

**ADA TOWNSHIP BOARD MEETING
MINUTES
OCTOBER 8, 2012**

Meeting was called to order by Supervisor Haga at 7:30 p.m. Members present: Clerk Burton, Treasurer Rhoades, Trustee Westra, Trustee LeBlanc, and Trustee Smith. Also present: Planning Director Jim Ferro, Fire Chief Jim DuVall, Sheriff Deputy Roe, Sheriff Deputy Siemens, Recording Secretary Dorothy Renegar, and 10 community members. Absent: Trustee Proos.

APPROVAL OF AGENDA

Supervisor Haga noted two additions to the Agenda: under Communications 7. Audit Response to the State of Michigan-10/5/12, and 8. Memo from Betty Crosby re Oil Fracking-10/5/12. Motion by Smith, supported by LeBlanc, to approve the Agenda as amended. Yes – 5; No – 1; Absent – 1. Motion carried.

**SPECIAL PRESENTATION-
AUDIT REPORT YEAR ENDED MARCH 31, 2012**

Dan Veldhuizen, Auditor, Siegfried Crandall, presented information on the financial conditions of the Township, and auditor communications. He stated the fund balance for the general fund, the public safety fund, and all the governmental funds are in a very healthy position as they each have 3 to 6 months of fund balance set aside, which makes Ada Township financially stable. Veldhuizen discussed the activity statement for the water and sewer funds, and stated the Township needs to continue to monitor the water and sewer rates.

Veldhuizen commented on the audit report and stated there are two internal problems: (1) there is no control system in place for the township to be able to prepare its own financial statements; and (2) policies and procedures related to monthly bank reconciliations, as they were not completed in a timely manner. He then commented on the “Comments and Recommendations” letter noting the following recommendations: information and communication issues could be improved, such as communication among departments; update software so that employees are able to access the information they need to manage better; utilize the township’s accounting software; have documented a formal accounting procedures manual; reconcile cash balances on a monthly basis; administrative committee should monitor the procedures to be sure it gets done on a monthly basis; and consider hiring a qualified person to oversee the reconciliation process as well as monitor the internal financial reports. Veldhuizen stated the letter requested from the state has been submitted.

Motion by LeBlanc, supported by Burton, to receive and accept the Audit Report for Year Ended March 31, 2012. Yes – 6; No – 0; Absent – 1. Motion carried.

GENERAL TOWNSHIP BUSINESS

CONSENT AGENDA

Approval of Minutes

September 24, 2012 Regular Board Meeting

Receive and File Various Reports/Communications

1. Planning Commission Minutes-8/16/12; 2. Utility Advisory Board Minutes-8/16/12; 3. Regis Board Minutes-7/25/12; 4. Ada Township DDA Minutes-9/4/12; 5. Out of Township Medical Responses-10/2/12; 6. Oil and Gas Leasing on State Lands in Ada Township; 7. Audit Response to the State of Michigan-10/5/12; 8. Memo from Betty Crosby re Oil Fracking-10/5/12.

Motion by Westra, supported by Smith, to approve the Minutes, Reports and Communications under the Consent Agenda. Yes – 6; No – 0; Absent – 1. Motion carried, as amended.

Motion by Westra, supported by Burton, to amend the main motion to approve the Minutes, Reports and Communications under the Consent Agenda, and to move Item 8 to New Business for further discussion. Yes – 6; No – 0; Absent – 1. Motion carried.

APPROVAL OF WARRANTS

ADA TOWNSHIP GENERAL WARRANTS

Treasurer Rhoades reported receipts in the following amounts: Hand Checks: #101 \$1,992.59; #205 \$88.50; #208 \$1,856.91; #248 \$80.00; #590 \$279.59; #591 \$203.45; #592 \$57.85; Total all Hand Checks: \$4,558.89; Warrants: #101 \$49,787.90; #205 \$3,215.20; #208 \$6,094.62; #211 \$74,409.81; #590 \$46,316.45; #591 \$7,626.96; #592 \$821.75; Total Warrants: \$188,272.69. Total All Checks and Warrants: \$192,831.58.

Moved by Smith, supported by LeBlanc, to approve the Warrant Report for October 8, 2012, in the total amount of \$192,831.58. Roll Call: Yes – Westra, Smith, LeBlanc, Rhoades, Burton and Haga; No – 0; Absent – Proos. Motion carried.

