

**ADA TOWNSHIP BOARD MEETING
MINUTES
SEPTEMBER 22, 2014**

Meeting was called to order by Supervisor Haga at 7:00 p.m. Members present: Supervisor Haga, Clerk Burton, Treasurer Rhoades, Trustee Smith, Trustee Proos, and Trustee LeBlanc. Also present: Planning Director Jim Ferro, Fire Chief David Murray, Recording Secretary Dorothy Renegar, and 11 community members. Absent: Trustee Jacobs.

APPROVAL OF AGENDA

Supervisor Haga added under VIII. New Business, Item F. Ada Township Hall Landscape Improvements 2014.

Motion by LeBlanc, supported by Proos, to approve the Agenda as amended. Motion carried.

GENERAL TOWNSHIP BUSINESS

CONSENT AGENDA

Approval of Minutes

September 8, 2014, August 18, 2014 Regular Board Meeting

Receive and File Various Reports/Communications

1. Fire Department Report-8/14; 2. Zoning Board of Appeals Minutes-8/12/14; 3. Hope Network Activity Report-8/14; 4. Open Space Advisory Board Minutes-7/10/14; 5. Ada Historical Society Minutes-8/21/14; 6. Pettis, Et Al v Ada Township Attorney Letter-9/9/14; 7. Ada DDA Minutes-7/14, 8/18/14, 9/8/14.

Motion by Rhoades, supported by Smith, to approve the Minutes, Reports and Communications under the Consent Agenda as amended. Motion carried.

It was noted by Trustee LeBlanc the September 8th Minutes appeared to be incomplete.

Motion by Proos, supported by Rhoades, to postpone approving the Minutes, of September 8, 2014 until the first Township Board meeting in October for more complete minutes. Motion carried.

APPROVAL OF WARRANTS

ADA TOWNSHIP GENERAL WARRANTS

Treasurer Rhoades reported receipts in the following amounts: Hand Checks: #101 \$6,155.41; #205 \$682.87; #208 \$911.55; #248 \$80.00; #590 \$186.20; #591 \$248.29; #592 \$30.97; Total all Hand Checks: \$8,295.29; Warrants: #101 \$31,070.78; #205 \$35,942.10; #208 \$9,611.61; #211 \$2,925.00; #213 \$3,686.27; #248 \$2,500.00; #590 \$104,122.19; #591 \$166,087.52; #592 \$3,891.53; Total Warrants: \$359,837.00 Total All Checks and Warrants: \$368,132.29.

Motion by Proos, supported by Smith, to approve the Warrant Report for September 22, 2014, in the total amount of \$368,132.29. Roll Call: Yes – Smith, Proos, LeBlanc, Rhoades, Burton, and Haga; No – 0; Absent – Jacobs. Motion carried.

PUBLIC COMMENT

Randy Damstra, 4990 Spring Ridge, Ada resident for over 20 years and former Trustee, stated he wanted to talk about the pending request from Reith Riley to extend their Consent Agreement with the Township. In May 2007 the Consent Agreement was signed, and was a negotiation between the Township and Reith Riley that allowed them to mine the Koning property from 2008 to December 31, 2012. Previous to that Reith Riley agreed to close down the asphalt plant and complete restoration at the site on the corner of Egypt Valley and Pettis prior to December 31, 2014. He stated he was the lead person on negotiations with Reith Riley for the Consent Agreement for which hundreds of hours were spent. He was shocked to hear Reith Riley was going to ask for an extension. He stated he thinks we have to let them know this is not acceptable; we have to say no. This was a fully negotiated and exhaustfully detailed settlement with Reith Reilly. It had lots of input from the Board, the community and full legal counsel. Both sides left no rock unturned. Reith Riley is a long established, almost 100 year old company, and had all the resources and expertise to include whatever additional deadline provisions they needed to include in this consent agreement at the time of the settlement. This agreement is black and white with respect to deadlines. A contract is a contract; deadlines should be honored. Driving down Pettis Avenue and Egypt Valley, you can see total reclamation has not been completely done; it is an eyesore. He stated he would urge the Board to say no to any extension to this agreement.

