight. She stated on Saturday she took her grandson to the “Bird Feeder” program, and Parks Director Mark Fitzpatrick did a great job, it was well run and well attended. She revealed she was a victim of one of the home invasions recently, and commented on how difficult it is to handle the emotions of invasion of privacy and the loss of the sense of security. She stated the Sheriff’s Department is doing a great job in trying to catch this person or persons, and residents should be aware and report anything of a suspicious nature.

Clerk Burton stated her office has received a number of phone calls from residents regarding solicitations in the community, and there seems to be more than usual this year.

Supervisor Haga stated work on the bridge at this point requires warmer temperatures for the deck to be constructed. He stated MDOT said it is possible that they would be able to have one lane in each direction completed by Memorial Day weekend, or possibly July 4th. Haga stated, in the context of the solid waste program, the township is beginning to put a plan together with Cascade to collect hazardous waste, but a date has not been set yet.

NEW BUSINESS

RESOLUTION R-021312-1, RUN 4 A CAUSE-OUR KIDS 5K RACE

Denise Hamill, Race Director for Run 4 A Cause, and Kori Quinn, presented their application. She stated last year they contributed \$22,000 in proceeds to the Helen DeVos Children's Hospital. Hamill stated the date is June 16, 2012, from 8:00 a.m. until 2:00 p.m., with the route much the same as it was last year.

Motion by Proos, supported by Westra, to adopt Resolution R-012312-1, Run 4 A Cause-Our Kids 5K Race to be held on Saturday, June 16, 2012, 8:00 a.m. to 2:00 p.m. Roll call: Yes – Westra, Smith, Rhoades, LeBlanc, Proos, Burton, and Haga; No – 0; Absent – 0. Resolution adopted.

RESOLUTION R-021312-2, ARTS IN ADA ROAD CLOSURE

Planning Director Jim Ferro, representing the Arts Council Board, stated the annual Arts in Ada Day festival is scheduled for Saturday, May 19, 2012, on Bronson Street east of Ada Drive to River Street, and on Rivers Street from Bronson Street to the alley. He stated it is a free arts fair with artists booths, a stage and dance performances by the local Ada Dance Academy.

Motion by Westra, supported by LeBlanc, to adopt Resolution R-012312-2, Arts in Ada Road Closure on Saturday, May 19, 2012, 7:00 a.m. to 4:00 p.m. Roll call: Yes – Westra, Smith, Rhoades, LeBlanc, Proos, Burton, and Haga; No – 0; Absent – 0. Motion carried.

RESOLUTION R-021312-3, TOWNSHIP BOARDS AND COMMISSIONS MEETING SCHEDULE FY 2012/2013

Supervisor Haga presented the schedule for the Township board and commission meetings.

Motion by Smith, supported by Westra, to adopt Resolution R-021312-3, Township Boards and Commissions Meeting Schedule for FY 2012/2013. Roll call: Yes – Westra, Smith, Rhoades, LeBlanc, Proos, Burton, and Haga; No – 0; Absent – 0. Resolution adopted.

ASSEMBLY ROOM TECHNOLOGY IMPROVEMENT

Sara Easter, CBD Inc., stated it was determined the multi-media in the assembly hall should be upgraded, so the Information Communications Technology Committee visited several townships to assess what they have. She stated the committee decided to enhance the audio portion, and provide visually with projectors, screens and a document camera, all in an effort for better communication between members of the boards and commissions, and the audiences. The project was put out for bid and the two lowest bidders of the four companies who responded were selected for interviews: Central Interconnect and Moss Telecommunications. Easter stated the committee made the decision to go with Moss Telecommunications.

Motion by Proos, supported by LeBlanc, to approve the proposal for the Multimedia Project in the Assembly Room with Moss Telecommunications, in the amount of \$51,094.23. Roll call: Yes – Westra, Smith, Rhoades, LeBlanc, Proos, Burton, and Haga; No – 0; Absent – 0. Motion carried.

EDITH PETTIS/PETTIS & ASSOCIATES INC., EXTENSION OF TIME TO COMPLETE MINERAL EXCAVATION AND PROCESSING ACTIVITIES AT 6801 CONSERVATION STEET NE-BOARD DIRECTION

Planning Director Jim Ferro stated in 2001 the Township entered into a stipulated settlement agreement with Edith Pettis for her to be able to conduct zero mining and processing for 10 years, and excavation and processing activity shall permanently cease on or before December 2011 with Pettis making a reasonable effort to complete those activities within that time period. He stated it also says Pettis may request one renewal period not to exceed 10 years, with review and recommendation by the planning commission of that request and the final decision upon request by the Township Board. Ferro stated in addition to requiring that Pettis make a reasonable effort to complete the mining and processing within the initial 10 years, the settlement contains some criteria that must be satisfied and shown by the applicant that these criteria have been met: 1. a history of compliance with the terms of the settlement; 2. show there are remaining valuable minerals on the property that can be mined in commercial quantities; and 3. that there is a need for such materials.

