

**GRAND HAVEN CHARTER TOWNSHIP BOARD
MONDAY, MARCH 25, 2019**

WORK SESSION – 6:30 P.M.

Motion by Supervisor Reenders supported by Trustee Behm to select Treasurer Kieft as the Temporary Clerk. **Which motion carried.**

Because only four members were present, the Board could not enter closed session.

Discussion was held on the Board of Review (BOR) determination to approve the Health Pointe tax exemption application. BOR chair Tom DeJonge explained the decision noting that the Wexford Supreme Court case was the foundation of the BOR determination and that the supporting documentation from Health Pointe seemed to copy much of the language from that court decision.

Manager Cargo noted that the BOR determination was appropriate because it placed the decision on whether to appeal the Health Pointe tax exemption application back to the elected officials – as opposed to Health Pointe.

Supervisor Reenders noted that there are inconsistencies with regard to the Health Pointe tax exemption application material (*e.g. statements on accepting all Medicaid, the joint venture with physicians working directly for Spectrum, etc.*). It was noted that these issues could be further explored during an appeal with the discovery process; but, because of the Wexford decision, a favorable outcome has a low probability.

Follow-up questions were directed to Attorney Bultje. Bultje noted that the cost estimate for appeal to the MTT and beyond provided by Attorney Wood was significantly understated and the actual cost estimate would be closer to \$90,000.

The decision on whether to appeal the BOR decision was postponed until the April 8th Board meeting with the expectation that all elected officials would be available to discuss the options and to provide additional time for legal staff to respond to specific questions.

REGULAR MEETING

I. **CALL TO ORDER**

Supervisor Reenders called the regular meeting of the Grand Haven Charter Township Board to order at 7:07 p.m.

II. **PLEDGE TO THE FLAG**

III. **ROLL CALL**

Board members present: Reenders, Kieft, Behm, and Meeusen

Board members absent: Redick, Larsen, Gignac

Also, present was Manager Cargo, Human Resource Director Dumbrell and Community Development Director Fedewa.

IV. APPROVAL OF MEETING AGENDA

Motion by Trustee Meeusen and seconded by Trustee Behm to approve the meeting agenda. **Which motion carried.**

V. APPROVAL OF CONSENT AGENDA

1. Approve March 11, 2019 Regular Board Minutes
2. Approve Payment of Invoices in the amount of \$242,572.18 (*A/P checks of \$119,973.46 and payroll of \$122,598.72*)
3. Approve and Execute the Millhouse Bayou PUD & Private Road Contracts
4. Approve 2019 Pathway Construction Contract #1 - Lincoln Street (\$762,716.50) with Al's Excavating, Inc.

Motion by Treasurer Kieft and seconded by Trustee Behm to approve the items listed on the Consent Agenda. **Which motion carried.**

VI. PUBLIC HEARINGS

1. Warner Street East SAD – Prime and Double Chip – First Hearing
Supervisor Reenders opened the public hearing at 7:09 p.m.

Manager Cargo presented a memorandum on the proposed improvement to Warner Street East of US-31 to 160th Avenue. Manager Cargo recommended to the Board that the special assessment roll be based upon as benefit cost per lot.

Discussion was held on how the assessment should be calculated (e.g. *benefit or front footage*).

- a. Ken Reenders (*14079 168th Avenue*) owns property at US-31 and Warner. Asked whether Mason had signed the petition.
- b. Jim Neinhouse (*15320 Conrad, Spring Lake*) supports the assessment roll be by benefit.

A name error was noted on the proposed assessing roll.

There being no further public comments, Supervisor Reenders closed the public hearing at 7:22 p.m.

2. MNRTF Land Development Grant Application
Supervisor Reenders opened the public hearing at 7:22 p.m.

Community Development Director Fedewa presented a memorandum on the proposed grant application that included (a) 2 miles 8' wide crushed aggregate trail; (b) 625 linear feet of 10' wide boardwalk; (c) 30 parking spaces with landscape islands. Wildflowers and trees planted along the new trails. The cost of the proposed improvement is estimated at about \$873,000 with the MNRTF covering \$300,000.

There being no further public comments, Supervisor Reenders closed the public

hearing at 7:26 p.m.

3. Warner Street West SAD – Prime and Double Chip – Second Hearing

Supervisor Reenders disclosed that he owns a residential property within the boundaries of the Special Assessment District and requested to be recused from consideration of any proceedings regarding the Warner Street West SAD.

Motion by Treasurer Kieft supported by Trustee Behm to authorize Supervisor Reenders to recuse himself from the Warner Street West SAD due to owning property within the special assessment district. **Which motion carried**, pursuant to the following roll call vote:

Ayes: Meeusen, Kieft, Reenders, Behm

Nays:

Absent: Redick, Gignac, Larsen

Supervisor Reenders left the Board table.

Motion by Treasurer Kieft supported by Trustee Meeusen to select Trustee Behm as President Pro Tem during the review and consideration of the Warner Street West SAD. **Which motion carried.**

President Pro Tem Behm opened the public hearing at 7:28 p.m.

Manager Cargo noted that there is not a quorum. This means the public hearing can be held; but, no action may be taken.

