

BLAIR TOWNSHIP BOARD OF TRUSTEES

**Regular Meeting
January 9, 2007
Approved Minutes**

CALL TO ORDER: The Regular meeting of the Blair Township Board of Trustees was held at 6:00 pm on January 9, 2007 at the Township Hall and called to order by the Supervisor Carl Bearinger.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

ROLL CALL: Members: Tharp, Lowe, DeKuiper, Bearinger, and Clous were present. Rademaker was excused. There were 43 guests in attendance along with the Medical Director Daryl Case, Fire Chief Jim Carroll, Assessor Aaron Plowman, Zoning Administrator Sara Kopriva-Peters and Deputy Clerk Lori McGee.

LIMITED PUBLIC INPUT: Public Input was heard from the following:

Walter Bogucki 565 South Creek Ct. commented on 2 particular meetings from May 2006, and the Township Audit.

Roseannah Keith 1711 County Rd 633 commended Brenda DeKuiper the Treasurer on how she has handled getting all the Tax Bills and Water Bills out on time. She also thanked Larry Fleis for his service as Township Trustee.

Marilyn Fleis 5237 Norton Rd stated that the wording on a Recall Petition does not have to be truthful, only clear. She asked the Board to investigate and report its findings on the Petition wording against the Clerk Betty Tharp whether these allegations are true or not.

Don Weathers 4442 N Ironwood Dr stated that the truth should have been stated in the first place. He stated you can put all lies on a petition to get a person recalled.

Diana Bartlett 5109 W Mobile Trail stated Mr. White did his job. This is costing money, time and manpower. This Board cannot deal in good faith. We look like a stupid township. This must stop. She stated the Recall wording went through on a second hearing on Mrs. Tharp and she can file an appeal if she chooses. She says Mrs. Tharp can write her 200-word rebuttal on the ballot if it goes through.

Barbara Radtke 2948 W Ironwood Dr questioned the parcel of land donated and the Board's decision on Mr. Radtke.

Duane Sanford 621 Autumnview Ln spoke of the Zoning Board of Appeals and the legal guidelines going to the ZBA for the proposed Storm Ordinance. He commented that Sara, the Zoning Administrator has done a good job working with the ZBA. Mr. Sanford believes there should be a policy in place for when there is a vacancy of a Trustee.

APPROVAL OF AGENDA: Motion by Tharp supported by Clous to accept the Agenda as presented. All in favor 5 Yeas, 0 Nays, Motion carried.

PRESENTATIONS/SPECIAL REPORTS:

Township Auditor Report: Dave Basler from Tobin & Co. is the auditor who performed our most recent fiscal audit. He explained various parts of the Audit Report, which is a presentation of what happened in the township. He explained the Financial Audit part, Business type activities and Governmental activities that were audited. Mr. Basler stated that in order for an ACH transfer of funds can be done the Township Board must authorize for this to happen by a Resolution and a Policy in place. The advantage to doing this is that the funds are received quicker.

Commercial Sewer Update: Clyde Johnson reported on the Sewer project. Pipes need to be replaced by Stepke Ct. That is being taken care of. Also, he spoke on the property that was donated.

County Commissioner Report: Dick Thomas and Larry Fleis were present. Mr. Thomas spoke of the new committee that was formed for a new way of funding recycling. He spoke of the surcharge that is already in place on everyone's trash bills. He didn't feel it was fair. The County

Board may end this surcharge. Mr. Thomas introduced our other new County Commissioner Larry Fleis. Mr. Fleis introduced himself and he just took office and is already sitting on various committees.

Sheriff's Report: Officer Mike Opper for Blair Township reported that Blair Township was the 3rd busiest in the county for December.

ANNOUNCEMENTS/CORRESPONDENCE: The Clerk Betty Tharp thanked the people who left the anonymous phone message on her phone with patriotic music and heavy breathing.

CONSENT CALENDAR: **Motion by Clous supported by Tharp** to accept the Consent Calendar with change: to pull the Treasurer's Report. To approve the following: to pay the Township General Fund vouchers # 23804-23879, the Ambulance Fund vouchers # 9488-9562, the Fire Fund vouchers # 5962-5975, and the Trust & Agency Vouchers # 1243 for a grand total of \$101,157.24. To approve the Sewer Working Account Voucher # 1035-1036, the Water Fund Assessment account voucher # 1149 and the Water Fund Working account vouchers # 2229-2235, for a grand total of \$16,933.72. To accept the EMS, Fire, Assessing, Zoning and Supervisor, Water Reports for the month of December. To approve the Minutes of December 12, 2006. Roll Call Vote: Tharp yea, DeKuiper yea, Clous yea, Lowe yea, Bearinger yea, 5 Yeas, 0 Nays Motion carried.

The Treasurer's Report was pulled by the Treasurer Brenda DeKuiper. She stated that the Clerk and Treasurer's offices are balanced out. Some bank statements in the Treasurer's office are not all balanced. She is dealing with 36 different banking accounts. She stated that there is no reason to have that many accounts as stated by the Auditor. Brenda stated that ACH payments have been done in the past and will not be done anymore until the Board approves a Resolution and has a Policy in place. **Motion by Lowe supported by Tharp** to approve the Treasurer's Report for December 2006. All in favor 5 Yeas, 0 Nays, Motion carried.

