

**VEVAY TOWNSHIP
BOARD OF TRUSTEES
Regular Meeting
Monday, April 14, 2014 - 7:00 p.m.
Vevay Township Hall**

MINUTES

Members present: Supervisor Gary Howe, Clerk JoAnne Kean, Treasurer Shaun Sherwood,
Trustees Douglas Shaw & Bruce Walker.

Members absent: None.

Staff present: Deputy Clerk Brett Linsley.

The meeting was called to order by Supervisor Gary Howe at 7:00 p.m., followed by the Pledge of Allegiance.

Consent Agenda.

MOTION Walker, seconded Sherwood 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. Regular Meeting Minutes on 3-10-14 and Special Meetings Minutes on 3-03-14, 3-13-14 & 3-25-14. *approve & file
- B. Treasurer's Report on Investments & March 2014 Fund balances. *receive & file
- C. Clerk's Report – March 2014 Balance Sheets. *receive & file
- D. Disbursements: General Fund Checks #25827 - #25902, EFTs #74 & #75 in the amount of \$70,203.62. *approve & file
- E. AGS Annual Building/Zoning Permits Report for 2013. *receive & file
- F. AGS March 2014 Building/Zoning Report. *receive & file
- G. Planning Comm. 3-5-14 Regular Meeting & 3-26-14 Special Meeting Minutes. *distribute
- H. Correspondence from:
 - 1. Mason Fire Dept. re: March Response Report.*file
 - 2. Tri-County Office on Aging re: Thank You for Meals-on-Wheels Donation.*file
 - 3. AGS Violation Notification re: Accessory Building in Front Yard. *file
 - 4. MI Dept. of DEQ re: Public Hearing Notification for City of Mason Request to Reissue A Discharge Permit for Wastewater Treatment Plant on North Jefferson Street.*file
 - 5. Office Secretary Shirley Harmon re: Thank You for Pay Increase. *file

Limited Public Comment. None.

Special Land Use (SLU) Report. As of March 5, 2014, the Planning Commission has recommended the continuation and approval of the following SLUs:

- #41 Tower Assets Newco IX, LLC, 2146 Plains Road, Cellular Communications Tower
- #42 Rosanne Fry, 2350 Rolfe Road – Dance Studio
- #82.02 Richard Lyon, Ives Road – Gravel mining
- #83 Jeffery Broughton, Rolfe/Hull Roads – Radio Repair

MOTION Shaw, seconded Walker that Special Land Use Permits #41, #42, #82.02, and #83 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. Drain Commission/Mud Creek Petition. Several Vevay residents (that live near Ives, Dexter Trail, and Tomlinson) have asked the Drain Commissioner to study and repair outdated drainage systems along Mud Creek; a channel which runs through over 1,000 properties in Ingham County. Residents have experienced flooding on their properties and in their homes. The Drain Commission’s Board of Determination (BOD) will meet on May 6, 2014 at 6:30 p.m. to decide whether there is sufficient evidence to proceed with an engineering study and cost estimates. Furthermore, Vevay Township has been asked to host the meeting.

2. 2014 Local Roads Program. Supervisor Howe said he has been in contact with Bill Conklin of the Ingham County Road Department (ICRD) regarding this year’s Road Improvement Program. He (Howe) said that this year’s budget allocates a greater amount of money for chip sealing and other forms of asphalt conservation than in previous years. As in previous years, the ICRD will match up to \$30,000 for said road repairs. Furthermore, the issue will soon be brought to the Board of Trustees for consideration of which roads should be repaired.

3. Zoning Board of Appeals (ZBA) Member Voting on “Same Matter.” At this year’s Michigan Township Association (MTA) Annual Conference a question arose regarding information taught at a “Land Use” course. The Board was given a handout from MTA on this topic. Several municipalities have recently experienced some confusion regarding the legality of ZBA members voting on similar issues when they are also serving on the Planning Commission (PC). Supervisor Howe clarified that while the law* stipulates that a member serving both the ZBA and PC are clearly prohibited from reviewing his or her own decisions, this does not mean that he or she is altogether prohibited from voting or deliberating on other unrelated matters involving the same property. Regarding Trustee Walker’s appointment to the PC, it is his (Walker’s) responsibility, and is not a conflict, to vote at both the PC and Board levels.