Manager Cargo presented a memorandum on the proposed assessment roll for the Warner Street West SAD based upon a benefit per lot approach and with the understanding that the Township would fund 50% of the improvement.

There being no further public comments, President Pro Tem Behm closed the public hearing at 7:30 p.m.

Supervisor Reenders returned to the Board table and resumed his duties as the Township Supervisor.

VII. OLD BUSINESS

1. **Motion** by Trustee Meeusen supported by Trustee Behm to approve and adopt Resolution 19-03-02 that defines the Warner Street (East) Street Improvement Special Assessment District, declares the Township intention to make road improvements for the benefit of the properties within the district, provides an estimate for the improvements, and instructs the Superintendent to create an assessment roll for Board consideration. **Which motion carried** pursuant to the following roll call vote:

Ayes: Reenders, Behm, Kieft, Meeusen

Nays:

Absent: Redick, Larsen, Gignac

2. **Motion** by Treasurer Kieft supported by Trustee Meeusen to approve and adopt Resolution 19-03-04 that supports the submission of an application entitled “*Hofma Park & Preserve – Trail Expansion & Universal Design*” to the Michigan Natural Resources Trust Fund for the first phase of developing Hofma Park and Preserve pursuant to the Hofma Vision, and agrees to a 75% financial obligation. **Which motion carried** pursuant to the following roll call vote:
 Ayes: Kieft, Behm, Meeusen, Reenders
 Nays:
 Absent: Redick, Larsen, Gignac

3. **Motion** by Trustee Meeusen supported by Treasurer Kieft to approve and adopt the proposed amendment to the Water System Ordinance regarding meters and the right of entry. **This is the second reading. Which motion carried** pursuant to the following roll call vote:
 Ayes: Meeusen, Reenders, Behm, Kieft
 Nays:
 Absent: Redick, Larsen, Gignac

VIII. NEW BUSINESS

1. **Motion** by Treasurer Kieft supported by Trustee Meeusen to approve Resolution 19-03-05 approving a one-year license agreement with Allied Waste (*dba Republic Services of Muskegon*) for waste collection and hauling services in Grand Haven Charter Township. **Which motion carried** pursuant to the following roll call vote:
 Ayes: Reenders, Meeusen, Behm, Kieft
 Nays:
 Absent: Redick, Larsen, Gignac

2. **Motion** by Trustee Behm supported by Trustee Meeusen to approve and adopt Resolution 19-03-06 a petition for maintenance and improvements of the Warber Drain. **Which motion carried** pursuant to the following roll call vote:
 Ayes: Behm, Meeusen, Reenders, Kieft
 Nays:
 Absent: Redick, Larsen, Gignac

3. **Motion** by Trustee Meeusen supported by Treasurer Kieft to approve and adopt Resolution 19-03-07 that schedules the first public hearing regarding the necessity of the proposed Bluewater Trail water main extension special assessment district for Monday, April 22nd and instructs the Clerk to mail and publish notice of the hearing pursuant to state law. **Which motion carried** pursuant to the following roll call vote:
 Ayes: Meeusen, Behm, Reenders, Kieft
 Nays:
 Absent: Redick, Larsen, Gignac

4. **Motion** by Treasurer Kieft supported by Trustee Meeusen to approve Resolution 19-03-08 authorizing the revisions of the Sick Days Policy as submitted. **Which motion**

carried pursuant to the following roll call vote:

Ayes: Behm, Kieft, Reenders, Meeusen

Nays:

Absent: Redick, Larsen, Gignac

5. **Motion** by Trustee Meeusen supported by Trustee Behm to approve Resolution 19-03-09 authorizing the revisions of the Paid Time Off (PTO) Policy as submitted. **Which motion carried** pursuant to the following roll call vote:

Ayes: Reenders, Behm, Kieft, Meeusen

Nays:

Absent: Redick, Larsen, Gignac

IX. REPORTS AND CORRESPONDENCE

a. Committee Reports

b. Manager's Report

c. Others – Supervisor Reenders noted that he met with the City, the Chamber and Developer Bos on the proposed residential development along the Grand River. The City believes that they might be able to reduce the trunkage fees. Manager Cargo noted that he expressed the opinion that the Township would proportionally match what the City decides.

X. PUBLIC COMMENTS

a. Laird Schaefer (*12543 Wilderness Trail*) asked about the funding for the proposed Warber Drain. Manager Cargo noted that he would recommend that the Township's portion of the cost be covered by the DDA.

b. Laird Schaefer (*12543 Wilderness Trail*) asked about the construction at the Grand Haven Golf Club. Community Development Director Fedewa noted that the fairways are closed and are being re-designed with an expected re-opening in 2020.

c. Craig Yoas (*16620 Pine Dunes Court*) opined that the pathways are part of the transportation system, that Manager Cargo and Public Services Director VerBerkmoes should not discuss the pathways with MDOT because they are biased, and that the intersection at US-31/Ferris/168th should be redesigned.

XI. ADJOURNMENT

Motion by Trustee Meeusen and seconded by Trustee Behm to adjourn the meeting at 8:03 p.m. **Which motion carried.**

Respectfully Submitted,

William Kieft III

Grand Haven Charter Township Temporary Clerk

Mark Reenders

Grand Haven Charter Township Supervisor