Tom Korth, 8805 Conservation Street NE, and Chair of the Planning Commission, stated that in echoing what Randy Damstra said regarding Reith Riley, an exhaustive amount of effort was put into negotiating the Consent Agreement, and to any business's perspective, seven years is a long window of time to anticipate, plan, develop and reach a contractual agreement. He thinks it very important for us, as we go into this process, to really reflect on that our job is to behave on behalf of our constituents to honor contracts we've negotiated. If we're going to honor these contracts, they have to honor them too. And if they're not going to honor them, it's our responsibility to enforce it. From a

perspective of government he thinks we need to say “look, we made a deal, and if you guys are going to break it,” say “sorry, you can’t do that.” And have the faith and confidence in our own ability to use the tools we have to defend ourselves on behalf of the citizens.

Corky Paul, Grand Rapids, former Ada Township Planning Commissioner and resident of Ada, stated he previously lived on Pettis Avenue adjacent to the mining which has been a concern of his since 2004. He comes before the Board as a private citizen, and has spoken his mind as a Planning Commissioner of the devastation that’s been created to our landscape and to our community by these mines; the rape of our natural resources and the scarring of our land. This is what miners do, they do two things: they mine their area and when it’s time to leave, they try to add more area to mine. It’s natural, not just in Ada Township but every township and every location mining has taken place; no different than the timber miners. If they were allowed to do what they want to do, the State of Michigan wouldn’t even have a tree left standing. The mindset of a miner is more material and more time. And what we have before us is a court ordered settlement. “So I urge this Board to keep in mind that it was the Court that agreed on this, and I would ask you to humbly consider rejecting looking at any offers to extend anything, and refer this to the court, and let Reith Riley become contempt in court. Because all they are doing, now that they’ve mined all our material, and raped and not reclaimed our land, is mining for time.”

BOARD COMMENT

Trustee Smith stated she went to the September 11 Memorial at the Ford Museum and saw Chief Murray there with our fire truck. They made a very good showing.

Trustee Proos stated that after three comments on the pending request, when is this going to be on the agenda.

Supervisor Haga stated he doesn’t know; it was going to be put on for tonight’s meeting and they are doing some additional work with Reith Riley so they asked to be pulled from the agenda.

Treasurer Rhoades thanked the speakers for their comments regarding the Reith Riley matter.

Supervisor Haga stated this is not an easy project, and he knows Mr. Damstra worked hard on the development of the agreement; he and Jim Ferro have met with legal counsel and Reith Riley, and this has become a more complicated subject than what was originally anticipated; hopefully we will bring this to the Board at the first meeting in October.

UNFINISHED BUSINESS

None.

NEW BUSINESS

RESOLUTION R-092214-1, FOREST HILLS CENTRAL HOMECOMING PARADE

Peyton Steensma, Student Council President and Kevin Pope, Student Council Vice President, Forest Hills Central, stated they are requesting permission to hold their annual Homecoming Parade on Friday, October 17th from 5:00 p.m. to 6:00 p.m. Pope stated with the traffic on Ada Drive they were concerned about observers and participants, and the decision was made to move the parade from the route used previously. The Parade will now go Ada Drive to Paradise Lake to Hall Street, and back to the school, which is much shorter than in years past. They will contact the Sheriff’s Department to help with traffic control, and will pass out fliers along the parade route informing residents of the road closures.

Steensma stated each entry in the parade is required to have two adults walk on either side of the entry. Also, this week they will be passing out fliers in the neighborhoods.

Supervisor Haga stated we do have their insurance certificate.

Motion by Smith, supported by LeBlanc, to approve Resolution R-092214-1, Forest Hills Central Homecoming Parade. Roll Call: Yes – Smith, Proos, LeBlanc, Rhoades, Burton, and Haga; No – 0; Absent – Jacobs. Resolution adopted.

AT&T LEASE REVISION REQUEST

Supervisor Haga stated Md7 Lease Consultant for AT&T is requesting a rate reduction in their lease agreement for the antennae on the water tower, on Ada Drive, because they are looking at potential upgrades in technology. The change in the lease will be from \$2,465.58 to \$2,000.00 per month, a 10% increase every five years, effective November 2019, and extension of the lease through October 2044. He stated the current lease has an expiration date of 2026. Also, the other portion is Expansion of Permitted Use, which has been reviewed and accepted by our legal counsel.

Trustee Proos stated after calculating this, he would like to see \$2,100.00 or even \$2,200.00 per month to begin with because we are still giving them a break with their current lease.

