

**ADA TOWNSHIP BOARD MEETING
MINUTES
MAY 23, 2011**

Meeting was called to order by Supervisor Haga at 7:30 p.m. Members present: Treasurer Rhoades, Trustee Smith, Trustee Westra, Clerk Burton, and Supervisor Haga. Also present: Planning Director Jim Ferro, Recording Secretary Renegar, and 8 community members. Absent: Trustee Sytsma.

APPROVAL OF AGENDA

Supervisor Haga stated two items needed to be added to Communications: #8 Trustee Sytsma Matter-5/19/11, and #9 Residential Sewer Backup at 786 Dogwood Meadows-5/21/11. **Moved by Westra, supported by Rhoades, to approve the Agenda as amended. Yes – 6; No – 0; absent – 1. Motion carried.**

GENERAL TOWNSHIP BUSINESS

CONSENT AGENDA

Approval of Minutes

May 9, 2011 Regular Board Meeting

Receive and File Various Reports/Communications

1. Fire Call Reports-4/11; 2. Building Permit Report-4/11; 3. Zoning Board of Appeals Minutes-4/12/11; 4. Ada Downtown Development Authority Minutes-4/4/11; 5. Kent County Road Commission-Performance Management Summary 2010; 6. Open Space Preservation Advisory Board Minutes-4/14/11; 7. Investment Report-3/11, 4/11. **Motion by Westra, supported by Smith, to approve the Reports and Communications under the Consent Agenda. Yes – 6; No – 0; Absent – 1. Motion carried.**

APPROVAL OF WARRANTS

Treasurer Rhoades reported the general township warrants, with receipts in the following amounts: Hand Checks: #101 \$7,803.80; #205 \$377.21; #208 \$259.34; #590 \$41.42; #591 \$241.39; #592 \$1.69; Total all Hand Checks: \$8,724.85; Warrants: #101 \$19,946.77; #205 \$36,059.04; #208 \$6,816.76; #211 \$3,400.00; #590 \$137,936.59; #591 \$105,793.61; #592 \$2,921.01; Total Warrants: \$312,873.79. Total All Checks and Warrants: \$321,598.64. **Moved by Proos, supported by Smith, to approve the Warrant Report for May 23, 2011, in the total amount of \$321,598.64. Roll Call: Yes - Proos, Smith, Westra, Rhoades, Burton, and Haga; No – 0; Absent – Sytsma. Motion carried.**

PUBLIC COMMENT

~~John~~ Don Mitchell, 8771 Conservation, commented on his disappointment in the Board for approving paving of the Ada parking lots with an illegal approval, which he had expressed at the last meeting. He was very irritated this was awarded without being advertised and with no bid specifications. He would like to see the Board repeal this award.

BOARD COMMENT

Trustee Westra asked if there was a way to include Fire Reports in the new Crime Reporting system just begun by the Kent County Sheriff's Department. Also, he asked when we first started dealing with the residency issue, "Communications" #8.

Supervisor Haga stated we have been dealing with the residency issue for a considerable amount of time and cannot give an exact date.

Trustee Westra stated concern on "Communications" Item #9, Sewer Backup, that there would not be an insurance claim filed by the homeowner. At some point the cleanout for the lateral drain was paved over by someone knowingly or unknowingly, and he is concerned that may have started the problem, resulting in a \$12,000 cost. Although we are statutorily responsible for laterals, he believes the homeowner should file a claim to recoup the costs. Also, he noticed the Wade Trim communication was not reflected in the "Communications" and would like to see it included for the next meeting. Congratulations to everyone who worked on the Arts In Ada; was extremely successful.

Supervisor Haga stated on the May 7th Clean-Up Day there were 407 trips from Ada Township residents and 354 trips from Cascade Township, so he considered it a successful Clean-Up Day. Regarding the sewer backup at Dogwood Meadows, under Public Act 222 the residents in question are required to file a claim within 45 days to the municipality. He stated he is researching whether the claim should be filed with their homeowner's policy or not. The Township becomes responsible for the lateral upon connection to the main line system. Even though there were no warranties on the appurtenances, he was able to secure a commitment from the developer, Eastbrook, to re-install the section of concrete for the driveway in a couple weeks.

