

Vergennes Township

Regular Meeting Minutes

August 17, 2009

The regular meeting of the Vergennes Township Board was called to order by Tim Wittenbach at 7:15 pm in the Vergennes Township Hall.

Members Present: Tim Wittenbach - Supervisor
Mari Stone - Clerk
Jean Hoffman - Treasurer
Vern Nauta - Trustee
Al Baird - Trustee

The agenda for the August 17, 2009 meeting was approved with these additions: Harding's Request, Declaration of POW/MIA Recognition Day, and AT&T Metro Act Agreement by Nauta; seconded by Wittenbach. **Motion Carried.** The minutes for the July 13 meeting were approved with corrections (spelling error). The treasurer's report and bills were read and approved with a motion by Baird; seconded by Nauta. **Motion Carried.**

Public Hearings - Private Road Variance Request for Split -The public hearing opened at 7:20 pm. Tamara Norton, who lives on 800 Montcalm Rd., asked if the Fitzgerald's were going to split and sell their land. Carolyn Fitzgerald explained that the only reason they wanted the split is so that they may obtain a loan. She stated that they do not intend to sell the property, have tried but failed to obtain additional easement as required, and have submitted signed agreements attesting that they understand that there is a deed restriction regarding the ability to build on the lot. The public hearing was closed at 7:23 pm.

Landman – SEUP for Free-standing Farm Building - The public hearing was opened at 7:24 pm. Mr. Landman stated that he had moved the planned placement of the building closer to the road, but less visible. The new placement that Mr. Landman requests is 210 ft from the road. The public hearing was closed at 7:24 pm.

Unfinished Business:

1. Fitzgerald Request - The board had received the requested deed restriction. Stone motioned to grant the variance to allow them to split their parcel with the understanding that it cannot be built on; seconded by Wittenbach. **Motion Carried.**

2. Landman Request - Nauta motioned to allow Mr. Landman's requested building to be built; seconded by Baird. **Motion Carried.**

3. Water District Re-zoning Discussion - The board had held a joint meeting with the Planning Commission where they discussed several options to consider (see Special Meeting Minutes of August 17, 2009). Stone motioned to recommend to the planning commission to set up a public hearing to propose exhibit 2; seconded by Hoffman. **Motion Carried.**

New Business:

- 1. Industrial Site Plan Review - D, C, and H LLC** - The township has been asked to approve an addition to an existing building. The planning commission recommends approval. Baird motioned to approve site plan; seconded by Stone. **Motion Carried.**
- 2. Proposed Private Road Ordinance Amendment** - Jeanne Vandersloot presented to the board an in-depth packet of the suggested amendments to the ordinance. The township attorney and engineer have looked them over and are satisfied. The planning commission held a public hearing and recommends for the ordinance to be approved with the amendments. Jeanne Vandersloot explained that most of the amendments regard clarifications of definitions, but a few had been completely revamped. Wittenbach motioned to adopt the amendments to the Private Road Ordinance, number 2009-1; seconded by Baird. A roll call was taken. Wittenbach, Stone, Hoffman, Baird, and Nauta voted yes. **Motion Carried.**
- 3. Railroad Ties and Rails Storage** – There are rail ties being stored on land owned by the Bieri's, in the Bieri Industrial Park. The City of Lowell water department is concerned with possible soil and water contamination. The DEQ says that a one year storage period is allowable, which would be when the lease expires. There are no further requirements regarding this activity. Baird visited the site to see what is going on and reported that everything seemed to be managed and well organized. Hoffman motioned to make sure the ties are removed and out by May of 2010; seconded by Nauta. Nauta commented that the city should take soil and water samples at that time to verify any levels of contamination. **Motion Carried.**
- 4. Discussion - 2010 Road Projects** - Wittenbach informed the board that all the projects are currently caught up. The Township will not be able to afford any more major projects until Fallasburg Park Dr. and Alden Nash are paid up, but will still be able to do minor projects.
- 5. Information Technology Acceptable Use Policy discussion** – Stone told the board that one of the audit suggestions was to develop and adopt IT security features with an Acceptable Use Policy. Betsy Davidson assisted, and Stone distributed a copy of a proposed policy to the board members. Hoffman motioned to adopt the Information Technology Acceptable Use Policy as presented; seconded by Nauta. **Motion Carried.**
- 6. POW – MIA Recognition Day Resolution**-This year POW – MIA recognition day is going to occur on September 18th, 2009. Wittenbach motioned to acknowledge POW – MIA recognition day; seconded by Stone. **Motion Carried.**
- 7. Hardings Request** – Mike and Kim Harding were present to discuss a problem in the use of a vacant lot they own in the Jordan Meadows Site Condominium. They own unit 5, and have a home across the street on unit 2. Would like to build a pole barn on 5 to store equipment from their business in. The board asked if the lot was buildable - it is, but the envelope is narrow and not the most desirable building site due to its location beneath power lines. It is the last lot left. The problem is that, according to ordinance restrictions, the pole building must be on the same contiguous lot as the main house. Under normal circumstances, they could combine the lots, which are across the street but considered adjacent – however, with a site condo it is more complicated than that. Vandersloot shared that there is another homeowner currently dealing with a similar problem. The board discussed some possible solutions, and decided to request that the planning commission develop some Special Use Permit language for this unusual situation. Once the Planning Commission does so, they would recommend the Board adopt the ordinance language and then the Harding's would need to appear before the board to request a special use

permit. Stone motioned to ask the planning commission to develop language for free standing buildings on adjacent properties as a special use permit; seconded by Wittenbach. **Motion Carried.**

8. AT&T and the High Speed Internet Proposal - As part of their agreement under the METRO Act, AT&T was to provide maps of their service area in Vergennes. Stone reported that the information has been received, and motioned to approve an extension of the METRO Act agreement with AT&T; seconded by Nauta. **Motion Carried.**

The Citizen's comments were as follows:

Peggy Covert informed the board that "Lowell Area Voice" citizens group is meeting on Thursday, August 20, 2009. Currently, they are focusing on the issue of yard waste disposal and composting to help save the Lowell area money. Wittenbach asked how the group felt about the recent LCTV Fund grant awards to which Peggy Covert replied that everyone was in agreement with it.

The township has received the report regarding the number of fire and emergency runs that take place in the Lowell area. Of the townships of Lowell, Vergennes, and the City of Lowell, Vergennes ranks last having the lowest number of runs.

The meeting was adjourned at 8:30 pm.

Respectfully Submitted,
