DALTON TOWNSHIP REGULAR BOARD MEETING
FEBRUARY 13, 2006 7:00 P.M.

BOARD MEMBERS PRESENT: Mary Ellen Sherwood, Rosemary Rinella, Mike Hiner, Elizabeth (Petsy) Jenkins, Diane Misze and Lynn Young.

BOARD MEMBERS ABSENT: Scott Hladki.

Clerk, Mary Ellen Sherwood, called the meeting to order at the Dalton Township Hall. The Pledge of Allegiance said, invocation given and roll call taken.

Mary Ellen stated in the supervisor's absence and also the absence of the deputy supervisor, the board needs to elect amongst the board a chairperson for this meeting.

Motion by Mary Ellen, support by Mike, PASSED to appoint Elizabeth as the Chairperson for this meeting, per Scott's suggestion. Yes: all.

MINUTES:
The Regular Meeting Minutes of January 9, 2006, were accepted as presented and placed on file.

TREASURER'S REPORT:
As of January 31, 2006, the General Fund has $122,729.11, Fire Operating Fund has $109,602.67, and Fire Equipment Fund has $58,031.39. There is $268,419.39 in the Co-Merica J-Fund. The Treasurer's Report was accepted and placed on file for audit.

MONTHLY BILLS:
Motion by Rosemary, support by Mike, PASSED to approve the monthly bills as submitted. General Fund payments equaling $82,267.63, Fire Operating Fund $9,937.26, and Cemetery Fund $110.26; and bills were paid from the Building Fund, Street Light Fund and other self supporting miscellaneous funds. Roll call vote. Yes: Rosemary, Mike, Diane, Lynn, Mary Ellen, and Petsy. No: None.

FIRE BUSINESS:
Monthly Report: Fire Chief, Gary Furman, submitted the Incident Log for January 1, 2006 to January 31, 2006. Total number of incidents, including exposure fires was 46 with an average response time of just over seven minutes.

Fire fighter removed from probation: Chief introduced Josh Easton and stated that he is a firefighter who has completed his probation and stated his education and qualifications. He stated that he would like the board's approval to bring Mr. Easton up to the regular fire fighter status.

Motion by Diane, support by Lynn, PASSED to approve the appointment of Josh Easton to the Dalton Township Fire Department and brought up to the status of regular fire fighter. Roll call vote. Yes: Diane, Lynn, Mike, Petsy, Rosemary and Mary Ellen. No: None.

RECOMMENDATIONS OF THE DALTON TOWNSHIP FIRE COMMISSION:
Mary Ellen is the secretary for the fire commission and therefore previously provided the board with copies of the fire commission's recommendations. She also read the recommendations aloud for audience information. Recommendations one and three cancelled each other out.

1. Cancelled by number three. To approve creating a fire investigator position; however, this is not an officer position. This position will be posted and open for anyone who would like to apply. This position will be paid $13.51 per hour, across the board, and continuing education would be paid by the department. The chief will incorporate this position into the rules and regulations, explain duties, term, etc. No action taken by the township board.

2. To recommend to the township board that the failed fire equipment millage request be placed on the November General Election ballot for voter consideration in 2006 for ½ mills for 10 years.

Motion by Diane, support by Rosemary, PASSED to approve the recommendation of the Fire Commission as stated for number two. Roll call vote. Yes: Mike, Rosemary, Petsy, Diane, Lynn and Mary Ellen. No: none.

3. Cancelled. To recommend to the township board that the fire investigator position be dropped until such time as this position is deemed necessary. No action taken by the township board.

4. To recommend to the township board that the five-mile radius be deleted from the Rules and Regulations of the department and insert the following language as prepared by Commissioner Schappert. "Living within a five mile radius of the Dalton Township Fire Department is highly recommended; however, the Dalton Township Fire Chief and the Fire Commission together reserves the right to review the candidacy of any individual whose training and expertise meets the high standards that Dalton Township Fire Department has come to expect from its fire fighters.

Motion by Mike, support by Lynn, PASSED to approve the number four recommendation of the Fire Commission. Roll call vote. Yes: Mike, Lynn, Rosemary, Diane, Mary Ellen and Petsy. No: none.

5. To recommend to the township board that Tom Van Andel be appointed to the Fire Commission for the remainder of Ken Wentworth's seat to expire in 2010.

Motion by Diane, support by Mike, PASSED to approve the appointment of Tome VanAndel to fill the vacant seat on the Fire Commission. Roll call vote. Yes: Diane, Mike, Rosemary, Lynn, Mary Ellen and Petsy. No: none.

6. To appoint Wayne Beebe, Mary Ellen Sherwood, and Kevin Schappert to sit on the interview committee for the fire department officer positions, and the fire chief to be present; however, the chief will not vote on the appointments.

Motion by Diane, support by Lynn, PASSED to approve recommendation number six, that being to approve the appointments to the Interview Committee for the fire department officer appointments. Roll call vote. Yes: Diane, Lynn, Mike, Rosemary, Mary Ellen and Petsy. No: none.

MAINTENANCE REPORT:
Maintenance Supervisor, Keith Ostoin, thanked the fire department for the great pancake breakfast that they held recently as a fund raiser.

Transfer Station: Bids were solicited for waste hauling services at the transfer station as the previous contract has expired. Six bids were received, opened at the previous meeting, and read aloud. After discussion, the bids were given to the maintenance supervisor for review and to make a recommendation to the township board at this meeting. Discussion followed.

Motion by Diane, support by Lynn, PASSED to award the bid for transfer station services to Redi-Rental for three-years. Roll call vote. Yes: Diane, Lynn, Mike, Rosemary, Mary Ellen and Petsy. No: none.

