

**MINUTES OF VERGENNES TOWNSHIP BOARD**  
**December 21, 1998**

The regular meeting of the Vergennes Township Board was called to order by Tim Wittenbach at 7:00 p.m. in the Vergennes Township Hall.

Members Present:	Tim Wittenbach-	Supervisor
	Jean Hoffman	- Treasurer
	Mari Stone	- Clerk
	Mark Weber	- Trustee
	Sue Geiger-Hessler	- Trustee

A motion was made by Hoffman and seconded by Geiger-Hessler to approve the minutes of the November 16, 1998 regular meeting. Motion carried.

Treasurer's Report accepted as read. Motion to approve bills made by Hoffman and seconded by Weber. Motion carried. Motion amended to include Williams & Works invoice for Comprehensive Plan project. Drafts 3026 through 3075 were issued.

Building Report. Sixty-four single family building permits issued through November 1998. Twenty per cent ahead of 1997 permit activity.

**Unfinished Business:**

1. Miscellaneous Ordinance Amendments (98-9). Supervisor needs more time to go through the various ordinance amendments. Discussion resulted in a decision to leave the matter tabled.
2. Fee Schedule Discussion. Cannon Township case overturned by Michigan Supreme Court. Township able to return to escrow policy so a fee schedule deemed unnecessary. Marc Daneman made recommendations and minor changes. At Wittenbach's suggestion, issue tabled until next Board meeting.
3. Request for Liquor License - Shady Acres. Much discussion concerning business being grandfathered in; is method (BYOB-cannot sell by the glass) of serving liquor at present legal; sentiments of neighbors. Understanding of Zoning Administrator after speaking with Liquor Control Commission that liquor license is more restrictive; cannot have BYOB and liquor license. Liquor license requires hired servers. No adequate measures/procedures for the township to follow when dealing with such issues at this time. Motion by Weber to refer matter to Planning Commission to develop an ordinance to regulate and police liquor license use in the future such as traffic, parking, number of people, method for serving liquor and policing of same. Hoffman seconded the motion. Yes - 5 No - 0

Resolution for Shady Acres - Liquor License. Stone made motion to deny use as inconsistent with current zoning in township, also citing a lack of regulations for such a use, potential traffic problems, and negative citizens comments. Seconded by Hoffman. Yes - 5 No - 0

4. Request for Funding - Thermal Imaging Camera - Lowell Fire Department. Non-issue as the Fire

Department has received all money necessary to purchase Thermal Imaging Camera.

5. Gypsy Moth Program Update. Any inquiries regarding the Gypsy Moth Program will be referred to the Supervisor who has agreed to be the Vergennes Township coordinator for any Vergennes Township residents interested in the Gypsy Moth Program. The Supervisor will be in contact with Lisa Vasquez, Coordinator of the County-wide Gypsy Moth Program.

**New Business:**

1. Special Exception Use Request - Odell. No changes to existing use. Within the parameters of the current ordinance. Motion made by Geiger-Hessler to grant Odell special exception use request, seconded by Stone. Motion carried. Yes - 5 No - 0
2. Construction Board of Appeals Appointment. Richard Dwyer interested in appointment. Discussion by Weber as to possible conflict of interest as Dwyer currently working on remodeling of township hall. Work to be done mid-January so conflict of interest moot point. Motion by Hoffman, seconded by Geiger-Hessler, to appoint Richard Dwyer to the Construction Board of Appeals for a term ending in December of 2001. Motion carried. Yes - 5 No - 0
3. Planning Commission Appointments. Township able to expand Commission to nine members - currently six members. Terms of Gillette and Pedley are up. Motion by Geiger-Hessler to expand Planning Commission to nine members. Seconded by Hoffman. Motion carried. Yes - 5 No - 0 After discussion, agreed to stagger appointments so all not to end term at same time.

After discussion concerning several candidates, there was a motion by Wittenbach, seconded by Geiger-Hessler, to appoint individuals listed below to the Planning Commission with corresponding term of service as follows:

Dean Alger - 3 Year Term	R. Gillette - 2 Year Term
Scott Jernberg - 3 Year Term	Greg Culross - 2 Year Term
Vern Nauta - 3 Year Term	

Yes - Stone	No - Weber
Geiger-Hessler	Hoffman
Wittenbach	

Motion carried.

4. Zoning Board of Appeals Appointments. Two Appointments needed for two year terms. Jim Cook, Jr. and Bob Humphries terms are up. Joe Host term as an alternate is also up. Following are all motions nominating individuals to a slate to be voted on for new members to the Zoning Board of Appeals:

Motion by Hoffman to nominate Bill Schreur Jr., seconded by Stone. Motion carried.  
Motion by Geiger-Hessler to nominate Colleen Lenihan, seconded by Wittenbach. Motion carried.  
Motion by Weber to nominate Jim Cook Jr., no second. Motion dead.

Motion by Geiger-Hessler to nominate Al Baird, seconded by Hoffman. Motion carried.  
Motion by Hoffman to nominate B. Humphries, seconded by Stone. Motion carried.

Motion made by Geiger-Hessler to appoint Al Baird and Bill Schreur Jr. each to two year terms and Colleen Lenihan as alternate (two year term) to the Zoning Board of Appeals. Seconded by Wittenbach.

