

DeWITT CHARTER TOWNSHIP
1401 W. Herbison Rd. DeWitt, MI
REGULAR BOARD MEETING
October 10, 2011

The regular meeting of the DeWitt Charter Township Board was called to order by Supervisor Galardi at 7:00 p.m.

MEMBERS PRESENT: Supervisor Rick Galardi, Treasurer Phyllis Daggy, and Trustees Max Calder, Steve Musselman, Brian Ross, and David Seeger

MEMBERS ABSENT: Clerk Diane Mosier

Also Present: Manager Rodney Taylor, Fire Chief Fred Koos, Deputy Clerk Judy Martiny, several DeWitt Township Firefighters, Granger III and Associates representative “Skip” Losey, and DeWitt Veterinary Hospital owner Wendy Kashenider.

AGENDA **Ross moved, Musselman seconded, to approve the Agenda, as presented. Motion voted and carried.**

MINUTES Minutes of the September 26, 2011 meeting were unavailable.

PUBLIC COMMENTS None.

PRESENTATIONS

1. Fire Pup Sponsors – Business Awards

Fire Chief Fred Koos stated that the Fire Department has had a Fire Prevention Program since 1999, called Fire Pup, which is sponsored by a non-profit organization which goes out and solicits businesses on the Fire Department’s behalf to raise funds for educational materials that is distributed to children in the schools within DeWitt Township. Since 1999, this group has raised over \$22,640 for this program and this could not have been done without the help of local businesses. He advised that they would like to recognize the businesses who have supported this program for five (5) and ten (10) years. The five year support recognition plaques go to DeWitt Family Dental, P.C.; DeWitt Optometry, P.C.; Shoemaker Group Inc.; and FirstBank. The ten year support recognition plaques go to Eiseler Oil Company; Granger III and Associates, LLC; Leon’s Transmission Repair, Inc.; Rotunda Trailer Park; DeWitt Veterinary Hospital, P.C.; Capital Equipment & Supply; Cooper Body Shop; and Cadgewith Farms, LTD.

Wendy Kashenider from DeWitt Veterinary Hospital and “Skip” Losey, from Granger, were present to receive their awards.

2. DeWitt Township Fire Association

Chris Grewe, President of the DeWitt Township Fire Department Association, distributed, and read for the official record, a letter to the Board from the DeWitt Township Fire Department Association expressing the department’s thanks and appreciation for supporting the Fire Department with the purchase of two new

pieces of fire fighting equipment. The Department recognizes that these are tough economical times and appreciates the new equipment giving them the ability to continue to provide the best possible fire protection to the Township's citizens.

The Board thanked the Fire Fighters for their continued ongoing service to the community.

PUBLIC HEARING Supervisor Galardi called to order the Public Hearing for the DeWitt Charter Township Proposed 2012 Budget at 7:10 p.m.

Manager Taylor noted that no changes were made to the Proposed 2012 Budget document since the presentation at the last meeting.

No public comments were received. **Motion by Seeger, second by Musselman, to close the Public Hearing at 7:15 p.m. Motion voted and carried.**

COUNTY None present.
COMMISSIONER RPT

CORRESPONDENCE Correspondence included the following: Minutes of the 8/24/11 meeting of Where Development Begins; Consumers Energy Public Hearing Notice; Status Update regarding the Better Building Program; September Activity Report; and letters from Pat Stevons, Mark and Linda Zarkovich and Jan Bosko regarding the BMX/Mountain Bike Course proposed for Padgett Park.

**COMMITTEES &
COMMISSIONS**
Benefits Committee

Manager Taylor advised the Board that the Benefits Committee continues to meet. The Committee discussed Senate Bill 7 and how it may or may not affect staff. This was also the first meeting to kick off the evaluation of the benefits for the 2012 year. He will keep the Board updated as the committee goes through that process.

**UNFINISHED
BUSINESS**

None.

NEW BUSINESS
L-4029 Millage
Request Report

Manager Taylor stated that the Board needs to approve the L-4029 Millage Request Report which establishes the millage rate of 5.9736 which is the same as last year.

Seeger moved, Daggy seconded, to approve the 2011 Tax Rate Request form L-4029 as submitted, and authorize the Township Clerk and Supervisor to execute the same. Motion voted and carried.

Resignation

Manager Taylor read for the official record the letter of resignation from Dale Glynn from the Zoning Board of Appeals.

Calder moved, Daggy seconded, to accept the resignation of Dale Glynn from the Zoning Board of Appeals and request that a letter be sent to Mr. Glynn thanking him for his years of service to the Township. Motion voted and carried.

DARA Professional
Services Agrmnt.

Manager Taylor briefly reviewed his memorandum, dated October 7, 2011, stating that the current contract with DARA for providing professional services is due to expire at the end of this year. Under this contract, the Township does the payroll and accounts payable for DARA. A copy of an updated two year agreement was provided which reflexes an increase from \$5,250 in 2011 to a 2.9% (\$5,400) increase in 2012 and an increase of 2.8% (\$5,550) in 2013.

