

# Vergennes Township

## Regular Meeting of the Township Hall

November 20, 2017

The meeting was called to order by Tim Wittenbach at 7:09 pm.

Roll Call - Gillett, H. Hoffman, Wittenbach, J. Hoffman, Rasch, were present. None absent

The agenda was approved with a change to move the Blair vs. Township Mediation discussion to the end of the meeting. There was a motion by Wittenbach to approve the agenda with the change, J. Hoffman seconded. All members voted yes. **Motion carried.**

The October Regular Board meeting minutes were accepted with a motion made by Gillett, Rasch seconded. All members voted yes. **Motion carried.**

The treasurer's report was read. J. Hoffman motioned to pay the bills as listed, Gillett seconded. All members voted yes. **Motion carried.**

### **Public Comment**

None

### **Guest**

#### **1. Lowell Area Fire Authority representatives-**

Representatives of the Lowell Area Fire Authority: Chief Ron van Overbeek and Lieutenant Cory Velzen- gave an overview of new equipment purchases by the Fire Authority. A new fire truck will be ordered with delivery scheduled for November 2018. The lowest bid of three was \$345,166. The authority believes they will be able to sell the old Engine 6 truck for \$50,000 and are writing a grant for \$150,000 to the Lowell Community Fund. This will leave a balance for the three municipalities of \$48,388.66 each. The Vergennes Township Board inquired if some of the money that the authority currently has for equipment purchases in the Fund Balance will be used towards this purchase. van Overbeek said that is the plan, but the amount has not been determined yet.

A new 2018 brush truck will be purchased for about \$36,000. The funds for this purchase will come from the sale of two other trucks, a \$10,000 community fund grand and the balance from the Authority fund balance. With this purchase they will also receive a new ATV to help with rescues.

There are currently 21 volunteer fire fighters, 3 of which are still in training.

There have been roughly 750 calls for 2017 which is down from 2016's numbers.

van Overbeek told the Board that he would send a representative to the Vergennes Board meetings anytime we would like an update.

### **Old Business:**

### 1. Hall Facility Update- Community Open House Discussion

The Board discussed the open house that took place right before the Board meeting from 5 pm until 7 p.m.. There were many residents who came to the Community Open House to view the preliminary design of the proposed township hall building project, see various informational displays, and talk with the Board about the proposed project. There were many questions and positive comments heard. The Board discussed if the proposed building would allow for future expansion to possibly house a fire truck. The architect's current design would allow for future expansion. The township is very frugal and the treasurer believes that the mortgage can be covered with State Revenue Sharing monies and not require a millage. The Board is in agreement that at this point, they would not seek an additional millage for this building project.

### 2. Lowell Community Fund Grant- Hall Facilities Study

The Lowell Community Fund Grant to cover the New Hall Facilities Study was denied. The reason given was that the community fund does not offer funds for individual municipality studies.

### 3. Public Comment Policy discussion-

This discussion will take place at the December Board meeting.

## New Business:

#### 1. Aaron Roth PDR Application

The Board received a Purchase of Development Rights Application (PDR) from Aaron Roth for parcel 41-16-101-000-13. This parcel is 94 acres, 78 which are nominated acres currently in Agricultural Production. There was Board discussion. H. Hoffman motioned to approve Aaron Roth's PDR application for parcel 41-16-101-000-13, seconded by Tim Wittenbach. All members voted yes. **Motion Carried.**

#### 2. Zoning Ordinance Amendment: Landscaping Business-Planning Commission recommendation discussion.

There was discussion about the Planning Commission recommendation for adding Landscaping and Mowing Services use to the Commercial District as a special use and the Industrial District as a permitted use with site plan review. Gillett motioned to adopt ordinance 2017-5 amendments as written, seconded by Wittenbach. All members voted yes. **Motion Carried.**

#### 3. Township Treasurer resignation letter

The township treasure, Jean Hoffman, provided the board with a formal resignation letter. After 33 years as a Township Board member, Jean made the decision step down as treasurer to spend time with her husband in retirement. Her resignation is effective December 18, 2017. Wittenbach motioned to accept Hoffman's resignation, seconded by Gillett. All members voted yes. Motion carried.

#### 4. Review of Needed Appointments/Terms of Office

A Public Notice for the needed appointments and the treasurer's vacancy was published in the November 8, 2017 Lowell Ledger. Wittenbach motioned to accept applications through December 11, 2017 at 3 p.m. for all vacancies. If there is more than one qualified applicant for the treasurer's position, interviews will take place December 14<sup>th</sup>. Gillett seconded. Annual Meeting will be March 19<sup>th</sup> at 6:45 p.m. All members voted yes. **Motion carried.**

#### **5. Consideration of 2018 Meeting Schedule**

Gillette motioned to set 2018 board meetings as the 3<sup>rd</sup> Monday of the Month. Rasch seconded. All members voted yes. **Motioned carried.**

#### **6. Set Date for Budget workshop**

Budget workshop is set for January 17<sup>th</sup> at 10 a.m.

#### **7. Blair vs. Township- October 31<sup>st</sup>- Mediation discussion**

The board received a copy of the settlement agreement from the mediation discussion that took place on October 31, 2017. The township building inspector gave the Board information and showed pictures of the ramp that was built by Blair. There is concern about the ramp's design and mass of the structure. There was no soil erosion permit pulled nor was the inspector allowed on the property to inspect it. There is no hand rail on the ramp nor does it meet code requirements. There is no building permit required to place concrete but the concrete must meet all codes. Wittenbach motioned to go into closed session to consult with the Township's attorney regarding trial or settlement strategy in connection with pending litigation in Township of Vergennes v. James M. Blair, for the reason that an open meeting would have a detrimental financial effect on the litigating or settlement position of the Township.. Gillette Seconded. A Roll Call Vote was taken. Gillette: Yes, H. Hoffman: Yes, Wittenbach: Yes, J. Hoffman: Yes, Rasch: Yes. All members voted yes. **Motion Carried.** The Board went into closed session. Wittenbach motioned to adjourn the closed session and move back into open session, Gillette seconded. A roll call vote was taken: Rasch: Yes, J. Hoffman: Yes, Wittenbach: Yes, H. Hoffman, Gillette: Yes. All members voted yes. **Motion Carried.** The Board moved back into open session. The Board deliberated. Gillett motioned the Township's attorney to reject the settlement agreement that was signed on October 31, 2017 regarding the case titled Township of Vergennes v. James M. Blair, case number 17-03571-CZ and move forward with the case. Wittenbach seconded. All members voted yes. **Motion carried.**

#### **Public Comment**

None

The meeting was adjourned at 8:49 pm. The next regular Board meeting is scheduled for December 18, 2017.