

**VEVAY TOWNSHIP  
BOARD OF TRUSTEES  
Regular Meeting  
Monday, December 8, 2014  
Vevay Township Hall – 7:00 p.m.**

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**MINUTES**

**Members Present:** Supervisor Gary Howe, Clerk JoAnne Kean, Treasurer Shaun Sherwood, Trustees Douglas Shaw and Bruce Walker

**Members Absent:** None

**Staff Present:** Deputy Clerk Brett Linsley and Legal Counsel David Revore

**Others Present:** Drain Commissioner Pat Lindemann, Deputy Drain Commissioner Carla Clos, Attorney Matt Heos, and Senior Project Manager Samir Matta

The meeting was called to order by Supervisor Howe at 7:01 p.m. followed by the Pledge of Allegiance.

Trustee Walker noted two minor corrections that were made by Secretary Lazet to the November 5 and November 10 Planning Commission minutes.

**Adoption of Consent Agenda. MOTION Walker, seconded Kean, that the Consent Agenda be adopted as published.**

**Roll Call Vote**

**Ayes: Howe, Sherwood, Shaw, Walker & Kean  
Nays: None**

**\*All items listed in Item IV are considered to be routine by the Township Board and will be enacted by one (1) motion. There will be no separate discussion of these items unless a board member or citizen so requests, in which event the item will be removed from the Consent Agenda and considered separately. Recommendations are preceded by an asterisk (\*).**

- A. 11/10/14 Regular Meeting & 11/10/14 Joint Meeting Minutes.\*approve & file
- B. Treasurer's November 2014 Fund Balances. \*receive & file
- C. Clerk's November 2014 Balance Sheets. \*receive & file
- D. Disbursements: General Fund Checks #26354 - #26423, EFTs #90 & #91 in the amount of \$66,868.09. \*approve & file
- E. AGS November 2014 Building/Zoning Report. \*receive & file
- F. Planning Comm. 11/5/14 Regular Meeting & 11/10/14 Joint Meeting Minutes. \*distribute
- G. Correspondence
  - 1. Mason Fire Dept. re: October Response Report.\*file
  - 2. WOW! re: Quarterly Fee Payment for Period Ending 9-30-14. \*file
  - 3. WOW! re: Rate Adjustments effective 1-1-2015. \*file
  - 4. MI Municipal Employees' Retirement System re: Quarterly Report ending 9/30/14. \*file
  - 5. Mason Area Chamber of Commerce re: Thank You for 2015 Membership. \*file
  - 6. Landplan, Inc., to Planning Comm. re: Social Events in Agricultural Districts. \*file

**Approval and Continuation of Certain SLUs.** The Planning Commission has recommended approval and continuation of the following SLUs:

#112 Calvin Bowden, 1131 W. Columbia Road – Riding Stable  
#99.01 Gail Sinnaeve, 2230 Ives Road – Dog Grooming

**MOTION Sherwood, seconded Walker, that Special Land Use Permits #112 and #99.01 be approved for continuation as recommended by the Planning Commission.**

**Roll Call Vote:** Ayes: Sherwood, Howe, Kean, Walker & Shaw  
Nays: None

**Supervisor’s Reports:**

- 1.) **Township Hall Rentals.** The Township’s hall rental policy and price has become a topic of discussion. Currently, the Township offers one of the least expensive rental spaces in the area. The fee to rent the hall for an entire day remains \$75 with a \$150 security deposit and proof of insurance for liability in the amount of \$500,000. The possibility of revising rental policy and price will be discussed at a later date.
- 2.) **Motorless Trails.** At their November 19 meeting, the Downtown Development Authority (DDA) discussed the possibility of constructing a motorless trail that would lead from Kipp Road to the Township Hall. An engineering study could be performed to gather information on possible paths, obstacles, and costs as well as any permissions that may be needed from property owners in the area. The study would help develop a plan for a trail system that may or may not be constructed. Supervisor Howe asked for a consensus from the Board on whether or not they would be interested in funding part of this study. George Hayhoe, a local business owner who has funded many of the trails in the area, has also discussed matching funds for the project. The Board reached a consensus to begin researching the cost of an engineering study. At their February meeting, the DDA will be notified of the Board’s possible support of matching funds.

