

**ALAMO TOWNSHIP BOARD**  
**REGULAR MEETING**  
7901 North 6<sup>th</sup> Street  
Kalamazoo, MI 49009  
(269) 382-3366

**FEBRUARY 9, 2009**  
7:00 p.m.

Present: Supervisor Vlietstra, Clerk Sportel-Bogard, Treasurer Stoneburner, Trustee Feniger, Trustee Potter-Williams, Attorney Soltis and Deputy Supervisor Fisher

Also Present: 11 interested persons

Supervisor Vlietstra called the meeting to order at 7:00 p.m. with the Invocation followed by the Pledge of Allegiance.

### **MINUTES**

**MOTION** by Treasurer Stoneburner to approve the workgroup minutes of February 2, 2009, **support** by Clerk Sportel-Bogard. Carried.

### **ASSESSOR'S REPORT**

A written report prepared by Assessor Laws was summarized by Clerk Sportel-Bogard. The Assessor completed splits for the 2009 roll, mailed PRE forms for impacted homeowners, completed fieldwork and valuations for various building permits and settled with Kalamazoo County Equalization on increases for the 2009 roll.

### **BUILDING DEPARTMENT REPORT**

Deputy Supervisor Fisher reported January permits of 2 electrical and 1 mechanical (\$240.00 collected in fees). The Building Inspector notes all municipalities are experiencing inactivity.

### **FIRE DEPARTMENT REPORT**

A written report prepared by Chief Moore was provided to each Board member and summarized by Deputy Supervisor Fisher. The Department responded to 20 incidents in January with an average response time (dispatch to arrival) of 9.75 minutes. The Department toured the Alamo Elementary School with exercises in the areas of building construction, fire suppression and emergency plans. Updating the vehicle and equipment preventative maintenance program has begun. Chief Moore has met with Pride Care Ambulance to discuss various matters.

### **ORDINANCE ENFORCEMENT REPORT**

Clerk Sportel-Bogard gave the Ordinance Enforcer's report based on a written document prepared by Ordinance Enforcer Hoffman. Five and one-half hours of service were delivered in January. Attorney Soltis noted procedures for enforcement of recently issued orders had been provided.

### **PARKS BOARD REPORT**

Parks Board Secretary Fisher noted minutes were previously forwarded to Board members and highlighted the action items provided at the February workgroup. The Parks Board is recommending adoption of the policy governing deposits and withdrawals to the restricted Parks fund (approved in January) as well as a means to dissolve the fund, if necessary.

**MOTION** by Treasurer Stoneburner to adopt the policy governing deposits, withdrawals and dissolution of the Restricted Parks Fund, **support** by Trustee Potter-Williams.

Expenditures will be in accordance with this policy, the purchasing policy, are subject to the overall Township audit with the same check writing practices as any other expenditures.

Treasurer Stoneburner – yes; Supervisor Vlietstra – yes; Trustee Potter-Williams – yes; Trustee Feniger – yes; Clerk Sportel-Bogard – yes. Carried.

The Parks Board has accepted the Boy Scouts' Annual Report and recommends the Board follow suit and renew the Boy Scouts' Use Agreement through March 1, 2010.

**MOTION** by Treasurer Stoneburner to accept the Boy Scouts' annual report and authorize renewal of the Boy Scout Use Agreement through March 1, 2010, **support** by Trustee Feniger. Carried.

The Parks Board is recommending acceptance and approval of its 5-Year Plan. The Plan incorporates current Parks users in addition to the activities to be performed specifically by the Parks Board.

**MOTION** by Treasurer Stoneburner to approve the 5-year plan for the Parks as recommended by the Parks Board, **support** by Trustee Potter-Williams. Carried.

## **PLANNING COMMISSION REPORT**

Chair Belden Smith referenced the minutes from the February 3 meeting; the first meeting of the newly constituted Planning Commission. Board members did not appear to have received minutes though Planning Commission members report receipt. Deputy Supervisor Fisher was requested to forward the minutes to Board members. Clerk Sportel-Bogard swore in the 6 members in attendance at the meeting on the 3<sup>rd</sup>. The Commission was satisfied that the requirements for the wireless communications tower had been met and issued a special exception use permit. Additionally, the review and updating of the Land Use Plan was introduced to new members.

Chair Smith inquired about membership on the Zoning Board of Appeals and recommended Al Sweitzer as the common member between the two.

**MOTION** by Supervisor Vlietstra to appoint Al Sweitzer to the Zoning Board of Appeals as the Planning Commission representative, **support** by Treasurer Stoneburner.

