

Regular Meeting Minutes May 17, 1999

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
	Sue Geiger-Hessler	-	Trustee
	Mark Weber	-	Trustee

A motion was made by Weber, seconded by Geiger-Hessler, to approve the minutes of the April 19, 1999 regular meeting. Treasurer's Report was given by Hoffman and accepted as read. A motion was made by Hoffman and seconded by Geiger-Hessler to approve the bills including the Williams & Works invoice for comprehensive plan. Motion carried. Drafts 3269 through 3311 were issued.

Permit Activity. Eight single family permits month of May.

Unfinished Business:

- Community Recreation Authority Agreement Discussion.** Township Attorney, Jim Doezema, reviewed agreement and sent letter (4/30/99) to Township noting areas of concern which need to be addressed before Board signs an agreement which sets up the legal basis for the pool and recreational authority board. One issue is whether or not Vergennes Township can back out of the agreement if a majority of their residents vote against the bond issue. The bond is voted on as a whole (townships, city, school district) and not individually and it is the overall vote yes or no which determines the outcome of the bond issue. The entire Board uncomfortable with the possibility of voters outside the township determining an outcome which does not reflect the desires of Vergennes Township residents. Doezema discussed the Community Pool Act of 1994 which provides an escape mechanism for participating municipalities, unlike the present proposed agreement. Another concern regarding financial shortfalls was mentioned. With this agreement, if there is a deficit, the school district, City of Lowell and Lowell and Vergennes Township share equally the deficit. The third major concern was the amount of liability insurance to be maintained by the recreation board. Doezema recommended a higher limit. Citizens present expressed concern regarding cost and operation of the pool.

The agreement is the next step in the process and the school district will not move forward without the cooperation and support of the City of Lowell, Vergennes Township and Lowell Township. A meeting will be set up with representatives from the school district, City of Lowell, Lowell Township and Vergennes Township, and their respective attorneys, to discuss controversial issues of each municipality and possible alterations/compromises to proposed agreement.

- Correction to Historical Commission Terms of Appointment (from 2 years to 3 as specified in the Ordinance).** Motion made by Stone, seconded by Hoffman, to correct Historical Commission Terms of Appointment made in March to reflect an appointment term of three years (1999-2002) not two years as previously noted.

New Business:

1. **Planning Commission Recommendations.**

Child Care Facilities in RA District. Approval recommended by Planning Commission. Motion made by Weber and seconded by Hoffman to adopt Ordinance 99-2 to permit child care facilities in the RA District as a Special Exception Use. Motion carried unanimously.

Accessory Buildings in Front Yard. Approval recommended by Planning Commission. Motion made by Geiger-Hessler, seconded by Stone, to adopt Ordinance 99-3 to allow for accessory buildings in front yard setback areas in all Residential Districts under certain conditions. Motion carried unanimously.

Sign Ordinance Amendment. Approval recommended by Planning Commission. Motion made by Stone, seconded by Geiger-Hessler, to adopt Ordinance 99-4 amending the sign ordinance, to include the addition of the words “and/or” between “name.....occupation of business”. Motion carried unanimously.

Driveway Setbacks. Proposed ordinance language to eliminate driveway setbacks not recommended by Planning Commission. Discussion among board reflected concern about cul-de-sac lots not being able to conform to the requirements, and the issue of policing setbacks for both new and old driveways. Motion by Hoffman to eliminate driveway setback requirement language from the ordinance. No second. Motion by Stone, seconded by Geiger-Hessler, to send the driveway setback issue back to the Planning Commission for research including the question of cul-de-sacs. Motion carried unanimously.

2. **Nauta Excavation & Rocks Special Use Permit.** Hoffman made a motion to approve special use permit for Nauta Excavation & Rocks. Stone seconded the motion. Motion approved unanimously.

3. **Fee Schedule Discussion.** Discussion regarding possible fee schedule changes. Motion made by Hoffman, seconded by Geiger-Hessler, that Stone and J. VanderSloot review the Fee Schedule and bring proposed additions and changes to the Board at the next meeting. Areas with changes and/or deletions to be specifically noted. Motion approved.

2. **Formation of Cemetery Committee - Cemetery Fee Agreement.** Discussion regarding formation of a cemetery committee to research and prioritize activities such as road construction and beautification projects. Stone felt this would be a valid activity for a community group, and will seek volunteers. The committee would ultimately report back to the Board for approval of any budget items.

Concerning the Cemetery Fee Agreement, Ken Wittenbach indicated he had not reviewed the proposed document. Motion made by Stone, seconded by Geiger-Hessler, to table execution of Cemetery Fee Agreement with Ken Wittenbach until regular June meeting to allow him time to review and comment upon agreement. Motion carried.

3. **Lee Hovey Private Drive.** Motion by Weber, seconded by Hoffman, to approve Lee Hovey’s private drive named Talisman contingent upon compliance with recommendations noted by Prein & Newhof (attached), and that no Certificate of Occupancy permits for future homes built on parcels served by this road will be issued until finished road is inspected. Motion approved unanimously.

Zoning Administrator Report

Potential problem regarding junk ordinance. Same resident/same problem approximately two years ago. Mailed four letters (2 certified receipt) - no response. No answering machine. Wants

Board approval that if upon inspection 6/2/99 no changes have occurred, she may issue civil infraction. Motion by Hoffman, seconded by Stone, that if no clean-up by inspection date of 6/2/99, mail certified letter (also post same on the resident's door) to the effect that desired clean up of property must be completed by (date to be determined by VanderSloot) or a civil infraction ticket will be issued. Motion carried unanimously.

Need to set additional dates for review of variance applications for home-based business by Zoning Board. Motion by Stone, seconded by Weber, to authorize Zoning Board to add three meeting dates to their schedule with no fee for this purpose; additional three dates to be published in the Lowell Ledger along with an article explaining the variance. Motion carried.

Citizen's Comments:

Signatures on petition regarding reinstating an annual township meeting have been verified. The issue will be put to a vote on the ballot. Wittenbach to research procedural steps.

Craig Wood pointed out that there is a vacancy on the Historical District Commission. Wood proposed to the board that John Coates, whose application is on file, be appointed. Geiger-Hessler made a motion, seconded by Stone, to approve John Coates appointment to a three year term (1999-2002) on the Historical District Commission. Motion approved.

Meeting adjourned at 10:00 p.m.

Respectfully submitted,