**Treasurer’s Reports:**

- 1.) **Winter Taxes.** Treasurer Sherwood said that winter taxes have been mailed and noted that there will be a new millage of .5 mills included on tax bills. That millage was approved at the November General Election. Taxes are due on February 14. Because this date falls on a Saturday and the following Monday will be the Presidents’ Day holiday, the deadline has been extended to February 17. Tax payments will continue to be collected until March 2, at which time unpaid taxes will be turned over to the County as delinquent.
- 2.) **ACH Vendor List Update.** Treasurer Sherwood distributed the Township’s Automated Clearing House (ACH) policy and an updated ACH vendor list to Board members. Starting in January, the State will require withholdings to be paid via ACH.

**Clerk’s Report: Facebook Update.** Clerk Kean announced that the Township’s Facebook page was published and has been available to residents since last month’s meeting.

**Mud Creek Drain Project.** The Drain Commissioner was present and distributed two maps to the Board: the first showed overall design improvements to the Mud Creek drainage system and the second showed both the existing and proposed drain systems. In May, Vevay residents petitioned the County Drain Commissioner to study drainage problems in the area. On May 6 the Board of Determination met to hear citizen concerns. As a result, the Drain Commission began a preliminary engineering study and other ongoing projects. The Township owns a piece of property in Shawnee Estates, the area primarily affected by drainage problems. The Drain Commissioner has indicated that the Township property comprises an important part of the drain design. The Board has expressed a willingness to let the Drain Commission use that property, but must decide whether to sign an easement or to deed the property to the Drainage District. Supervisor Howe noted that the property was a gift to the Township about 40 years ago, that it has never been used, and that there are currently no future plans for it. The Drain Commission had documents prepared for the Board to approve either an easement or transfer at the meeting.

Trustee Walker – asked what comments have been made regarding the project and if any landowners have shown interest in the Township Property in Shawnee Estates. Supervisor Howe – reiterated that there are currently no foreseeable uses for the property and that no one has shown an interest.

Drain Commissioner Lindemenn – explained that the Township property in question is necessary to store water. Some of the flooding issues can be alleviated by using the land for temporary water storage. Since the property floods naturally, it could be manipulated to capitalize on that tendency. No citizens have expressed opposition to this use of the Township property. The Drain Commission would be willing to use the land through either easement or deed transfer.

Engineer Matta – presented in detail the scope and design of the drain project. So far, 24 of the 34 required easements have been signed. The goal is to have most easements signed by mid-December. The Drain Commission will then consult the Ingham County Road Department and obtain bids for the project. Finally, there will be an assessment review day for residents after which construction can begin.

Trustee Walker – asked what the annual assessment would be for affected residents. Drain Commissioner Lindemenn – noted that the bid has not been made yet so it is hard to say, but he will inform the Board of the bid price when it is made.

Clerk Kean – asked how long the project is expected to take. Engineer Matta – thought the project could be done by the end of next construction season, not including time for clean-up.

**The resolution was moved by Howe and seconded by Sherwood.**

Discussion continued. Clerk Kean – asked about the liabilities associated with keeping versus selling the property. Counsel Revore – suggested that deeding would allow the Township to transfer all of the responsibilities associated with the property. An easement would likely require the Township to be involved in any issues regarding the property. Additionally, an easement would have to be revisited in the future.

Trustee Walker – asked about Township policy regarding disposal of assets and if selling the property to the Drainage District was a consideration. Commissioner Lindemenn – commented that the cost paid by the Drainage District would be added to the assessment, creating an additional cost to Township residents.

**VEVAY TOWNSHIP  
INGHAM COUNTY, MICHIGAN**

**MUD CREEK DRAIN IMPROVEMENTS  
SHAWNEE ESTATES PARCEL #33-10-10-15-452-004  
TRANSFER TO THE INGHAM COUNTY DRAINAGE DISTRICT  
RESOLUTION NO. 14 - 13**

At a regular meeting of the Vevay Township Board of Trustees, Ingham County, Michigan, held at the Township Hall on December 8, 2014, at 7:00 p.m.