Supervisor Vlietstra – yes; Trustee Feniger – yes; Trustee Potter-Williams – yes; Clerk Sportel-Bogard – yes; Treasurer Stoneburner – yes. Carried.

Chair Smith inquired whether the ex-officio member of the Planning Commission (Trustee Feniger) could deliver the Planning Commission report to the Board of Trustees. The Board indicated Chair Smith and Trustee Feniger could work this out.

**MOTION** by Supervisor Vlietstra to appoint Trustee Potter-Williams to the Zoning Board of Appeals, **support** by Trustee Feniger.

Clerk Sportel-Bogard – yes; Trustee Feniger – yes; Supervisor Vlietstra – yes; Treasurer Stoneburner – yes; Trustee Potter-Williams – yes. Carried.

**MOTION** by Supervisor Vlietstra to appoint Beth Kennedy to the Zoning Board of Appeals, **support** by Trustee Feniger.

Trustee Potter-Williams – yes; Treasurer Stoneburner – yes; Trustee Feniger – yes; Supervisor Vlietstra – yes; Clerk Sportel-Bogard – yes. Carried.

**MOTION** by Supervisor Vlietstra to appoint Gerrit Bosch as an alternate to the Zoning Board of Appeals. The motion was later withdrawn to provide Supervisor Vlietstra an opportunity to discuss this appointment with Mr. Bosch.

Chair Smith requested approval to attend the 2009 Michigan Land Use Leadership Academy. Tuition is \$329 with overnight lodging available at \$89 per night. The training is February 20-21.

Treasurer Stoneburner suggested all interested Planning Commission members should have the opportunity to attend. It was also noted that the Citizen Planner training is available online.

**MOTION** by Treasurer Stoneburner to authorize payment for all Planning Commission members desiring to attend the Academy to have the opportunity to do so, **support** by Supervisor Vlietstra. Carried.

Chair Smith will make contact with Planning Commission members.

### TREASURER'S REPORT

Paid as of February 9, 2009:	\$ 7,948.79
Received:	\$ 159.00
General Account:	\$ 31,068.72
General Maxsaver:	\$311,881.83
Fire Truck LUG Account:	\$ 18,210.91

Treasurer Stoneburner inquired if the Museum furnace had been turned down as the heating bill was \$300 for the month.

### CLERK'S REPORT

Clerk Sportel-Bogard reported \$29,168.41 in liabilities for the month of January.

### NEW/OLD BUSINESS

1. Determination on Filing an Objection with the Road Commission (Border Roads)

Deputy Supervisor Fisher noted Oshtemo Supervisor Heiny-Cogswell provided a response to the question asked about the median setbacks for identified roads.

Attorney Soltis reviewed the salient points of the legislation and its relevance for the Township: The recently adopted statute provides an opportunity for a Township to file an objection with the Road Commission if a neighboring township's actions prohibit or limit traffic on a county primary road and this prohibition diverts traffic to a border road. The objection must be filed on or before the later of 60 days or March 1, March 1 in our instance, and must explain how traffic is diverted to the border road. If the issue is not resolved within 60 days of the filing, the Road Commission must either approve or void the prohibition. This legislation provides an independent 3<sup>rd</sup> party review and decision. Alamo Township may file an objection because traffic is diverted to G Avenue as a result of the Oshtemo Route Ordinance. Other considerations are outlined in the letter provided to Board members. Board members were asked if the letter represented an accurate accounting of factors previously presented or discussed.

**MOTION** by Treasurer Stoneburner to file an objection with the Road Commission concerning the prohibition of defined truck traffic on 10<sup>th</sup> Street thus diverting traffic to West G Avenue by submitting the letter as written and dated February 9, 2009, further authorizing the Supervisor to sign the letter on behalf of the Board, **support** by Trustee Potter-Williams.

No comments from either Board members or audience members.

Supervisor Vlietstra – yes; Trustee Potter-Williams – yes; Trustee Feniger – yes; Clerk Sporter-Bogard – yes; Treasurer Stoneburner – yes. Carried.

2. Ordinance to Establish a Planning Commission

Board members had previously been provided a revised version of the Ordinance with the change highlighted (land divisions/splits). Attorney Soltis reiterated the change clarifying that the Ordinance maintains the current authorities of the Assessor in this area.

**MOTION** by Supervisor Vlietstra to adopt the February 2, 2009 version of Ordinance 57-M, **support** by Treasurer Stoneburner.

Trustee Potter-Williams – yes; Trustee Feniger – yes; Treasurer Stoneburner – yes; Supervisor Vlietstra – yes; Clerk Sportel-Bogard – yes. Carried.

