

**EUREKA CHARTER TOWNSHIP BOARD MINUTES**  
**MONDAY, SEPTEMBER 14, 2009**  
**Approved**

Supervisor Laura Shears, at the Eureka Township Hall, 9322 S. Greenville Road, Greenville, MI, called the Regular Meeting of the Eureka Charter Township Board to order on September 14, 2009, at 7:00 pm. After the Pledge of Allegiance, roll call found the following Board Members present: Supervisor Laura Shears, Clerk Linda Ruwersma, Trustees Rodney Roy, Marty Posekany, Elaine Pendrick, and Brian Zayler. Treasurer Cindy Hanson was absent and Deputy Treasurer Harriet Lillie was present to sign checks. These minutes will not be approved until the October 12, 2009 Regular Board Meeting. Approximately 11 others were in attendance. The meeting was audio taped. Zoning Administrator Tom Faussett, Deputy Clerk Renee Fountain, and County Commissioner Tom Lindeman were also in attendance.

At the First Public Comment, Mr. Les Lillie informed the Board that Joanne Thomas, who worked for Greenville Public Safety, died this week. She was the employee who made out and distributed the monthly fire reports to Eureka Township.

Also during the Public Comment, Brian Hammersma was present to address the Board about an agreement he claims he made with the Eureka Township Board in 2006 to do road work on Johnson Road. He stated the Township was going to pave Johnson Road and that has not happened yet. Supervisor Shears stated she has distributed to the Board a copy of the contract written by prior Supervisor Lillie concerning this issue and the Board minutes that also address this. It will be addressed at the October 12 Board Meeting. County Commissioner Tom Lindeman gave a brief update concerning County issues. He stated that the Commission on Aging will be taking over Meals on Wheels Program and the 286 page Montcalm County Budget is now on line for public review.

Mr. Posekany moved, with a second by Mrs. Pendrick to approve the September 14 Consent Agenda. Ayes: 6. Nays: 0. Motion carried.

Approving the consent agenda included accepting the August 10 Board Minutes as written with a correction to a typing error on the second page which should have read 'Mrs.' instead of 'Mr.' Ruwersma. The Treasurer's Report was submitted with an ending balance of \$544,791.00 as of August 31, 2009. It also included paying the bills in the amount of \$40,466.90 with checks numbering 11176 through 11219, voiding check #11192.

Also in the consent agenda was the zoning report from Mr. Tom Faussett showing 77 hours for the month of August. There was no statistical fire report for the month and the Greenville Transit report showed 135 rides for August. A Building report from the County showed 8 permits for the Township for the month of July.

Deputies Doug Houser and Michael Kottenko were assigned to Eureka Township for the month of August and the sheriff report showed a total of 2,722 patrol miles, with 257 patrol hours, 22 traffic stops, 1 traffic citation, 14 property inspections, and 5 arrests.

Library Representative Cindy Lillie gave a brief Flat River Library Report stating that the Friends of the Library made \$3,400.00 at their previous book sale.

The Blight Ordinance Public Hearing was opened at 7:13pm for public comment concerning combining Ordinances #27, #28, and #45 into one Ordinance #45. The PH was closed at 7:15pm.

Mr. Roy moved, with a second by Mrs. Pendrick to allow Zoning Administrator Tom Faussett to combine Ordinance #27, Ordinance #28, and Ordinance #45, rewriting them to make one amended Ordinance #45, and changing the penalty from a misdemeanor to a civil infraction. Ayes: 6. Nays: 0. Motion carried.

Mr. Posekany moved, with a second by Mr. Zayler to table the matter of paying Hungerford, Aldrin, Nichols, & Carter the requested amount of \$2,927.00 extra for the 2008 audit. Supervisor Shears will contact Mr. Phil Saurman and find out why they thought they were entitled the extra payment during the audit, when an agreed price had been set before the audit was started. Ayes: 6. Nays: 0. Motion carried.

The next Montcalm Township Association Meeting/Dinner hosted by Crystal and Evergreen Townships will be held on Tuesday, September 15, 2009, at 7:00 pm.

Mrs. Pendrick moved, with a second by Mr. Roy to accept the draft from Zoning Administrator Tom Faussett called **Community Resolution and Intergovernmental Agreement to Manage Floodplain Development for the National Flood Insurance Program**. By passing this resolution the Township Board can continue to be a participant in the National Flood Insurance Program. Ayes: 6. Nays: 0. Motion carried.