Yes - Geiger-Hessler	No - Stone
Wittenbach	Hoffman
	Weber

Motion not approved.

Motion made by Stone to appoint Bill Schreur Jr. and B. Humphries each to two year terms and Al Baird as alternate (two year term) to the Zoning Board of Appeals. Seconded by Hoffman.

Yes - Stone	No - Wittenbach
Hoffman	Geiger-Hessler
Weber	

Motion carried.

5. Meeting Schedule for 1999. The schedule of meeting dates for the Township Board in 1999 was presented. Motion by Hoffman and seconded by Geiger-Hessler that the 1999 Township Board meeting date schedule as presented be approved. Motion approved. Yes - 5 No - 0
6. Collection of Summer Taxes for LAS, GRCC & KISD. Treasurer needs approval by the Board. Motion made by Geiger-Hessler, seconded by Weber, to approve collection of summer taxes for LAS, GRCC & KISD. Motion approved. Yes - 5 No - 0
7. Request to FLY POW/MIA Flag on outside flagpole. Request by citizen to fly the POW/MIA flag on holidays in tribute to our veterans outside the Township Hall under the U.S. & MI flag. Flag to be provided by resident. Motion made by Stone to fly POW/MIA flag on appropriate military holidays, i.e. Memorial Day, Veterans Day, but not every day. Seconded by Weber. Motion approved.
8. Consideration of Water & Sewer Study by Prein & Newhof. This would include all of Sections 34-35 and 26-27. Takes three weeks at a cost of \$6,000. A previous study to determine the cost of Vergennes Township's own sewer system to serve the industrial district only was done in 1997. The proposed study would be to define future water and sewer needs for residential as well as industrial districts, information which will be needed in future discussions with the City of Lowell concerning capacity. Weber indicated that more than likely the study needs to be done, but would rather wait until a time closer to when we will need the information. 1/11/99 work session by Lowell City Council to specifically deal with capacity of Lowell system and where they are currently. The board agreed to reconsider the matter at a later date.
9. Approval of MTA Convention Attendance. Wittenbach will attend the full week session. Motion made by Hoffman to provide registration for Tim Wittenbach for the full week and any other Board members who wish to attend for a day. Seconded by Stone. Motion carried. Yes- 5 No - 0
10. VanHouten Memorial Plaque. Russell and Catherine McPherson Davis donated land to

Vergennes Township for use as township hall. August 1996 then Supervisor Jim Cook Sr. requested the land be deeded to Vergennes Township. The Davis's agreed to do so, requesting that the Township acknowledge their donation for tax purposes, and acknowledge the donation publicly by displaying a memorial plaque in hall.

Hoffman to look into the cost of a plaque and report to the Board. Motion by Stone, seconded by Weber, to acknowledge donation for tax purposes, public acknowledgment of the land donation and plaque presentation at future dedication of the remodeled upstairs of the Township Hall. Motion carried.

11. Discussion Concerning Illuminated Notice Holder. No \$\$ figures at present time. Wittenbach indicated approximate cost as \$100, and agreed to research cost and if within sign ordinance requirements.
12. Bill Johnson - Approval for Private Road. Under new split act, this tract of approximately 25 acres was approved by the assessor with 6 lots, with access by a private road. No further approval is necessary for the lots, just for the private road. Road has been inspected and meets qualifications. Approval of road needed before sale of property/lots. Board unanimous that approval of road needs to go through proper channels; i.e. Planning Commission, Public Hearing, Board. Motion made by Hoffman, seconded by Stone, to send issue to January Planning Commission Meeting for their review, hold a Public Hearing, and report back to Board. Yes - 5  
No - 0
13. Motion made by Geiger-Hessler, seconded by Stone, to send letter/card of appreciation to James C. Porter, undersheriff, who is retiring January 1, 1999.

#### **Citizens Comments:**

Motion by Geiger-Hessler, seconded by Weber, to follow Tree Committee recommendations regarding 8' log; have VanderSloot cut and salvage one cross section of tree for Township visual record of the tree; and Township to cover the cost of replacement blades damaged during the cutting of cross sections. Yes - 5  
No - 0

Wittenbach announced that he will appoint Ken Ewing as Deputy Supervisor for no monetary compensation to serve and act in Wittenbach's absence. Wittenbach indicated Ewing will establish a point of contact for the Supervisor; an assisted role; research. They share the same views. Wittenbach stated that the Supervisor is required by law to be available at Township Hall only four (4) hours per week, and he feels Ewing's presence will fill the void when he (Wittenbach) is unable to be present at Hall. Much discussion ensued and summarized as follows:

- \*Role/job description needs to be clearly defined.
- \*Should be no interpretation of ordinance by Ewing.
- \*Supervisor was elected and Ewing was not.
- \*Ewing might need to be bonded to protect liability of Township.
- \*A job description was requested and the board will review in January.

Mention made regarding Natural River Act and Flat River and need to keep together positive aspects of what is and is not allowed.

Residents commented with favor on the Board's intent to keep names private which appeared on the Zoning Administrator's reports.

The meeting adjourned at 9:10 p.m. with motion made by Weber and seconded by Stone. Motion carried.

Respectfully submitted,

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Mari Stone, Clerk