

**SAUGATUCK TOWNSHIP BOARD
REGULAR MEETING**

**WEDNESDAY, AUGUST 3, 2011, 6:00 p.m.
SAUGATUCK TOWNSHIP HALL
3461 BLUE STAR HWY, SAUGATUCK, MICHIGAN 49453**

MINUTES

Supervisor Wester called the meeting to order at 6:00 p.m. and led in the Pledge of Allegiance.

Members Present: Supervisor Bill Wester, Clerk Jane Wright, Treasurer Pat Knikelbine, Chris Roerig, and Trustee Jim Hanson.

Members Absent: None.

Public Comment:

- A. Judge William Baillargeon made a presentation on the Drug Treatment Court he is starting.
- B. Open Comment. Comments were heard from Dick Waskin, Marcia Perry, Doug Gritter, Andrew Leach, and Dayle Harrison. Hearing no further comments Wester closed that portion of the meeting at 6:22 p.m.

Approval of Agenda: Wester asked for any additions or deletions to the agenda, or changes to the consent agenda. Wester requested to add under *Correspondence, Item B. Singapore Dunes LLC*. Wright requested to remove the Special Board Meeting Minutes from 7/18/11 and 7/22/11 from the consent agenda and to add them under *New Business, Item F. Special Meeting Minutes*. Wester requested to add under *New Business, Item G. Attorney Bultje Memorandum Regarding Consent Judgment with SDLLC Discussion*. Hearing no further changes to the agenda, Wester brought the consent agenda to the floor for approval.

- A. Accounts Payable
 - i. ALLEGAN CO TREASURER through WESTERN INSURANCE
Total to be paid \$55,425.32
 - ii. Checks issued to be post-audited
(check register attached)
- B. Payroll (check register attached)
- C. Approval of Minutes
 - i. July 6, 2011 Regular Board Meeting
- D. Quarterly Financial Review

Motion by Wright seconded by Knikelbine to approve the agenda as amended. Carried 5 - 0.

Correspondence:

- A. Katherine Smalley. Hanson read Smalley's letter which expressed concerns over the R4 zoning in which her property resides and the requirements she will have to abide by when the settlement agreement with McClendon gives him the ability to circumvent those requirements. Hanson then stated the lawsuit with McClendon is still not settled and all we can do as a Board is take note of her concerns. Wright asked if waiving ZBA fees in the R4 district would solve the problem.

Hanson could not knowingly respond. Roerig suggested letting the process settle and address the issues on a case by case basis.

- B. Singapore Dunes, LLC. Wester read SDLLC's letter regarding expenses related to recent township meetings. The letter stated they will remit payment directly to the court reporter for ½ the charges in accordance with the Federal Court's order. It also stated they agreed to pay for ½ of the police security costs for the recent public hearing held at the High School and submitted a check for that share of the cost. Wester stated we will sign the check over to the City of Douglas and include it with a check from the Township for ½ of the cost.

Unfinished Business: None.

New Business:

- A. Harbor Committee – Resignation & Appointment. Wright read an email from Harbor Committee Member Dave Engel that stated due to his busy schedule and travel for work he is resigning his position on the committee. **Motion by Roerig and seconded by Wester to accept the resignation of Dave Engel.** Hanson suggested sending Engel a thank you letter for his service. Wester agreed to compose the letter. Motion carried unanimously. Wester then addressed an appointment to the vacancy stating RJ Peterson and Jim Hanson have both indicated a willingness to serve. Board discussed the advantage to have a board member on the committee thereby bringing a knowledge of township finances. Hanson noted both Cities have council members on the committee. **Motion by Roerig and seconded by Knikelbine to appoint Jim Hanson to the Harbor Committee.** Wester stated he appreciates Hanson committing to the appointment in that he can fiscally watch the township's money, but he does not want to slight RJ Peterson because of it, adding it is simply a business decision. Motion carried unanimously.
- B. Proposed Wind Energy Turbines Ordinance. Wester deferred the agenda item to Planning Commission Chair Larry Edris who was present in the audience. Edris stated the language addresses restrictions for both large and small WETs and mirrors surrounding municipalities. He added the Planning Commission had substantial input from a consultant with the Holland Board of Public Works and the ordinance will serve the township well. Hanson reported some of the specific restrictions regarding height, noise levels, and setbacks. He added decommissioning funds will be deposited in the form of a performance bond so if the owner/operator fails to complete decommissioning monies will be available to designate a contractor to complete. Roerig asked what procedure will be in place to ensure the performance bond is in effect. Hanson stated it is a complicated ordinance and he would not be offended if the board wishes to take additional time to review the details of the language. **Motion by Hanson and seconded by Roerig to table the Wind Energy Turbines Ordinance until the next meeting in September.** Motion carried unanimously.
- C. Proposed Split Parcel Zoning Ordinance. Edris stated there are a number of parcels that straddle zoning lines and the intent of this ordinance is to put in place rules that will allow how that parcel can be used without the applicant having to go before the Zoning Board of Appeals. Hanson added the ordinance provides for the uses of a parcel within more than one zoned district without the owner having to re-zone the property. **Motion by Wester and seconded by Wright to adopt the Ordinance No. 2011-01 Split Parcel Zoning as presented.** Roerig commended the Planning Commission for both proposed ordinances as they were a lot of work. Hanson