There will be a manhole cover on top of the cleanout in the center of the driveway. The homeowner is responsible to make every effort to clean out the sewer should it back up; once it can't be cleaned out, Ada Township has responsibility for the lateral according to the ordinance, which was updated a year ago.

Trustee Smith asked if there is a way to prevent this when a developer builds a house.

Supervisor Haga stated there aren't that many clean-outs in the township section of the laterals. There is an inspection done of the connection of the sewer lateral to the main line at that time, but it is not known what happens after that.

NEW BUSINESS

RESOLUTION R-052311-1, RUN 4 A CAUSE-OUR KIDS 5K RACE

Denise Hamill, Race Director, Run 4 A Cause, stated this is a 5k Run and a Family Fun Run. Last year was a huge success, and for the first event ever there were over 400 participants, and \$14,000 was raised for Helen DeVos Children's Hospital. The race will start on Bronson. Last year all the residents were notified a week ahead of time and that will happen again this year.

Motion by Westra, supported by Proos, to adopt Resolution R-052311-1, Run 4 A Cause-Our Kids 5k Race. Roll Call: Yes - Proos, Smith, Westra, Rhoades, Burton, and Haga; No – 0; Absent – Sytsma. Resolution adopted.

Supervisor Haga noted a concern from last year as to whether there is any way, from a safety standpoint, to control traffic from intermingling with the runners.

Denise Hamill stated they had six police officers at Buttrick, Ada Drive by St. Robert's, and the major areas. She said they had very good patrol.

RESOLUTION R-052311-2, "RESOLUTION TO AUTHORIZE ISSUANCE OF CAPITAL IMPROVEMENT BONDS, GENERAL OBLIGATION LIMITED TAX, SERIES 2011 A FOR BRONSON STREET IMPROVEMENT AND WATERMAIN PROJECT"

James White, Attorney at Law, Mika, Meyers, Beckett & Jones, Bond Counsel for the Township, explained the purpose of this Resolution and the Resolution to follow. Two separate bonds, two separate actions. The Series A are for the Bronson Street water main not to exceed \$750,000, and the Series B are for the Ada Drive force main replacement not to exceed \$2,500,000. In each case it is a 20 year bond issue, and is a general obligation limited tax obligation which means the Township is pledging its financial resources and its ability to levy property taxes within existing limits. The Township cannot raise its millage limits above the current legal limits to repay this debt. The Series A for Bronson Street includes language of intent that sources of money to repay these bonds could include the water fund, tax increment revenues captured by the Downtown Development Authority, or monies from the General Fund. For the Series B, the intent is to repay that debt out of the Sanitary Sewer Revenues or the General Fund when necessary.

Each Resolution has a couple Exhibits attached: the form of the bond itself, the form of an official notice of sale which will be published in the "Bond Buyer" to solicit bids for the sale of the bonds, and the third is the continuing disclosure agreement which obligates the Township to provide updated financial information under the secondary bond market. The intent is to sell these at a public competitive sale, notice of which is published in the "Bond Buyer" in New York with a projected date to sell the bonds on Thursday, June 16th at 11:00 a.m. The timetable projected was for the Resolutions' approval tonight, and June 2nd for receiving construction bids. To continue to proceed, both Resolutions need to be approved for adoption tonight.

Motion by Smith, supported by Westra, to adopt Resolution R-052311-2, "Resolution to Authorize Issuance of Capital Improvement Bonds, General Obligation Limited Tax, Series 2011 A for Bronson Street Improvement and Water main Project." Roll Call: Yes - Proos, Smith, Westra, Rhoades, Burton, and Haga; No – 0; Absent – Sytsma. Resolution adopted.

A discussion ensued regarding the possibility of using the Public Safety Fund as another means of repaying the bond. However, Supervisor Haga reminded the Board the language in the Millage question is too restrictive. Also discussed was how the bonds are marketed to potential buyers, and that each will be sold in its entirety, not piecemeal.