*MCL 125.3601(13) states the following:

“A member of the zoning board of appeals who is also a member of the zoning commission, the planning commission, or the legislative body shall not participate in a public hearing on or vote on the same matter that the member voted on as a member of the zoning commission, the planning commission, or the legislative body. However, the member may consider and vote on other unrelated matters involving the same property.” [Underscore added for emphasis]

Treasurer's Report: 1. Disabled Veterans Exemption of Real Property. To date, the Township has had 9 residents apply for the Disabled Veterans tax exemption program. In 2013, the program created a loss to the Township of just under \$800. Residents may still apply. Applications must be submitted before the July Board of Review. Furthermore, individuals are required to apply for the tax exemption annually.

2. 2013 Tax Settlement Report. The Report for the Vevay Township 2013 settlement with the County Treasurer's Office for real property was presented to the Board. The following are delinquent tax amounts that will be re-journalized back to the Township accounts:

(Winter Tax)Vevay Township	\$3,434.77
Eden Lights	\$ 160.00
Lone Oak Lights	\$ 80.00
(Summer Tax) Administrative Fee	\$ 723.15
(Winter Tax) Administrative Fee	\$ 473.14
	<hr/>
	\$4,871.06

The County assumes the responsibility for the collection of delinquent real property taxes and will pay the Township sometime in June.

3. 2013 Delinquent Personal Property Tax to Collect. Treasurer Sherwood presented figures of the delinquent accounts that the Township has a warrant to collect. To date, that figure is down from the originally reported amount of \$10,543.93 to \$8,623.30. Unlike the delinquent real property taxes where the County reimburses and takes on the collection, the delinquent personal property taxes remain the responsibility of the Township Treasurer to collect.

A brief discussion was held regarding *Apex Precision Solutions, Inc.*, being on the list for delinquent personal property taxes (PPT). It was noted that the *Apex* company was approved for an Industrial Facilities Exemption Certificate (tax abatement) by the Board in 2013. However, that tax abatement will not begin until the 2014 tax year. So far, *Apex* has paid \$6,000 in PPT and informed Treasurer Sherwood that the remaining \$8,700 will be paid by the end of April.

Clerk's Report. Clerk Kean thanked the Board for authorizing her recent training at the Michigan Association of Municipal Clerks Master's Academy and emphasized the training's relevance and utility to the daily operations of the Clerk's office. Notable topics discussed at the academy included the following: buying computers, working with legislators, and crisis resolution. She (Kean) also commented on the recent Voting Vendor Fair and noted that the Michigan Bureau of Elections has left-over grant monies from previous years and is working diligently with the Michigan Legislature to fund the entire cost of replacing Michigan's aging tabulators.

Outdoor Assembly Permit – Michigan Steam Engine & Threshers Club. The Township has received an application for an Outdoor Assembly Permit from the Michigan Steam Engine & Threshers Club. The group will be hosting their annual gathering on July 25th through 27th, 2014. The Township has also already received the necessary permit fee and some documents; however, the remaining required documents must be received into the Township Office prior to the event.

MOTION Sherwood, seconded Walker to grant the Michigan Steam Engine & Threshers Club an Outdoor Assembly Permit for their annual event on July 25th through 27th, 2014 contingent upon receipt of all required documentation prior to the event.

Roll Call Vote

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

Outdoor Assembly Permit – Experimental Aircraft Association Chapter 55 – Mason Aviation

Day. Supervisor Howe said that Chapter 55 of the Experimental Aircraft Association (EAA) has submitted an application for an Outdoor Assembly Permit for the group's annual event, Mason Aviation Day. As they have for the past several years, the EAA is requesting the \$250 application fee be waived as they are a Not-for-Profit Corporation 501(c)7. No admission is charged for the event and money raised is contributed to the Newberry Aviation Scholarship Fund. The event is scheduled for Saturday, August 16, 2014.