Motion by Proos, supported by Smith, to negotiate the AT&T Lease Revision Request at \$2,200.00 per month beginning November 2014, with the 10% increase every five years, and extension of the lease through October 2044. Motion, as amended twice, carried.

Supervisor Haga stated the amended Expansion of Permitted Use should be included as part of the agreement.

Motion by Proos, supported by Smith, to amend the original motion to include the Expansion of Permitted Use as reviewed by counsel for the AT&T Lease Revision Request. Motion carried.

Motion by Proos, supported by Smith, to a second amendment to the AT&T Lease Revision Request at \$2,200.00 per month, that if it is not accepted it will come back to the Board for further action. Motion carried.

FIRE DEPARTMENT OFFICER APPOINTMENTS

Fire Chief David Murray stated Deputy Chief Daryl Anderson will be retiring and would like to promote Lt. David Langeland to that position, which will leave an opening in the Lieutenant position. Also, Lt. Glenn Haglund will be retiring, thus leaving an opening in that Lieutenant position. After discussing this with the officers, we would like to recommend Peggy Ferguson and John Ferin be promoted into the Lieutenant positions.

Supervisor Haga stated this is being brought to the Board for the first time because it was recommended through our Personnel legal counsel that any promotions like this in the department should be approved by the Township Board.

Motion by LeBlanc, supported by Burton, to approve the Fire Department Officer Appointments as recommended by the Fire Chief. Motion carried.

RIGHT PLACE FUNDING REQUEST

Jill May, Director, Fund Development, The Right Place, stated they are launching their new Pursuit Campaign VII, and are asking for a five year commitment from the township. She then gave a presentation on The Right Place and the services provided to continue economic growth, job creation and investment in the West Michigan economy. She stated they are asking the Township to renew their investment of \$15,000 over five years, or \$3,000 annually.

Motion by LeBlanc, supported by Proos, to renew our investment in the Right Place Funding Request in the amount of \$15,000 to be paid over five years at \$3,000 per year. Roll Call: Yes – Smith, Proos, LeBlanc, Rhoades, Burton, and Haga; No – 0; Absent – Jacobs. Motion carried.

CONTRACT AWARD FOR ADA WATER AND WASTEWATER SYSTEM IMPROVEMENT SCADA SYSTEM

Brian Hannum, Moore & Bruggink, stated the Township currently has about 12 remote waste water and water stations that currently manually monitor the status and operational data. The proposal is to implement a SCADA System, Supervisory Control and Data Acquisition, which will allow real time remote monitoring of the stations and the alarms for lift station levels, pump flows, rates, whether they're on or off, water tower levels, and some associated trending as well. Programmable logic controllers and cellular dialers will be in each of the 12 locations, and it will allow a cost savings of over \$4,000 a year.

John Racek, Project Engineer, stated they had two bidders and are recommending the contract be awarded to DVT Electric in the amount of \$341,000, using West Michigan Instrumentation as the instrument supplier.

Motion by LeBlanc, supported by Smith, to approve Contract Award for Ada Water and Wastewater System Improvement SCADA System to DVT Electric, in the total amount of \$341,000.

Discussion from the Board followed regarding the total project budget, and a preliminary engineering amount of \$40,000.

Trustee LeBlanc withdrew his original motion.

Motion by Proos, supported by Rhoades, to approve the Contract Award for Ada Water and Wastewater System Improvement SCADA System to DVT Electric, in the total amount of \$341,000, and a preliminary engineering amount of \$40,000 with a complete report on the engineering portion of the SCADA project. Roll Call: Yes – Smith, Proos, LeBlanc, Rhoades, Burton, and Haga; No – 0; Absent – Jacobs. Motion carried.

Ada Township Hall Landscape Improvements 2014

Wes Steer, OCBA, stated two months ago they began doing an evaluation of the existing landscape material around the Township Hall and at the entrance, some of which is very overgrown and some in poor condition. They sent out a proposal and received three bids, and Greenscape Landscaping, Inc. was the low bidder at \$14,950.

Motion by Rhoades, supported by Burton, to approve the Ada Township Hall Improvement project to Greenscape Landscaping, Inc., in the amount of \$14,950, with a contingency fee of \$1,000, for a total of \$15,950, to be completed by October 30, 2014. Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT

None.

ADJOURNMENT

The meeting was adjourned at 8:45 p.m.

Susan Burton, CMC
Ada Township Clerk

Date

RS/dr