RESOLUTION R-052311-3, "RESOLUTION TO AUTHORIZE ISSUANCE OF CAPITAL IMPROVEMENT BONDS, GENERAL OBLIGATION LIMITED TAX, SERIES 2011 B FOR THE ADA DRIVE SANITARY SEWER FORCEMAIN REPLACEMENT PROJECT"

Motion by Smith, supported by Proos, to adopt Resolution R-052311-3, "Resolution to Authorize Issuance of Capital Improvement Bonds, General Obligation Limited Tax, Series 2011 B for the Ada Drive Sanitary Sewer Force main Replacement Project." Roll Call: Yes - Proos, Smith, Westra, Rhoades, Burton, and Haga; No – 0; Absent – Sytsma. Resolution adopted.

James White stated that each Resolution has language which authorizes the supervisor and treasurer to determine the actual dollar amount of the bonds once the bids come in. This bond is not to exceed \$2.5 million. The goal is to borrow as much as is needed for the project, but not any more than what is needed.

RESOLUTION R-052311-4, RESOLUTION TO APPROVE AND CONFIRM PLEDGE OF PAYMENTS TO THE RIGHT PLACE, A NON PROFIT ECONOMIC DEVELOPMENT SERVICES AND OTHER VALUE AND BENEFITS TO BE RECEIVED BY THE TOWNSHIP

Supervisor Haga stated the Board previously approved this expenditure, and what has developed since the approval and recommended by the Township Auditor is this Resolution confirming the Township pledge in the amount of \$15,000 over a 5 year period.

Motion by Rhoades, supported by Burton, to adopt Resolution R-052311-4, Resolution to approve and confirm pledge of payments to The Right Place, a non profit economic development services and other value and benefits to be received by the Township. Roll Call: Yes - Proos, Smith, Rhoades, Burton, and Haga; No – Westra; Absent – Sytsma. Resolution adopted.

RESOLUTION R-052311-5, NATURAL BEAUTY ROAD DESIGNATION OF BAILEY DRIVE

Planning Director Jim Ferro explained that in January there was a petition requesting the re-designation of Bailey Drive as a “Natural Beauty Road” submitted to the Kent County Road Commission. Ada Township originally requested removal of the designation until the Township trail along Bailey Drive was completed. Now that the trail on Bailey Drive is completed, the Board is requested to adopt the resolution for support of re-designation of the road as a Natural Beauty Road. On Tuesday, June 28th, at 10:00 am in the Assembly Hall at Ada Township, the Kent County Road Commission will be holding a public hearing on the petition.

Motion by Westra, supported by Smith, to adopt Resolution R-052311-5, in support of the designation of Bailey Drive, in Ada Township, between Vergennes St. and McCabe Ave., as a Natural Beauty Road. Roll Call: Yes - Proos, Smith, Westra, Rhoades, Burton, and Haga; No – 0; Absent – Sytsma. Resolution adopted.

BAILEY DRIVE WORK ORDER AMENDMENT

Supervisor Haga explained an email was received from Jerry Byrne of the Kent County Road Commission stating that due to good asphalt prices they would be able to extend paving on Bailey Drive to Boynton and still stay within the approved work order. The low bid came in at 14% under estimate, approximately \$55,000.

Motion by Westra, supported by Burton, to maintain the project funding as previously agreed and extend the paving project as suggested. Yes – 6; No – 0; Absent – 1. Motion carried.

ITTP GO! BUS PROGRAM DRAFT CONTRACT 2011-2012

Supervisor Haga stated he was disappointed in the amount of the reduced CDBG funding and it’s effects on the Township’s contract. He expressed a need to research other uses for some of the funds, possibly ramps in the park project, and/or an alternative to the GO!Bus.

Motion by Westra, supported by Proos, to postpone a decision on this contract. Yes – 6; No – 0; Absent – 1. Motion carried.

There was discussion about lack of time to find an alternative for the GO! Bus, and the research needed to see if the Township could possibly opt out of the contract.

OPPORTUNITY FOR PUBLIC COMMENT

None.

ADJOURNMENT

The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Susan Burton
Ada Township Clerk

RS/dr