MOTION Walker, seconded Sherwood to grant the EAA an Outdoor Assembly Permit for Mason Aviation Day on August 16, 2014 and to waive the \$250 application fee.

Roll Call Vote

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

Authorization to Purchase Map Files from the IC Equalization/Tax Mapping Dept. The Ingham County Equalization Department produces aerial maps of the entire county and is now selling digital copies of these maps to municipalities within its jurisdiction. Supervisor Howe said that the Township passed the recently completed Assessing audit. There were a few areas, however, that needed improvement; one of these was mapping. He (Howe) recommended authorizing the purchase. Trustee Walker asked how long these maps would be good for legal purposes and whether the resolution of the photographs would have enough clarity to be a useful part of the needed Master Plan maps. Supervisor Howe responded that these maps will probably be considered up-to-date for about three years.

MOTION Kean, seconded Walker to authorize the purchase of map files from the IC Equalization/Tax Mapping Department at the approximate cost of \$900 (GL # 101-209-728.000).

Roll Call Vote

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

Clerk's Office: Authorization Request for MAMC Training for Deputy Clerk. The Michigan Association of Municipal Clerks (MAMC) Annual Summer Conference will be held in Grand Rapids on June 25th through 27th. Additionally, a pre-conference training for new clerks will be held on June 24th. Clerk Kean asked the Board to consider authorizing funds to send Deputy Clerk Brett Linsley to both events as they would be beneficial to his ongoing training. The cost is \$300 for the conference, \$101 for the pre-conference training, and four nights at the hotel. Some of the meals are included in the registration fee; however, there will be some meal expenses as well as parking.

MOTION Shaw, seconded Kean to authorize expenses for the Deputy Clerk's (GL #101-215-960.000) attendance at the MAMC Annual Summer Conference and pre-conference training on June 24th through 27th, 2014 in Grand Rapids, Michigan.

Roll Call Vote

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

Hawley Cemetery Maintenance Update. Last week an incident of vandalism took place at Hawley Cemetery. A high powered unit circled an area of approximately 450 linear feet at high speeds, leaving tire ruts, knocking down stakes, and causing other damages. Supervisor Howe distributed a handout and recommended the Township hire professional landscapers at *Bluegrass* to repair said damages so that custodian Roger Shiery can continue to focus on regular maintenance of grave sites. *Bluegrass Lawn & Landscape Services* is proposing to repair 450 linear feet of damages at the estimated cost of \$540. Supervisor Howe said that if this kind of vandalism continues to be an issue, further action will be taken. Unfortunately, the Township does not currently have sufficient funds to police the property or build adequately protective structures to prevent this kind of incident.

MOTION Howe, seconded Shaw to authorize repairs and landscaping for Hawley Cemetery at the estimated cost of \$540 (GL #101-276-818.209).

Roll Call Vote

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

Authorization Request for a Three-Year Agreement with Granger Container for Refuse Service at Town Hall. The agreement with *Granger Container* for refuse services at the Township Hall will expire on May 31, 2014 and the company has proposed a new contract. The proposed contract would be for three years from June 1, 2014 until May 31, 2017 at the cost of \$78.28 per month. This would constitute a 3% increase from the current fee of \$76 per month.

MOTION Sherwood, seconded Walker to authorize a three year contract with *Granger Container* for refuse services at the Township Hall at the rate of \$78.28 per month, effective June 1, 2014 through May 31, 2017.

Roll Call Vote

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

Public Comment. Deputy Clerk Brett Linsley thanked the Board for authorizing the expenses for his attendance to the MAMC educational training.

The meeting adjourned 7:50 p.m.

JoAnne Kean, Clerk