Ferro stated the planning commission has completed its review of Ms. Pettis' request for a 10 year extension and at the January meeting adopted the resolution recommending the extension request be denied.

Motion by Proos, supported by LeBlanc, to adopt Resolution R-0121312-4, to adopt the Planning Commission Resolution R-011912-1, Denial of the Extension of Time to Complete Mineral Excavation and Processing Activities. Roll call: Yes – Rhoades, LeBlanc, Proos, Burton, and Haga; No – Westra, and Smith; Absent – 0. Motion carried.

Trustee Proos stated the Township has spent thousands of dollars in legal fees on this issue, have talked a long time, and the Planning Commission has spent days and weeks on this issue, and it's time to put this to bed, and reclamation of the land begin immediately.

Ferro stated there is correspondence from the applicant stating her desire to travel here in May to retrieve records she has stored here and appear before the Board, and she indicated she recently had back surgery and is unable to travel until that time.

Ron VanSingel, Merestone Group, stated he presented these items to the planning commission in various stages, and there were items that were requested that the planning commission felt were not met. He stated there are valuable minerals remaining to be mined, and they did submit a reclamation plan. VanSingel stated the client would like to have input on this so she can submit her records and additional items to show she felt all conditions of the stipulation were met.

Supervisor Haga asked if Ms. Pettis is willing to negotiate any changes or adjustments to the settlement agreement which has been discussed over time.

VanSingel stated he is not legally able to negotiate, and Ms. Pettis is unable to travel up here to get her records until May.

John Sperla, Mika Meyers Beckett & Jones, stated he has been involved in these discussions since 1999, and it has now reached the point of whether there has been reasonable effort put forth. He stated he thinks that is something the Board, with the Planning Commission's recommendation, need to decide.

Deb Emery, Fase Street, stated it would be unfair for this to be voted on tonight before Edie has a chance to present her case.

Trustee Westra strongly recommended the Board engage in working out a viable plan with Ms. Pettis for extending her operation, and also a viable reclamation plan. He felt the township has to do everything possible to support viable businesses in our community.

Trustee LeBlanc stated Ms. Pettis had been given ample opportunity to mine the property under the consent agreement, and hasn't met the burden. As such, he supported the Planning Commission's recommendation.

Supervisor Haga said records of the operation should have been readily available. He didn't believe there was a reasonable effort made to mine the property.

Trustee Smith stated she saw both sides of the issue but didn't believe Ms. Pettis met the burden. She didn't have a problem, however, with giving her the opportunity to do that by waiting till May, allowing her the opportunity to make a presentation to the Board.

EMPLOYEE HEALTH CARE PLAN RENEWAL

Supervisor Haga presented the recommendations from the Personnel Committee for the group insurance benefits to: accept the current group insurance plans and rates with Priority Health and Guardian for FY 12/12; increase the staff contribution from 5% to 10%; review group insurance benefit plans during FY 12/13 for alternatives which may include revision to current plan, Health Saving Account (HAS) plan, Health Reimbursement Account (HRA) plan, or other plans; develop a Request for Proposal (RFP) for consultant review of all Township benefit plans.

Motion by Westra, supported by LeBlanc, to amend the motion as related to No. 2 in the recommendations to increase the staff contribution to 12-1/2%. Roll Call: Yes – Westra, LeBlanc, Proos; No – Burton, Rhoades, Smith and Haga; Absent – 0. Amendment to the motion defeated.

Motion by Rhoades, supported by Burton, to approve the recommendations from the Personnel Committee as presented in their memo of February 6, 2012, for adoption of the current plan, increased rates, raise staff contribution from 5% to 10%, review of any and all health care plans during FY 12/13, and develop a Request for Proposal for review of all Township benefit plans. Yes – 6; No – 1; Absent – 0. Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT

Deb Emery, Fase Street, made further comments regarding the Edie Pettis extension.

ADJOURNMENT

The meeting was adjourned at 9:40 p.m.

Susan Burton
Ada Township Clerk

Date

RS/dr