**PRESENT:** Supervisor Gary Howe, Clerk JoAnne Kean, Treasurer Shaun Sherwood, Trustee Bruce Walker, and Trustee Douglas Shaw

**ABSENT:** None

**Resolution moved by Howe and seconded by Sherwood.**

**WHEREAS**, the Township recognizes that it is necessary for the public health, safety and welfare to maintain and improve the Mud Creek Drain pursuant to Public Act 40 of 1956, as amended, and that improvement of the Drain is required at this time to protect against flooding in Vevay Township; and

**WHEREAS**, the Township has been advised by the Ingham County Drain Commissioner that, on May 6, 2014, an independent Board of Determination issued an Order of Necessity for the maintenance and improvement of the Mud Creek Drain at the conclusion of a hearing for which notice was sent to all interested landowners and municipalities; and

**WHEREAS**, the Township has been advised that, in order to perform the project and reduce the risk of flooding of roads and property within the Shawnee Estates subdivision, the Drain Commissioner is in need of land to serve as a temporary detention area and to serve as a means to further maintain and improve the Mud Creek Drain; and

**WHEREAS**, the Township is the owner of a parcel of land in the area of the Shawnee Estates subdivision, which land is located along Shawano Drive west of the intersection of Miami Drive, and is identified as Parcel Number 33-10-10-15-452-004; and

**WHEREAS**, the Drain Commissioner has requested that the Township provide the Mud Creek Drain Drainage District with either an Easement or a Quit Claim Deed to the property, allowing the property to be used for purposes of the maintenance and improvement of the Mud Creek Drain; and

**WHEREAS**, the Drain Commissioner has provided a form “Drain Easement for Mud Creek Drain” and a form “Quit Claim Deed” for the Township’s consideration;

**NOW, THEREFORE BE IT RESOLVED THAT**, pursuant to Public Act 40 of 1956, as amended, the Township hereby approves the following document for execution in the form attached hereto for the maintenance and improvement of the Mud Creek Drain:

Quit Claim Deed

**BE IT FURTHER RESOLVED** that the Township Supervisor is authorized to sign the above referenced document and forward a copy of this Resolution and the original, signed document to the Ingham County Drain Commissioner for recording with the Ingham County Register of Deeds.

**Roll Call Vote**

**Ayes: Walker, Shaw, Sherwood, Howe & Kean**

**Nays: None**

**Absent: None**

*RESOLUTION DECLARED ADOPTED.*

**Emergency Generator Final Invoice.** During a preliminary State Electrical Inspector’s review, it was revealed that the generator system would need to meet a “total load connection” requirement that was not originally anticipated. Consequently, the final invoice will be approximately two-thousand dollars higher than originally budgeted. Supervisor Howe asked the Board to consider transferring the entire final payment of \$9,900 from Unappropriated Funds to pay this invoice so that the current balance in GL# 101-265-970 Capital Outlay for Building & Grounds would be available to pay other capital outlay projects that have already been approved.

**MOTION Howe, seconded Shaw, to authorize the final payment of the emergency generator by allocating \$9,900 from Unappropriated Funds (GL #101-000-676.000) to Building and Grounds – Capital Outlay (101-265-970.000).**

**Roll Call Vote**

**Ayes: Kean, Walker, Shaw, Sherwood & Howe**

**Nays: None**

**Art Guild Request for Use of Township Hall.** The Township recently received a correspondence from the *Mason Art Guild* requesting use of the Township Hall as well as waiving of the rental fee as has been authorized in previous years. The group will once again be notified that Township needs take precedence if the Board or other political body requires use of the Hall on these dates.

**MOTION Kean, seconded Walker, to approve the use of the Township Hall by the *Mason Area Art Guild* and to also approve a fee waiver for the following dates at 1:00 pm:**

**March 19, 2015**

**July 16, 2015**

**August 20, 2015 (Hall & Pavilion)**

**September 17, 2015 (Hall & Pavilion)**

**November 19, 2015**

**Roll Call Vote**

**Ayes: Howe, Kean, Walker, Shaw & Sherwood**

**Nays: None**

**Authorization to Purchase Room Dividers.** There have been problems on several occasions with residents renting the hall and causing damage to Township property; mainly, the Board table and chairs. The office staff has recently made additional efforts to inform hall renters of this problem but with limited results. Supervisor Howe presented the idea of purchasing a portable room partition that would block off the Board table and chairs from the rest of the rental area. His research has led him to believe that this is the most viable and cost-effective option for eliminating said problems.

**MOTION Kean, seconded Walker, to authorize purchase of room dividers at the cost of \$1,798 and to allocate \$1,800 from Unappropriated Funds (GL #101-000-676.000) to Capital Outlay (GL #101-265-970.00).**

**Roll Call Vote**

**Ayes: Sherwood, Shaw, Walker, Kean & Howe  
Nays: None**

**Master Plan Funding.** Planning Commission (PC) Resolution #14-01 resolved that the Township should update its Master Plan. On November 10, a joint meeting took place at which time the Board and PC reached a consensus to continue with Alternative A (see Community Planner correspondence from 11-5-14) with the addition of a mail survey to collect community input. The Board must make a motion to move forward with those efforts. Supervisor Howe reminded the Board that the process could cost anywhere from \$14,000 to \$18,000. In a recent correspondence, Planning Consultant Mark Eidelson recommended language for a motion. Supervisor Howe read that motion.