OLD BUSINESS: **Motion by Tharp supported by Lowe** to table the Water Ordinance and District Amendments and to let the Attorney know when a meeting on the Water Amendments will be. All in favor 5 Yeas, 0 Nays, Motion carried.

Motion by Lowe supported by Clous to table the contract for Harris & Associates until a new Supervisor is in place and a new Board. All in favor 5 Yeas, 0 Nays, Motion carried.

Motion by Tharp supported by Clous to table the Sawyer Road Water Main Extension and refer it to the Township Attorney for legal advice. All in favor 5 Yeas, 0 Nays, Motion carried.

Motion by Tharp supported by DeKuiper to table the Storm Water Control Ordinance and send to the Water Committee to decide who would hear appeals and grant variances. All in favor 5 Yeas, 0 Nays, Motion carried.

Aaron Plowman Township Assessor spoke on behalf of the Township purchasing a Server. The vital operation of the Township's software programs are to the point where after January the Assessing office will not be able to get downloads from the Equalizer program unless the Township has a Server for data storage. Mr. Plowman obtained 3 different bids in comparison. Crain System Group, LLC; Terrapin Networks; Safety Net. Crain System came in at the lowest at \$5,812.00 and money would need to be allocated from the budget. **Motion by Tharp supported by Clous** to purchase a Server from Crain Systems Group, LLC as proposed with a down payment of \$5,251.50 and the total cost not to exceed \$8,000.00 for unforeseen setup, configuration and final installation fees. Roll Call Vote: Bearinger yea, Tharp yea, DeKuiper yea, Clous yea, Lowe yea. 5 Yeas – 0 Nays, Motion carried.

NEW BUSINESS: **Motion by Clous supported by Tharp** to accept the Resignation of Trustee Larry Fleis. All in favor 5 Yeas, 0 Nays, Motion carried.

Discussion of filling the vacancy of Township Board Trustee appointment process. An ad will run for 3 consecutive days and be posted for 10 days. No action was taken at this time.

Discussion on forming a committee for a negotiation team for the EMS Union Contract. It was suggested to have the Clerk, Supervisor, Fire Chief, and Medical Director sit on this committee with the Township Attorney. **Motion by Clous supported by Lowe** to appoint the Clerk, Supervisor, Medical Director, and Fire Chief for negotiating a contract with the EMS Union. All in favor 5 Yeas, 0 Nays, Motion carried.

Motion by Clous supported by Tharp to amend the Uniform Noise Ordinance #117-05 in Section 2. E. to read as (Optional, enforce by Township Official) Construction or demolition

activity between the hours of 10:00 P.M. and 6:00 A.M.; refuse collection between the hours of 10:00 P.M. and 6:00 A.M.; the operation of power or heavy duty equipment between the hours of 10:00 P.M. and 6:00 A.M. Roll Call Vote: DeKuiper yea, Clous yea, Lowe yea, Bearinger yea, Tharp yea. 5 Yeas, 0 Nays, Motion carried.

Motion by Tharp supported by Clous to approve payment on Invoice #9027 on Wolverine Power Cooperative and present it to the DPW for payment in the amount of \$3,904.54. Roll Call Vote: Clous yea, Lowe yea, Bearinger yea, Tharp yea, DeKuiper yea. 5 Yeas, 0 Nays, Motion carried.

Motion by Tharp supported by Lowe to approve the pay draw for Gosling Czubak on Sewer work for Invoice #54561 in the amount of \$9,522.50. Roll Call Vote: Lowe yea, Bearinger yea, Tharp yea, DeKuiper yea, Clous yea. 5 Yeas, 0 Nays, Motion carried.

Motion by Tharp supported by Clous to approve increasing the Zoning Administrator's hourly wage for Sara Kopriva-Peters to \$14.75 per hour. Roll Call Vote: DeKuiper yea, Bearinger yea, Tharp yea, Lowe yea, Clous yea. 5 Yeas, 0 Nays, Motion carried.

Motion by DeKuiper supported by Tharp to have Lisa stay as combination Water Coordinator and Zoning Assistant until the workload starts to get busier and to explore the feasibility of combining both positions. All in favor: 5 Yeas, 0 Nays, Motion carried.

Motion by Clous supported by Tharp to hire Joshua Willis as a paid on call member. All in favor: 5 Yeas, 0 Nays, Motion carried.

Motion by Tharp supported by Clous to increase the Ambulance Transport Mileage rate for a loaded mile from \$9.25 to \$9.50. Roll Call Vote: Lowe yea, Bearinger yea, Tharp yea, DeKuiper yea, Clous yea. 5 Yeas, 0 Nays, Motion carried.