Standard notice to follow.

3. 2009 Roads

Board members were provided a chart of roads under consideration and their respective estimated costs.

**MOTION** by Treasurer Stoneburner to finish C and E Avenues plus gravel, pulverize and double seal chip F Avenue between 6<sup>th</sup> and 7<sup>th</sup> Streets and use remaining funds as carry forward toward a larger project in 2010.

Supervisor Vlietstra recognized Ron Williams (F Avenue resident) who spoke on behalf of F Avenue residents noting a petition was being circulated to present to the Board advocating for resurfacing of F Avenue between 6<sup>th</sup> and 3<sup>rd</sup> Streets. Mr. Williams inquired about the governing policy for roads selected for repair or resurfacing.

Clerk Sportel-Bogard offered a **second** to the motion on the floor.

Further discussion of the possible selections including the lack of receipt for chip sealing Country View, procedures for carry forward and the timing of repairs in 2010 to ensure funds are not lost.

Clerk Sportel-Bogard – yes; Treasurer Stoneburner – yes; Trustee Potter-Williams – yes; Supervisor Vlietstra – yes; Trustee Feniger – yes. Carried.

4. Motion to Change the Meeting Time of the Planning Commission

Attorney Soltis clarified the Board of Trustees has the authority to approve meeting times to ensure meeting times are reasonable. The Planning Commission is requesting to change its meeting time from 8:00 p.m. to 7:00 p.m.

**MOTION** by Treasurer Stoneburner to change the meeting time of the Planning Commission to 7:00 p.m. on the 1<sup>st</sup> Tuesday of each month unless specified otherwise, **second** by Trustee Feniger. Carried.

5. Budget

Clerk Sportel-Bogard had provided a revised draft budget for discussion. Copies were made for members in the audience desiring one. It was noted the budget is subject to a public hearing at which copies would be available. Various points of the draft budget were reviewed. Clerk Sportel-Bogard again invited comments and feedback be provided to her. Trustee Potter-Williams stated it was her belief that a resolution had been passed a number of years ago capping deputy salaries at \$875 each fiscal year. Treasurer Stoneburner noted she does not recall a resolution to this effect and noted the Board had approved current deputy salaries. Attorney Soltis suggested research occur to locate any such resolutions and, if found, pertinent changes could be made and/or rescind. Clerk Sportel-Bogard will look through minutes and advise.

The procedure for the budget public hearing was reviewed. The public hearing will be scheduled for March 9<sup>th</sup> prior to the regular Board meeting. Appropriate notice will be made and motions to open and close the public hearing made.

6. Other

Aerial Photography. Treasurer Stoneburner recommended written notice be given that pursuing participation is not practical for Alamo at this time. Supervisor Vlietstra to provide.

## **AUTHORIZATION OF LIABILITIES**

**MOTION** by Clerk Sportel-Bogard to pay the liabilities and authorize the Clerk and Treasurer to pay any others that may need consideration prior to the next Board meeting, **support** by Treasurer Stoneburner. Carried.

## **BOARD MEMBER TIME**

Trustee Potter-Williams inquired why the Assessor's pay was doubled in the proposed budget. Clerk Sportel-Bogard clarified that although the Assessor had requested an increase of \$500 for this year, the proposed budget reflects her current salary of \$20,000. Reference to a new contract yielded a request from Treasurer Stoneburner that the Assessor systematically review properties in the township. Attorney Soltis noted discussion of a contract is very timely given the recent IRS position on assessors and status (independent contractor or employee). Trustee Potter-Williams asked how the Board could handle the assessor part of the budget in view of this lack of clarity concerning this issue. Attorney Soltis responded that pay and classification are two separate issues. Further, a uniform approach to handling this should be pursued. The Kalamazoo County Township supervisors are slated to look at this. Boards may seek an IRS determination of the position's classification or retain the assessor as an independent contractor with applicable language incorporated into the agreement. The Assessor will be approached about not increasing her salary this year. Funding for an increase would need to be pulled from another area of the budget.

Supervisor Vlietstra provided a review of the work of the Board for 2008 including 20 accomplishments and 6 things to focus on for the future.

## **CITIZEN COMMENT**

Ron Williams (Would like to see a policy governing road selection for improvements; warning the old buddy system is out). Supervisor Vlietstra referenced a planned survey regarding what residents wish to see and how this might be paid for.)

## **ADJOURNMENT**

**MOTION** by Trustee Potter-Williams to adjourn the meeting, **support** by Treasurer Stoneburner. Carried.

Respectfully Submitted,

Garilyn Sportel-Bogard  
Alamo Township Clerk