**MOTION Howe, seconded Kean, to authorize the Planning Commission and Community Planner Mark Eidelson to move forward on the preparation of a new Master Plan as generally outlined in *LANDPLAN*'s correspondence of 11-5-14, according to Alternative A and the Alternative B mail survey as presented in the correspondence, and the anticipated fees presented in the same correspondence.**

Trustee Walker – asked if any of the PC's remaining consulting budget could be used towards this cost. Supervisor Howe – confirmed that the consulting budget could be used.

**Roll Call Vote**

**Ayes: Shaw, Walker, Kean, Howe & Sherwood  
Nays: None**

The Board briefly discussed whether the Planning Commission or Board of Trustees would be the final approving authority of the new Master Plan. It will be discussed more at a later date.

**Proposed Adoption of Resolution Regarding Fire Withholding Program.** Included in the evening's packet was a resolution that would approve the Township's continuing participation in the Fire Withholding Program. The resolution would also establish Treasurer Sherwood as the administrator of the program and *Mason State Bank* as the escrow depository account.

Legal Counsel Revore – noted for the record that Resolution No. 99-02 included language that expressed the intention to enforce the provisions of a section numbered 2227. That section

number is one of multiple section numbers that relate directly to a jurisdiction's population size. Section 2227 has been replaced by section 2845 in proposed Resolution No. 14-14 to more accurately reflect Vevay Township's population.

**VEVAY TOWNSHIP  
INGHAM COUNTY, MICHIGAN  
FIRE INSURANCE WITHHOLDING PROGRAM  
RESOLUTION NO. 14 - 14**

At a regular meeting of the Township Board of Trustees of the Township of Vevay, Ingham County, Michigan, held in the Township Hall, 780 S. Eden Road, Mason, Michigan 48854 on the 8th day of December, 2014.

**PRESENT:** Supervisor Gary Howe, Clerk JoAnne Kean, Treasurer Shaun Sherwood,  
Trustee Bruce Walker, and Trustee Douglas Shaw

**ABSENT:** None

**Resolution moved by Kean and seconded by Walker.**

**WHEREAS**, the provisions of Act 495 of the Public Acts of 1980; as amended by Act 216 of the Public Acts of 1998, and the provisions of Act 217 of the Public Acts of 1998, which enactments provide that a portion of certain casualty losses for fire and/or explosion otherwise payable by an insurers to policyholder may be withheld and placed in escrow by a participating municipality for the purpose of securing repair, replacement, removal and cleanup of premises damaged by such occurrence; and

**WHEREAS**, the Township of Vevay, Board of Trustees, on the 7<sup>th</sup> Day of June, 1999, adopted Resolution No. 99-02 to become a participating municipality in the program providing for escrow of insurance proceeds as established by the provisions of Act 495 of the Public Acts of 1980; as amended by Act 216 of the Public Acts of 1998, and the provisions of Act 217 of the Public Acts of 1998; and

**WHEREAS**, the Township of Vevay Board of Trustees hereby determines that its continued participation in that program will protect the health, safety and welfare of the community and therefore desires to remain included and listed as a participating member in the list published by the Commissioner of Insurance; and

**WHEREAS**, the Township of Vevay will continue to comply with the procedures necessary to comply with said enactments and has hereby designates the Township Treasurer who shall be responsible for the administration of the program and does hereby establish and maintain an escrow account for that purpose; and

**NOW, THEREFORE, BE IT RESOLVED** that;

1. The Township of Vevay, Ingham County, Michigan, shall and does hereby continue to be a participating municipality in the program providing for escrow of insurance proceeds as established by Act 495 of the Public Acts of 1980; as amended by Act 216 of the Public Acts of 1998, or as established by Act 217 of the Public Acts of 1998, and does declare

its intention to uniformly apply the provisions of Section 2845 to all property within its boundaries.

2. The Vevay Township Official responsible for the administration of Section 2845 of said Acts and any rules promulgated by the Commissioner of Financial and Insurance Services is hereby designated as follows: Vevay Township Treasurer.

