

BLAIR TOWNSHIP BOARD OF TRUSTEES

REGULAR MEETING

October 11, 2011

6:00 PM

APPROVED

I CALL TO ORDER – The regular meeting of the Blair Township Board of Trustees was called to order at 6:00 p.m. by Supervisor Pahl.

II PLEDGE OF ALLEGIANCE – was recited.

III ROLL CALL – Board members Clous, Pahl, Zeits, and Lowe were in attendance. Rademaker arrived at 6:03 pm. Tharp and DeKuiper were excused. Also in attendance were the Fire Chief, Medical Director, Assessor, Zoning Administrator and six (6) guests.

IV LIMITED PUBLIC INPUT

Public comment shall be carried out in accordance with the following Board Rules And Procedures:

- A. Any person wishing to address the Board will come forward and state his or her name and address.
- B. Persons may address the Board on matters, which are relevant to Township issues.
- C. No person shall be allowed to speak more than once on the same matter, excluding time needed to answer Trustees questions. The Chairperson shall control the amount of time each person shall be allowed to speak, which shall not exceed three (3) minutes.
 1. Chairperson may, at his or her discretion, extend that time.
 2. Whenever a group wishes to address the Board, the Chairperson may require that the group designate a spokesperson; the Chairperson shall control the amount of time the spokesperson shall be allowed to speak, which shall not exceed fifteen (15) minutes.

Duane Sanford, 621 Autmumview spoke regarding the Septage Facility and the DPW. He asked the board to make sure that the township has adequate representation and stated that he considers the Septage Facility a “monster”.

V APPROVAL OF AGENDA –

Supervisor Pahl asked that a budget amendment to Parks and Recreation be added to the agenda as item “s” under New Business. Motion by Clous supported by Rademaker to approve the agenda with change. Motion carried.

VI DECLARATION OF CONFLICT OF INTEREST – None stated.

VII PRESENTATIONS/SPECIAL REPORT

Grand Traverse County Commissioners Reports – No County Commissioners present.

Community Police Officer’s Report - Officer McManus reported 506 calls for service in September, making Blair third in the county.

John Sych – Next Michigan Interlocal Agreement – John Sych, G.T. County Planning and Development Director and Jean Derenzy, Deputy Director spoke regarding the Next Michigan Development Corporation Interlocal Agreement. Sych stated that the agreement has been approved by Grand Traverse County, the City of Traverse City and East Bay and Garfield Townships. He stated that the focus will be on the road system and the airport, and spoke about the tools this agreement offers. He stated that this agreement will use the Local Development Financing Authority Act which allows for the capture of both local and state taxes. He also stated that the Interlocal Agreement needs to be approved before the application can be submitted in early 2012. Sych spoke regarding the issue of local control, stating that the board must notify the local unit of any proposed projects and if the township opposes it, the project does not go through. Board Member Rademaker questioned the claim that the Corporation is not for profit yet can own property. Sych stated that the corporation should be self supporting, there is an option to withdraw, and that no general fund dollars have been appropriated for this program. He also stated that an elected official from each unit of government should be on the board.

Motion by Clous supported by Rademaker to direct the Supervisor to execute the Interlocal Agreement to create the Grand Traverse Region Next Michigan Development Corporation with Grand Traverse County, City of Traverse City, Garfield Charter Township and East Bay Charter Township such agreement to approval as to its substance by the Supervisor and the form by the Attorney. RCV: Yes: Rademaker, Zeits, Clous and Pahl. No: Lowe. Motion carried.

VIII ANNOUNCEMENTS/ CORRESPONDENCE – Chairman Pahl announced that the township received a \$3,000.00 grant from Consumer’s Energy for trees to be planted in the park.

IX CONSENT CALENDAR - The purpose of the Consent Calendar is to expedite Business by grouping non-controversial items together to be dealt with in one Board Motion without discussion. Any member of the public, board, or staff may ask that any item of the consent calendar be removed and placed elsewhere on the Agenda for full discussion. Such requests will be automatically respected.

TWP/ Fire/Ambulance Bills/ Trust & Agency Fund	Water/Sewer Bills
\$ 167,066.90 (1)	\$413,694.90
Assessing Report (2)	(6) Zoning Report
Fire Department Report (3)	(7) EMS Report
Supervisor's Report (4)	(8) Treasurer's Report
Minutes for September 13, 2011 Meeting (5)	(9) Water Dept. Report

Motion by Clous supported by Zeits to approve the Consent Calendar. RCV: Yes: Zeits, Lowe, Clous, Rademaker and Pahl. No: None. Motion carried.