Ross moved, Daggy seconded, to authorize the Township Clerk to execute the 2012/2013 Professional Services Agreement with DARA. Motion voted and carried.

Contracted Services
Stormwater Mgmt.

Manager Taylor reviewed his memorandum regarding the recent audit by the State of Michigan related to its storm water permit, also known as Phase II or MS4 Permit. Tri-County Regional Planning has always staffed the Greater Lansing Regional Committee for Stormwater Management and he would like to recommend to the Township Board that the Township utilize the services of their staff member, Erin Campbell, to ensure that the Township continues to meet all the legal requirements for the Township's MS4 Permit. He provided a copy of the Funding Agreement between Tri-County Regional Planning Commission and DeWitt Charter Township in the amount not to exceed \$11,500 over a period of twelve (12) months.

Seeger moved, Daggy seconded, to authorize the Township Clerk and Township Manager to execute a contract with Tri-County Regional Planning Commission in an amount not to exceed \$11,500 for assistance with the Michigan Department of Environmental Quality Stormwater Permit. Motion voted and carried.

Budget Adjustment/
Remy Chandler Fund

Calder moved, Daggy seconded, that the Board approve a budget adjustment of \$6,500 from 213-000-390-000 (Remy Fund Balance) to 213-254-956-000 (Miscellaneous). Motion voted and carried.

VOUCHERS

Seeger moved, Musselman seconded, to approve General Operating Fund Vouchers 59056 – 59108. Motion voted and carried.

REPORTS &
COMMENTS

Fire Chief Koos reported that Tuesday, October 25, 2011 the Fire Department will be holding their Fire Prevention Open House from 6 p.m. to 8 p.m. at the Herbison Road Station.

Deputy Clerk Martiny reminded the Board of the Special Joint Meeting between the Township, City of DeWitt and DeWitt School District which will be held tomorrow evening, Tuesday, October 11 at 7:00 p.m. at the DeWitt City Hall.

Treasurer Daggy reported that the retirement party on September 29th for Detective/Sergeant Rick Smith was a tremendous success with an amazing turnout. Many thanks should be given to Chief Russell, Julie Coleman, Marlene Sargeant and Clerk Mosier for putting everything together in such a short period of time, along with all the support of the staff/employees who stepped up and made this happen.

Manager Taylor reported the following: the agenda for tomorrow's joint meeting basically consists of existing collaborations/cooperations and items to be considered, brief update from each of the managers/superintendent on items that are affecting the jurisdictions, and brainstorming opportunity for people to talk about areas for future considerations; he provided a document that was printed from software that BS & A provided the Township called a Municipal Performance Dashboard noting that Jamie Boyle has been compiling some data points so that we can eventually provide this information on our Township website as an indicator of the Township's overall health and strength.

Supervisor Galardi opened the floor for discussion on matters the Board members would like to see taken up at the joint meeting to be held with the City and School District. Discussion followed.

Trustee Seeger stated that he had the opportunity to walk Padgett Park and the area where the BMX/Mountain Bike track is proposed. He feels that this would be a very good use for this area of the park and cannot see where it would be disruptive to the walkers at all. Trustee Calder concurred.

EXTENDED PUBLIC COMMENT

Kevin Covert, 3760 Mulberry Lane, in the Willow Creek Farms Subdivision, submitted a letter, dated January 4, 1991, from James and Beverly Osborn, which was addressed to Diane Cranmer of 3912 Sage Lane and property owners of Willow Creek Farms, which was received and read for the official record by Deputy Clerk Martiny.

Mr. Covert proceeded to explain that what Mr. and Mrs. Osborn referred to was the infamous Outlot B of Willow Creek Farms. He read from the Land Division Act and made personal comments relating to the same and further stated that recently the State Legislature posed some questions to the Attorney General's Office. One of the questions that they asked was: 1. Whose responsibility is it to insure that any and all agencies (i.e. Road Commission, Drain Commission) act accordingly with proper approvals permitting of right-of-way issues as they relate to the Land Division process. (He responded "that would be the Township".) 2. Is there a legally described road right-of-way from Ivy Lane cul-de-sac to

Lochinvar Estates? (He responded that the answer was a simple – “no there is not”.) He asked that the Board note that in the last five (5) years Willow Creek Farms Plat has been altered and there is now a road where there has never been a road before and it appears that two of the lots in Willow Creek Farms are now not in compliance with the Township Ordinance nor the State of Michigan Land Division Act. The changes occurred outside of the proper platting process. It states in the Land Division process that changes needed for Willow Creek Farms must have been done through Circuit Court and that process was never done. 3) Lastly, where is the road? Where is the road, how is it described, how much of Outlot B was taken by a road, and what is to be done with the remainder of it, where is it on the Outlot? He asked that the Township Board please find out the answers to these questions.

Supervisor Galardi asked that the Deputy Clerk provide these questions to the Township Attorney for legal advice.

ADJOURNMENT **Seeger moved, Musselman seconded, to adjourn at 7:50 p.m. Motion voted and carried.**

Respectfully submitted,

Judy Martiny, Deputy Clerk

Rick Galardi, Supervisor