3. The Vevay Township Official designated above shall establish an escrow account with Mason State Bank for the purpose of receiving and holding deposits of money received from insurers pursuant to said enactment, which account shall be separately maintained from all other accounts and may be an interest bearing account.

**Roll Call Vote**

**Ayes: Walker, Shaw, Sherwood, Howe & Kean**

**Nays: None**

**Absent: None**

*RESOLUTION DECLARED ADOPTED.*

**Proposed Amendment to Ordinance #68.23 – Swimming Pools.** The Planning Commission has held a public hearing, discussed, and forwarded an amendment to the Zoning Ordinance for Board approval.

**The following ordinance was introduced for adoption by Kean, seconded by Walker.**

VEVAY TOWNSHIP  
INGHAM COUNTY, MICHIGAN  
ORDINANCE NO. 68.23

**PREAMBLE**

AN ORDINANCE TO AMEND ORDINANCE NO. 68, THE VEVAY TOWNSHIP ZONING ORDINANCE AND SPECIALLY TO AMEND SECTION 3.11 "SWIMMING POOLS" TO DELETE CURRENT SECTION 3.11(C) AND RECODIFY SECTION 3.11(D) TO SECTION 3.11(C), TO REPEAL ANY ORDINANCES IN CONFLICT THEREOF; AND TO PROVIDE AN EFFECTIVE DATE HEREOF.

**(Note: The official record of Ordinance No. 68.23 is printed in its entirety in *Vevay Township Ordinances, Volume II.*)**

**Roll Call Vote**

**Ayes: Kean, Howe, Sherwood, Shaw & Walker**

**Nays: None**

**Ingham County Farmland & Open Space Preservation Program Request.** Supervisor Howe recently received a correspondence from Christian Smith, the Ingham County Farmland and Open Space Preservation (ICFOSP) Project Coordinator. The ICFOSP is currently working to purchase the development rights and place conservation easements on a property located in Vevay Township. Mr. Smith requested the Township's approval of this project. Supervisor Howe explained that the Board does not need to take any formal action, but that a general consensus would be appreciated.

**Authorization Requests for Board of Review Training by the Michigan Township Association (MTA).**

**MOTION Kean, seconded Sherwood, to authorize expenses for attendance to the MTA Board of Review training on February 6, 2015 at Lansing Community College for three Board of Review members and Supervisor Howe at the cost of \$110.50 per person.**

**Roll Call Vote**

**Ayes: Sherwood, Shaw, Walker, Howe & Kean  
Nays: None**

**Authorization Request for Office Photocopier Replacement.** The office staff has been in contact with *Hasselbring-Clark* regarding problems that have been occurring with the eight-year old office photocopier. Representatives from that company have confirmed that many of the parts on the printer can only be replaced by salvaging parts from other units. Officials have been researching possible replacements. Supervisor Howe presented the findings of this research and asked the Board to consider purchasing a new copier. The packet included several proposals. The office currently uses a *Canon* printer. The unit price of a new *Canon* photocopier would be comparable to a similar model offered by *Sharp*. *Sharp* has offered to do a tutorial on their product. *Toshiba* offers a cheaper unit price but charges a higher rate for ongoing maintenance. Supervisor Howe noted that members of the office staff have expressed interested in seeing a demonstration of a *Sharp* unit. Clerk Kean suggested that the necessary funds for a new copier be approved so that money would be available once a specific model has been chosen.

**MOTION Shaw, seconded Walker, to authorize a disbursement of \$8000 from General Services Capital Outlay (GL #101-210-970.000) to cover the cost of a new photocopier for the Township office.**

**Roll Call Vote**

**Ayes: Shaw, Walker, Sherwood, Kean & Howe  
None: None**

**Board Appointments.**

**MOTION Kean, seconded Sherwood, to re-appoint Stephanie Keith to the Board of Review for a 2-year term effective January 1, 2015 through January 1, 2017.**

**Roll Call Vote**

**Ayes: Kean, Sherwood, Shaw, Howe & Walker  
Nays: None**

**Other Business.** A brief conversation took place between Trustee Walker and Supervisor Howe regarding a handout the latter had provided to members of the Planning Commission regarding a possible request for rezoning on Legion Drive. The issue will be discussed by the Planning Commission at a later date only if the Township has received an official request.

**Adjournment.** Having no further public comment, the meeting was adjourned at 9:36 p.m.

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JoAnne Kean, Clerk