X OLD BUSINESS

Medical Marihuana

Motion by Rademaker supported by Clous to table. Motion carried.

XI NEW BUSINESS:

- a. Capital Improvement Plan** – The Zoning Administrator stated that the township is required by the Zoning and Enabling Act to have a Capital Improvement Plan and reviewed the changes made to the old plan.

Motion by Lowe supported by Rademaker to accept the Capital Improvement Plan for 2011. Motion carried.

- b. Zoning Amendment - Keeping of Animals** – The Zoning Administrator reviewed the ZBA's decision, the Planning Commission's recommendations and shared Grand Traverse County Planning's comments. He also recommended changes regarding the Right to Farm Act and the Recreational District. He also explained the Planning Commission's reasoning behind allowing up to twelve (12) hens.

There was discussion regarding the number of hens that should be allowed.

Motion by Pahl supported by Rademaker to go with the Planning Commission's recommendations except change the number of hens to six (6) and add item d. Non Application to Farms. RCV: Yes: Lowe, Zeits, Rademaker, Clous and Pahl. No: None. Motion carried.

- c. Wade-Trim Contract** – Trim Truax with Wade Trim presented the agreement which changes several of the services provided along with a change in price which includes care of the sanitary sewer system. Mr. Truax stated that Supervisor Pahl had asked that the \$4,000.00 maintenance allowance be removed from the agreement and Wade-Trim has agreed to.

There was discussion regarding what services will be provided and how often, the escape clause and price increased being based on the CPI. Mr. Truax stated changes to be made to the appendix, and stated that Wade-Trim would be unwilling to enter into a one year agreement in answer to Chairman Pahl's question.

Motion by Rademaker supported by Clous to approve the Agreement for Operations, Maintenance and Management Services in the amount of \$133,916.04 per year to be paid in monthly installments of \$11,159.67.

RCV: Yes: Clous, Lowe, Zeits, Rademaker and Pahl. No: None. Motion carried.

d. Paydraw for Gosling Czubak from Rural Development for \$30,595 on Water Project

Motion by Clous supported by Rademaker to approve paydraw for \$30,595.00, which includes invoices 65363-65368 to Gosling Czubak, contingent on approval from Rural Development. RCV: Yes: Lowe, Zeits, Rademaker, Clous, and Pahl. No: None. Motion carried.

e. Paydraw for Central Michigan Contracting from Rural Development for \$168,390.35

Motion by Rademaker supported by Zeits to approve pay draw #4, Division A, to Central Michigan Contracting in the amount of \$168,390.35 contingent on approval from Rural Development. RCV: Yes: Clous, Rademaker, Zeits, Lowe and Pahl. No: None. Motion carried.

f. Paydraw for Grand Traverse Construction from Rural Development for \$204,085.23

Motion by Rademaker supported by Pahl to approve pay draw #4, Division B, to Grand Traverse Construction in the amount of \$204,085.23 contingent on approval from Rural Development. RCV: Yes: Rademaker, Zeits, Lowe, Clous and Pahl. No: None. Motion carried.

g. Paydraw for Windemuller Electric from Rural Development for \$59,567.85

Motion by Clous supported by Zeits to approve pay draw #2, Division C, to Windemuller Electric in the amount of \$59,567.85 contingent on approval from Rural Development. RCV: Yes: Lowe, Clous, Rademaker, Zeits, and Pahl. No: None. Motion carried.

h. Combine Parcels for Advance Motors at 888 West Commerce Dr. & Grant Water Waiver –

Supervisor Pahl stated that the Water and Sewer Committee and the Land Division Committee had recommended approval.

Motion by Rademaker supported by Clous to approve combining parcels 28-02-685-010-01 and 28-02-685-010-02 and grant water waiver for eighteen (18) months. RCV: Yes: Lowe, Zeits, Rademaker, Clous and Pahl. No: None. Motion carried.

i. Transferring Unused Residential Equivalent Units back to the Township

Supervisor Pahl stated that this ordinance has been drafted by the bonding attorney.

There was discussion on whether these REU's have been paid for.

Motion by Rademaker supported by Clous to approve Ordinance #138-11 Water Distribution/Sewage Disposal System Procedure for Transferring Unused Residential Equivalent Units Back to the Township. RCV: Yes: Clous, Lowe, Zeits, Rademaker, and Pahl. No: None. Motion carried.

j. Closed Session – Lamar Settlement

Motion by Zeits supported by Rademaker to go in to closed session at 7:19 pm. RCV: Yes: Zeits, Lowe, Clous, Rademaker and Pahl. No: None. Motion carried.