Mrs. Pendrick moved, with a second by Mr. Roy to hold a Public Hearing concerning proposed Ordinance #81 **Addressing Floodplain Management Provisions of the State Construction Code** pending County approval of **Community Resolution and Intergovernmental Agreement to Manage Floodplain Development**. Ayes: 6. Nays: 0. Motion carried.

Mr. Roy moved, with a second by Mrs. Pendrick to send the drafted resolution **Community Resolution and Intergovernmental Agreement to Manage Floodplain Development** to Montcalm County for review to receive their approval or suggestions. The Public Hearing will not be held until the Board receives word from the County and decides on the wording. Ayes: 6. Nays: 0. Motion carried.

Mr. Zayler moved, with a second by Mrs. Pendrick to accept the recommendation from the Planning Commission to amend Section 3.8, Subsection B of Ordinance #79 to add: #5. *Accessory buildings may be constructed before a principal residence is built providing the following three stipulations are met:*

- A. *Permits for the principal residence have been issued.*
- B. *A site plan filed with the Zoning Administrator showing the location for the residence on the parcel*
- C. *The residence will be completed within two (2) years from the permit issuance.*

Ayes: 6. Nays: 0. Motion carried.

Mr. Posekany moved, with a second by Mrs. Pendrick to accept the following changes concerning the wording for lot line adjustments as recommended by the Planning Commission: Section 2.12 of Zoning Ordinance #79, The definition of a Front Lot Line to read: "A. FRONT LOT LINE – *The line separating the lot from the street right of way. In the case of a through or corner lot, the line separating said lot from either street right of way.*"

Ayes: 6. Nays: 0. Motion carried.

Mrs. Ruwersma moved, with a second by Mr. Posekany to set the millage at 2.2907 mills, (0.8064 for permanent operating, 0.9989 for police protection, and 0.4854 for roads).  
Ayes: 6. Nays: 0. Motion carried.

During the Second Public Comment and Board Comments, Mr. Lillie commented on the situation involving Mr. Brian Hammersma and the paving of Johnson Road. He stated that he had made a 'Gentleman's Agreement' with KBH Homes and the Road Commission of Montcalm County.

Supervisor Shears stated we will be having another Christmas Party here at the Hall and wanted the Board to come up with a date for it by next month. Shears also announced that the RCMC will not be able to host the MTA December Meeting and pay for the meals of the elected officials as in the past.

Mr. Posekany moved, with a second by Mr. Roy to approve to allow Treasurer Hanson to attend the MMTA Conference for \$295.00 and approve up to two nights stay for \$99.00 per night at the Hyatt Regency Hotel, October 19-21, 2009. Ayes: 6. Nays: 0. Motion carried.

Eureka Township Road Committee will meet with the RCMC on October 21, 2009, at 6:00pm to discuss roads for the 2010 season. Shears appointed Brian Zayler to the Road Committee. The Road Committee now consists of Supervisor Shears, PC Member Mike Blanding, and Trustee Zayler.

There was discussion of having a lighted flag out in front of the Hall, purchasing a boxed mail slot to be installed in the foyer of the Hall, changing the lights in the front of the building to a motion eye sensor to save electricity, and that Brad Harrington is still offering to sell his corner lot to the Township.

Trustees Posekany and Roy took care of the Fall Cleanup Day at the Hall on Saturday, September 12, and said it was a success. They suggested displaying a banner ahead of time for next year.

Trustee Elaine Pendrick reported that Saturday, November 7, 2009, is the day set aside by the City for the disposing of leaf clippings for Eureka Township. Residents can purchase the recyclable paper bags from the Township for 10 cents each with the Township residents prepaying \$1.50 per bag to be recycled. The transactions will be handled at the Township Hall. She still needs to meet with George Bosanic on how to handle the collection of waste for the recycling.

The new Michigan Department of Transportation signs are now installed in front of the Township identifying the location of Eureka Township and Grattan Academy.

The landscaping done by Shaner Avenue Nursery at the Township Hall has been completed and looks great.

Supervisor Shears adjourned the meeting at approximately 9:00 pm.

Linda J. Ruwersma, CMC  
Eureka Charter Township Clerk  
September 24, 2009