

**VERGENNES TOWNSHIP BOARD**  
Regular Meeting Minutes  
July 21, 2003

The meeting was called to order at 7:00 p.m. by Supervisor Wittenbach.

Members Present:       Tim Wittenbach - Supervisor  
                              Mari Stone - Clerk  
                              Jean Hoffman - Treasurer  
                              Al Baird - Trustee  
                              Vern Nauta - Trustee

Hoffman requested adding an item for discussion regarding the County tax system. Stone requested adding an item for discussion regarding a letter from the Assessor regarding building inspections; the Assessing office is asking the Board for action. Nauta, seconded by Stone, made a motion to accept the agenda as amended, adding items seven and eight. **Motion Approved.** The minutes of the regular Township Board meeting held June 16, 2003 were approved as presented. Regarding the invoices presented, Stone noted an amount of \$5,000 to the Kent County Road Commission will be added to the list. Hoffman, seconded by Baird, made a motion to approve the bills as noted. **Motion Approved.**

1. **METRO (Telecom) Act Resolution.** Township Attorney Jim Dozema was present to answer questions for the Board. The Township will need to notify all providers in the State of the adoption of this resolution. Those providers who do business in the Township will then have 45 days to complete the forms that are mandated by MPSC and return to the Township. Money the Township receives can be used to improve right-of-ways. The Township does not need to provide information to State, but the State can request information from the Township at any time. The Township will need to create a fund to receipt and expend the money for right-of-way purposes. Nauta, seconded by Stone, made a motion to approve the METRO Act Right-of-Way Resolution. **Motion Approved.**

2. **Murray Lake Dock Ordinance**

Stone had added language proposed by Doezema which specifies "lakes" in the ordinance changed to reflect specifically Murray Lake and naming the ordinance "Vergennes Township / Murray Lake Dock Ordinance." The ordinance will provide uniformity to Murray Lake since the lake is in two townships. Non-conforming docks will be grand fathered in. Changes made to the draft include two Murray Lake residents instead of three on the Safety Board of Appeals and three other members which may be from the Township Board, Planning Commission or Zoning Board of Appeals. Also, complaints should be signed and submitted in writing. Stone, seconded by Nauta, made a motion to adopt the Vergennes Township / Murray Lake Dock Ordinance, 2003-0721, with the changes in sections 7.1 and 8.3.

Roll Call Vote: Stone – Yes  
                      Nauta – Yes  
                      Baird – Yes  
                      Hoffman – Yes  
                      Wittenbach - Yes

3. **Special Use Permit for Sign - Lowell Airport**

The Board received a letter of support from a resident and neighbor. Baird, seconded by Stone, made a motion to approve the special use permit. **Motion Approved.**

4. **Sky High Drive Private Road - Final Approval**  
Stone, seconded by Baird, made a motion to approve Sky High Private Drive based on the condition that the requirements noted in engineer Austin's memo dated July 16, 2003 (attached) are met. **Motion Approved.**
5. **DeWitt Building Permit Request**  
Andy and Michelle DeWitt would like to get a building permit for a new home on Downes but can't get a driveway permit from the county for several weeks. The Board was concerned that the foundation had already been started without a permit, but the DeWitt's are complying with the Road Commission requirement of a bond and feel comfortable the driveway will be completed as required. Baird, seconded by Nauta, made a motion to approve the DeWitt Building permit. **Motion Approved.**
6. **Planning Commission Recommendations**  
**Wireless Ordinance Amendment** – Township Attorney Jim Dozema reviewed changes to the ordinance amendment presented by David Yomtoob. Dozema agreed with the shortened definition and recommended sending the changes back to the Planning Commission for approval. If another Public Hearing is needed, it can be held at the August Board meeting and adopted then. Yomtoob will make formatting changes and edit some content and will forward to the Planning Commission. Dozema will make a final review of the amendment.  
  
**Chapter 3 Technical Correction Amendment** - Stone recommended this item be tabled until August and adopt at the same time as the Wireless Ordinance.
7. **Discussion - 2004 Road Construction Project**  
Wittenbach suggested the Board should be ready in August to have a discussion regarding the 2004 Road Construction Project. Stone will have a copy of all the gravel roads done in the last couple of years. Stone said the Township is receiving invoices for engineering work ordered on Three Mile. In speaking with the Road Commission, they said that they have started billing for the engineering work orders at the time the work is performed instead of waiting until the road is paved. This expense did not get budgeted this year. Hoffman recommended making payment now and amending the budget.
8. **Discussion - Horse Stables Without A Residence**  
Hoffman told the board that there is continued interest in riding stable/horse boarding operations in the township. By definition under the zoning ordinance, stables used for boarding, lessons and breeding could be considered agricultural, but the State Tax Commission has said they are commercial operations and should be classified and assessed Commercial. Discussion was held regarding directing the Planning Commission to look into ordinance amendments. General agreement that horse operations fit nicely in the rural community, but there is no clear cut definition as to whether they are a hobby or commercial. The Board would like this clarified. Dozema suggested changing stables to special uses so each situation would have a review.
9. **Other Discussion - Kent County Tax System**  
The system the Township uses now will cease to be used in March of 2004 when the Treasurer closes with the County. Hoffman told the Board that we will need to purchase another software package to use after that, and that other Treasurers in Kent County are going with the "Equilizer" system. There are many issues that will need to be worked out and she will keep the Board informed.

10. **Other Discussion – Township Inspections**

Inspectors should have individual liability insurance and the Board would like to see proof of liability insurance. The Township currently has no computerized record keeping of Township inspections. More detail is needed on the inspection records. Also, the Board would like to see payment arrangements amended for the Building Inspector – currently, the whole amount is paid at the time the permit is issued, with no incentive to turn in final information. Nauta, seconded by Hoffman, made a motion to approve monthly payment to the Building Inspector of 30% of collected fees up front and 35% upon receipt of final inspection documentation beginning July 2003. **Motion Approved.**

**Citizens Comments:**

Craig Wood of the Historical Commission reported that they are not planning to meet again until September. Wood distributed a handout of the Commissions thoughts and ideas. Tom Medendorp was also present, and said there are some strong concerns about posting lists of historical houses on the website. Most of the members of the Historical Commission live in the historic homes and do not want to be forced to put their home on website. They want it to be on a volunteer basis. The Board also cleared up a misunderstanding with the Historical Commission about finishing the Fallasburg Cemetery project. The Commission thought the Board did not want any further work done at the cemetery. The Board still would like the Commission to have the cemetery cleaned up, but for preservation only and not for modern use. The historical markers and fences need maintenance, and debris should be removed from the cemetery and placed in another area. Stone will send the Historic Commission copies of the minutes regarding the Fallasburg Cemetery.

The meeting was adjourned at 9:25 p.m.

Respectfully submitted,

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Mari Stone, Township Clerk