Motion by Clous supported by Zeits to come out of closed session at 7:32 pm. Motion carried.

Motion by Clous supported by Rademaker to deny proposed settlement on Lamar sign issue. RCV: Yes: Zeits, Rademaker, Lowe, Pahl and Clous. No: None. Motion carried.

k. Buyout of Blair from DPW –

Supervisor Pahl stated that the Dean Bott had recommended a buy out price of \$101,215.00, and he stated that the Blair Township Board would be more receptive to the price paid to buy in which was \$107,816.00. Pahl stated that the BPW and Grand Traverse County Water and Sewer Committee have agreed contingent upon the township's approval. He also stated that if the township does not agree, a certified appraiser would have to be hired to appraise all assets.

Motion by Clous supported by Zeits to approve the BPW's buy out offer of \$107,816.00. RCV: Pahl, Lowe, Zeits, Rademaker and Clous. No: None. Motion carried.

l. Discussion on Blair Township Stance for Special Assessment on Septic & Holding Tanks -

Supervisor Pahl stated that the rural townships are considering legal action against the BPW if they assess septic and holding tanks. Pahl stated that if the township decides to join in the legal action they would be expected to pay a share of the legal fees.

There was discussion regarding the five townships that guaranteed the bonds bearing the cost of the Septage Facility. The board does not support the special assessment.

Motion by Clous supported by Lowe stating that Blair Township does not support the Special Assessment on septic and holding tanks and would contribute to legal costs if all eight (8) other townships share equally. 4 yeas, 1 nay. Motion carried.

m. Delinquent Utility Bills and Assessments – Tax Rollover

Motion by Lowe supported by Rademaker to rollover delinquent utilities and assessments to the 2011 winter tax bill.

RCV: Yes: Rademaker, Zeits, Clous, Pahl and Lowe. No: None. Motion carried.

n. Township Newsletter -

Motion by Lowe supported by Clous to approve Township Twitter as presented. Motion carried.

o. Employee Concerns –

Motion by Clous supported by Rademaker to go in to closed session at 7:56 pm. Motion carried.

Motion by Pahl supported by Rademaker to come out of closed session at 8:32 pm. Motion carried.

There was discussion regarding following the policy in the employee handbook.

Supervisor Pahl will find out how many hours Marvel Mallory has left on the Family Leave Act, if she does not work any more hours, then the board will hold a special meeting on October 27 at 5:00 pm to make a decision.

p. Surplus Items -

Medical Director Case presented a list of items he is requesting to be declared surplus, and stated how he would like to dispose of them.

Motion by Clous supported by Rademaker to declare items 1 through 3 surplus and items 4 and 5 to be posted with no minimum bid. Motion carried.

q. Leave of Absence from Fire Department -

Fire Chief Carroll stated that Geoffrey Miller is requesting a one (1) year leave of absence and will turn in all communications equipment, uniforms and fire gear during this time. He also stated that all licenses and certifications will be current upon his return.

Motion by Clous supported by Zeits to accept the leave of absence from Geoffrey Miller from the Blair Township Fire Department. Motion carried.

r. Add Bohdan Narolskyy to Fire Department Roster –

Fire Chief Carroll stated that the state will allow Bohdan Narolskyy to take fire fighter training at 17 years of age as long as he will be 18 at the time of testing. Chief Carroll stated that Mr. Narolskyy has agreed to sign the tuition reimbursement form and the department already has gear needed for him due to another member's leave of absence. Mr. Narolskyy is Ukranian, however he is a US Citizen.

Motion by Clous supported by Lowe to hire Bohdan Narolskyy as a paid on call member of the Blair Township Fire Department. Motion carried.

s. Budget Amendment

Supervisor Pahl recommended moving \$1,200.00 from contingency to Parks and Recreation Capital Outlay for supplies needed for planting of trees in the park.

Motion by Clous supported by Rademaker to move \$1,200.00 from contingency to Parks and Recreation Capital Outlay for the planting of trees. RCV: Yes: Pahl, Clous, Lowe, Zeits and Rademaker. No: None. Motion carried.

XII PUBLIC INPUT:

Refer to rules under Public Comment/ Input above.

There was no public input.

XIII ADJOURNMENT: 8:56 pm.