PAYMENT #1 ADA PARK PARKING AND TRAIL PROJECT

Wes Steer, O’Boyle, Cowell, Blalock & Associates, Inc. stated this project is complete, and payment is due to Katerberg Verhage in the amount of \$110,268.46, with the retainage of \$2,250.38 to be held until next spring to be sure that the seeding and restoration are completed and established.

Moved by Westra, supported by Rhoades, to approve Application #1 for payment to Katerberg Verhage for the Ada Park Parking and Trail Project in the amount of \$110,268.46 and the retainage of \$2,250.38. Roll Call: Yes – LeBlanc, Smith, Westra, Burton, Rhoades, Haga; No – 0; Absent – Proos. Motion carried.

PAYMENT #3 AND FINAL HALL ST. SIDEWALK PROJECT

Supervisor Haga stated Wayne Harrall, Project Engineer, submitted a letter stating the project went well, and the township’s share for the final payment is \$19,732.14.

Moved by Rhoades, supported by LeBlanc, to approve Payment #3 and Final Hall St. Sidewalk Project in the amount of \$19,732.14, payable to Cascade Township. Roll Call: Yes – Smith, Westra, LeBlanc, Rhoades, Burton, Haga; No – 0; Absent – Proos. Motion carried.

PUBLIC COMMENT

Sheriff Deputy Ryan Roe gave a monthly update stating there were 288 police calls and two fireworks complaints in the last month. He stated they have been working with schools and scouts giving tours and helping them earn their badges, and working with the “Shop With The Sheriff” program, with support from the Ada Business Association.

When Trustee Westra noted the Sheriff Department web site needs to be updated, Deputy Roe stated he is waiting for new photos from the photographer, and once he receives those he will be meeting with Clerk Burton, probably within two weeks, to finalize the information for the web site.

Eric Peale, 551 Adaway, commented on the audit report and corrections the auditor made.

BOARD COMMENT

Trustee Westra stated he is looking for an update on the properties on Ada Drive that were listed wrong on the tax rolls.

Planning Director Jim Ferro stated both properties are in the process of being surveyed for preparation of property descriptions that will combine the properties with adjoining properties, under the same ownership, that have dwellings on them. Then they will be treated as accessory to the principle buildings on adjacent property.

Trustee Smith stated she had inquiries from a couple about how they are notified when there is a water break. She also commented on the web site pages about the Roselle Park Race and Arts in Ada which give a link to a lot of the sponsors and to their web sites. She stated her concern this is done through the township web site.

Clerk Burton stated these are sponsors for those events, and there are no security issues with the links. She reminded everyone that October 9th is the last day to register to vote; and Clean-Up Day is Saturday October 13th from 8:00 a.m. to 2:30 p.m.

Trustee LeBlanc asked if there was any information from Kent County on when they will be demolishing the house on Knapp Street and Grand River Drive.

Ferro stated the Kent County Road Commission is currently advertising for bids.

Treasurer Rhoades stated that on Clean-Up Day “In the Image” will be collecting donated items, and “ShredDocs” will shred personal paper waste. He stated “Leaf & Yard Waste Collection Day” is coming up on October 23rd, and leaf bags are available for 75¢ a piece for those in the no-burn district.

Supervisor Haga stated regarding the water break that it was a water service line and was the fault of a contractor who will be billed for all the township’s expenses related to that break. He stated the DEQ is the agency stating a notice should be hand-delivered to the residents in the affected area, and for the village proper the township was only required to notify the media and put it on the web site. He also stated he would be re-examining those procedures for the future.

UNFINISHED BUSINESS

None.

NEW BUSINESS

ADA COVERED BRIDGE REPAIRS

Fire Chief Jim DuVall, stated the floor planking at both ends of the covered bridge have rotted away leaving a gap between the floor and the threshold of the bridge. He stated three contractors were contacted to discuss what repairs were necessary to replicate the original condition of the bridge, and the quotes received were: Scott Gregory Designer Homes at \$5,085.00 using White Oak, Dan Vos Construction at \$5,269.00 using White Oak, and Thomet Construction at \$5,273.03 using Douglas Fir. DuVall stated even though Thomet Construction is a little higher in their quote he would recommend using Thomet Construction as they will be using Douglas Fir, which is the same wood as was used in the original bridge.