recognized this ordinance would work well for most people owning parcels in more than one zoned district. Roll call vote: Roerig-yes, Knikelbine-yes, Hanson-yes, Wester-yes, Wright-yes. Wester declared the ordinance adopted.

- D. Charter Township Status. Wester stated we have been contacted by the State that we are eligible for charter township status and asked for discussion. Roerig verified we were notified of the availability prior to this in 2000 and asked what options are available. Wright stated the first step has been taken and that was to publish two notices of Right to Referendum and now the board can adopt a resolution opposed to incorporation, adopt a resolution of intent to approve incorporation, or adopt a resolution to place the question of incorporation before the electorate. Roerig confirmed if we incorporated into a charter township we would increase the number of board members to seven, levy up to 5 mills for general operating purposes, and protection against annexation. Discussion took place and it was asked if we file a resolution opposed to incorporation, could re-address the issue before the next 10 year census. Wright stated she will inquire and report back for the next regular meeting. **Motion by Wester, seconded by Knikelbine to table the Charter Township Status Resolution until the next meeting in September.** Motion carried unanimously.
- E. Proposed Road Work Order – Additional Mowing. Roerig stated in years when we have experienced more rain than usual in June and July we have mowed twice and this year we had 6” of rain in July alone, therefore a second mowing would be warranted. Wright stated the estimated cost is \$850. Roerig stated it is a safety issue, and Knikelbine noted it would only be helpful if they wait until September. **Motion by Wester, seconded by Hanson to approve the road work order for 1 additional mowing to not start until the 1st week of September.** Motion carried unanimously.
- F. Special Meeting Minutes. Wright stated the minutes in the packet were draft minutes and after review by the attorney there were several minor changes. **Motion by Hanson, seconded by Wester to accept the special meeting minutes from July 18, 2011 and July 22, 2011 as amended by the attorney.** Motion carried unanimously.
- G. Bultje Memo Discussion. Wester stated the attorney sent a memorandum concerning two slight revisions to the Consent Judgment between Singapore Dunes, LLC and Saugatuck Township. Hanson reviewed the two revisions and asked not to take action at this time but to hold a special meeting thereby enabling the public to take time to review the proposed revisions. Board discussed schedule options for the special meeting and was unable to establish a definitive date but Wester stated he will coordinate and post on website.

Committee Reports:

- A. Planning Commission. Hanson stated they have had an extensive discussion regarding the medical marijuana ordinance and will continue to work on it. He added they voted on Officers and reelected the same.
- B. Road Commission. Roerig reported the schedule for next summer is to complete 64th St., from 128th to M89, and 128th reconstruction.
- C. Interurban. Knikelbine stated June ridership was 6,050, up 9.6%. She added they approved the millage for 2011 at 0.4861 mills.
- D. Fire Authority. Wright reviewed the interview process taken during the search for a new Fire Chief. She added they have now offered the position to an individual that is contingent upon the successful completion of a background check.

E. Supervisor's Report. No report.

F. County Commissioner's Report. Burns spoke on current county matters.

Wester stated having no further business to come before the board we stand adjourned. Meeting was adjourned at 7:27 p.m.

Jane Wright, CMC; Township Clerk

Date