Public Hearing on Zoning Ordinance Amendment #104-05-06-07 began. The Clerk announced the Notice of Public Hearing was published in the Traverse City Record Eagle on December 22, 2006. The Supervisor opened the Public Hearing at 7:32 p.m. with no letters or comments heard. The Supervisor closed the Public Hearing at 7:33 p.m.

Motion by Lowe supported by Tharp to adopt Zoning Ordinance Amendment #104-05-06-07 in its entirety. Roll Call Vote: Bearinger yea, Tharp yea, DeKuiper yea, Clous yea, Lowe yea. 5 Yeas, 0 Nays, Motion carried.

Public Hearing on Zoning Ordinance Amendment #104-05-06-08 began. The Clerk announced the Notice of Public Hearing was published in the Traverse City Record Eagle on December 22, 2005. The Supervisor opened the Public Hearing at 7:35 p.m. Kathy Nowak asked about the difference of the old one to the new one and if the publishing of Amended Ordinance is calendar or business days. The Zoning Administrator stated that these amendments are to comply with the new Michigan Zoning Enabling Act and that the publishing is done by calendar days. With no other comments or letters received the Supervisor closed the Public Hearing at 7:36 p.m.

Motion by DeKuiper supported by Tharp to adopt the Zoning Ordinance Amendment # 104-05-06-08 in accordance with the Michigan Zoning Enabling Act in its entirety. Roll Call Vote: Tharp yea, DeKuiper yea, Clous yea, Lowe yea, Bearinger yea. 5 Yeas, 0 Nays, Motion carried.

Motion by DeKuiper supported by Lowe to approve the purchase of a new Suburban Echo Unit not to exceed \$30,000.00 per what was budgeted. Roll Call Vote: DeKuiper yea, Clous yea, Lowe yea, Bearinger yea, Tharp yea. 5 Yeas, 0 Nays, Motion carried.

There was no discussion or action taken on ACH transactions at this time.

Brenda DeKuiper asked the board to consider to approve paying half of the money out of the playground fund for a down payment to secure the current estimate to hold the quote for the 2007 year for the playground equipment to Engan-Tooley-Doyle and Associates for the next phase which has already been raised. **Motion by Tharp supported by Clous** to approve the down payment of \$24,414 to secure the price presently given on the playground equipment. Roll Call Vote: Clous yea, Lowe yea, Bearinger yea, Tharp yea, DeKuiper yea. 5 Yeas, 0 Nays, Motion carried.

Motion by DeKuiper supported by Bearinger to amend the agenda with a Letter (R) New Business to add Discussion on recall allegations against the Clerk. All in favor, 5 Yeas, 0 Nays, Motion carried.

Motion by DeKuiper supported by Bearinger to form a committee to investigate the allegations on the truthfulness of the recall petition wording against the Township Clerk which should consist of (1) Business person, (1) Resident, (2) Township Board Members and report their findings back to the board. All in favor, 5 Yeas, 0 Nays, Motion carried.

The committee members selected from the public body in attendance were:

Dale Hanson – Township Resident
Jim Surprenant – Township Businessman
Stacey Clous – Township Trustee
Joseph Lowe – Township Trustee

LIMITED PUBLIC INPUT:

Audrey Moses 5654 W Blair Townhall Rd asked the board why this committee is needed. She believes this is wrong to form a committee.

Don Weathers 4442 W Ironwood Dr stated that this sort of thing is never needed. The whole thing is a total laugh.

Adolph Klepetka 152 W Silver Lake Rd S has concerns on the Trustees salary and the benefits they receive.

Diana Bartlett 5109 W Mobile Trl stated that Mrs. Tharp has her chance to respond to these allegations. She said the wording was approved at the 2nd Hearing with the County Election Commission. She said Mrs. Tharp had her say then with her attorney. She said Mrs. Tharp could file her appeal if she chooses.

Rick Engelus of Brakel Point Dr would like to see the Township Water on Brakel Point Drive. He is going to start working with the Township to get this water service there.

Kathy Nowak 1811 County Rd 633 stated she did call the Township and spoke to several employees after she left to offer her help if they had any questions. She stated she still cares about her community. She commented that the ACH & EFT both need to have a policy.

Patrick Pahl 3048 W Blair Townhall Rd stated that he would like to know what the recall people have done for the community. They are creating continual problems with the township offices. He believes these people are behind this and it needs to stop.

Brenda DeKuiper, Treasurer made comments on how expensive it is to hold an election. This costs the Township a lot of money to hold a special election.

Jim Surprenant a business owner in the township would like to see the township move forward and get to the bottom of the problems the township is in. This is why he wants to serve on the committee. These problems are bad for the business owners in the township.

Grace Hanson 542 E Silver Lake Rd S stated that Mrs. Tharp's reputation and 22 years of service to this community should not be thrown away. Her knowledge and dedication is worth a lot. She stated that Mrs. Tharp did not start this so-called Manager's position she is being accused of.

ADJOURNMENT: Motion by Tharp supported by Bearinger to adjourn at 8:21 p.m. All in favor, 5 Yeas, 0 Nays, Motion carried.

Lori L. McGee
Deputy Clerk

Carl Bearinger
Township Supervisor