Moved by Westra, supported by Rhoades, to approve authorization for the work to be done on the Ada Covered Bridge; Repairs by Thomet Construction in the amount of \$5,273.03 utilizing Douglas Fir as the material. Yes – 6; No – 0; Absent – 1. Motion carried.

APPOINTMENT OF PAID ON CALL FIREFIGHTER

Fire Chief Jim DuVall stated in the last six weeks the department has lost two paid on-call firefighters. He stated Lane Zuidema approached them and he has completed his Firefighter I and II and is a State licensed Emergency Medical Technician. DuVall stated Zuidema has met and gotten along with the other officers, and they feel he would be a good fit.

Moved by Westra, supported by LeBlanc, to approve the Appointment of a Paid On Call Firefighter, Lane T. Zuidema. Yes – 6; No – 0; Absent – 1. Motion carried.

RESOLUTION R-100812-1, MICRO BREWERY LICENSE

Matthew Michiels, Suite 418, Ada Drive, Ada, MI, stated they will be opening a micro brewery and home brew supply shop. He stated they will have six taps, five of beer and one of soda. He stated they hope to open in 90-120 days.

Motion by Westra, supported by Burton, to approve Resolution R-100812-1, Micro Brewery License located at Suite 418, Ada Drive. Roll Call: Yes – Westra, Smith, LeBlanc, Rhoades, Burton and Haga; No – 0; Absent – Proos. Resolution adopted.

MEMO FROM BETTY CROSBY RE OIL FRACKING-10/5/12

Planning Director Jim Ferro stated as shown in his memo the DNR has scheduled an auction of oil and gas leases on state-owned land. He stated there are environmental concerns about the new techniques using hydraulic fracturing. He stated there is legislation that has been proposed with two bills, one of which issues a moratorium on issuance of permits for hydraulic fracturing of deep horizontal wells, and the other one authorizes a study to be done of hydraulic fracturing and all the potential impacts. He stated one action the Board could consider is going on record supporting that legislation. Ferro stated the leases being auctioned in October on land in the State Game area are leases that are called non-development leases, meaning no actual surface disturbance or drilling within the State Game area. They would simply authorize withdrawal of oil and gas from under the State lands from off-site locations. Also he stated the Township has been contacted about whether we would be interested in leasing 40 acres that are surrounded on three sides by Cannonsburg State Game area.

Supervisor Haga stated if the Board would like to take some action, they can direct him on how they would like him to proceed.

Motion by Burton, supported by Smith, to request the Supervisor forward a letter of support by the Ada Township Board for legislation that has been introduced, Bills 5150 and 5151, that would authorize a state study of hydraulic fracturing and it's risk, and place a moratorium on the use of hydraulic fracturing in horizontal or deep wells in the State of Michigan until the study is completed, and to request the DNR delay the auction. Yes – 6; No – 0; Absent – 1.

MOTION TO PROCEED IN TO CLOSED SESSION TO DISCUSS LEGAL OPINION REGARDING PETTIS MINING MATTER

Motion by Smith, supported by LeBlanc, to move into Closed Session to Discuss Legal Opinion Regarding Pettis Mining Matter. Roll Call: Yes – Westra, Smith, LeBlanc, Rhoades, Burton and Haga; No – 0; Absent – Proos. Motion carried.

Motion by Westra, supported by Rhoades, to return to Public Session. Yes – 6; No – 0; Absent – 1. Motion carried.

John Sperla, Litigation Counsel from Mika Meyers Beckett & Jones PLC, stated they received an opinion from the court on September 25th in regard to their motion for dismissal of the Pettis case, which granted summary disposition in favor of the Township. He stated the township has 21 days to appeal or file a motion for reconsideration, and there are some aspects of the opinion that we are concerned about. The township is leaving its options open for the time being with respect to what direction we are going to go regarding any decision that has been made.

OPPORTUNITY FOR PUBLIC COMMENT

None.

ADJOURNMENT

The meeting was adjourned at 9:49 p.m.

Respectfully submitted,

Susan Burton
Ada Township Clerk

RS/dr