PLANNING COMMISSION RECOMMENDATIONS:
A. Appoint a member to fill the vacant seat on the Planning Commission.
Mary Ellen stated that she spoke with Scott earlier in the day and his recommendation was still for Ross McClosky to fill the vacant seat on the Planning Commission.

Motion by Mike, support by Rosemary, PASSED to approve the appointment of Ross McClosky to fill the vacant Planning Commission seat. Roll call vote. Yes: Mike, Rosemary, Lynn and Mary Ellen. No: Petsy and Diane.

B. Draft Zoning Ordinance Meeting.
The meeting scheduled in reference to the Zoning Ordinance and the Township's Master Plan was confirmed. This meeting will be held on March 6, 2006 at 6:00 at the Twin Lake Elementary School. The purpose of the meeting is for public input before the final document is approved by the township board, as there was previously much concern from residents.

MUSKEGON AREA WIDE PLANNING:
Motion by Mike, support by Diane, PASSED to table this item until it can be explained further. Yes: all.

WINDING CREEK SITE CONDO ON RUSSELL ROAD, FINAL APPROVAL:
Ron Kadelsik of Westshore Engineering was present on behalf of Winding Creek Condo. The final plans and permits required were reviewed and discussed.

Motion by Diane, support by Lynn, PASSED to approval the final plans for the Winding Creek Site Condominium Development, Section 32, Dalton Township with the 433 agreement mentioned and with the stipulation that all necessary permit approvals are received. Roll call vote. Yes: Diane, Lynn, Rosemary, Mike, Mary Ellen and Petsy. No: none.

LAND BIDS REQUESTS FOR PROPERTY OWNED BY DALTON TOWNSHIP:
1. At the previous months meeting bids were opened, and one bid received for $600.00, for the property described as Minnehaha Beach Lots 07-620-000-0089-00 and 07-20-000-0091-00 as requested by Robert Terberg of Livonia, MI. Mr. Terberg was not present to answer questions of the board.

Motion by Diane, support by Mike, PASSED to table this item. Yes: all.

2. Mr. Lane Smith was present to request the board approve putting a small parcel of land up for bid on West Lake Road across from 1980 West Lake Road as requested by the owner of that property, Mr. Smith. He explained the property as being the small triangle piece across from his address. This property was discussed, it was stated this is a very small piece and is not a buildable lot.

Motion by Diane, support by Rosemary, PASSED to approve putting the land described up for bid as requested by Mr. Smith. Yes: all.

ZONING BOARD OF APPEALS ALTERNATES:
It was recommended that Chuck Lothschultz and Craig Monette be appointed to fill the vacant alternate seats on the ZBA.

Motion by Diane, support by Lynn, PASSED to approve the appointments to the ZBA as stated. Yes: all.

LEGAL REPRESENTATION:
At the previous meeting our legal counsel, James Porter, stated that he will be leaving the firm of Bauckham, Sparks, Rolfe, Lohrstorfer & Thall, P.C. He stated a formal decision would need to be made by the board if we want to retain Mr. Porter as legal counsel, or the Firm mentioned. A letter was received from Mr. Bauckham of the Firm, and Mr. Porter, requesting a decision of the board who we want to retain for legal counsel and direction as what to do with the legal files of the township.

Motion by Mike, support by Rosemary, PASSED to stay with James Porter as legal counsel and have the legal files delivered to Mr. Porter from the Firm. Roll call vote. Yes: Mike, Rosemary, Diane, Lynn, Mary Ellen and Petsy. No: none.

INTERIM INTERGOVERNMENTAL AGREEMENT-MUSKEGON AREA DISTRICT LIBRARY:
With the Agreement mentioned, a letter was received also from Ms. Elizabeth Winsche, Library Director, stating that the old Agreement expired on December 31, 2005. The letter stated at the time this old agreement was signed, it was the expectation that the District Library would be funded independently from the County by the end of 2005. Instead they are now working to obtain millage by the end of 2006. As a result, they need continued help from the local

municipalities to keep our branch libraries open. The new Agreement is substantially the same as past agreements. Effective October 1, 2006, if the millage is approved by the voters, the county and the owning municipalities will be freed from their financial obligations to the library.

Motion by Diane, support by Lynn, PASSED to approve the Muskegon Area District Library Interim Intergovernmental Agreement, with the stipulation that Paragraph three (3) be clarified to state shall reimburse, not shall pay, all salary….. Roll call vote. Yes: Diane, Lynn, Rosemary, Mike, Mary Ellen and Petsy. No: none.

AGREEMENT FROM BURNHAM & FLOWER INSURANCE GROUP:
Correspondence was received from Burnham and Flower Insurance Group (BFG) stating they will be taking over the process of the plan administration for John Hancock for the township pension plan. This is an administration change of our group retirement program. In order to facilitate the completion the board must approve/sign the letter from John Hancock terminating our current Plan Administrative Service Agreement and sign two executed copies of the new Burnham & Flower Administrative Service Agreement. The shift of administrative responsibilities from John Hancock to BFG will not increase the plan's pricing, and there will be no interruption in service to your or your employees.

Motion by Diane, support by Mike, PASSED to approve the Administration Change from John Hancock to Burnham and Flower Insurance Group. Roll call vote. Yes: Diane, Mike, Lynn, Rosemary, Mary Ellen and Petsy. No: none.

COMERICA BANK RESOLUTION AND DESIGNATION OF AUTHORIZED AGENTS:
Documents were received from Comerica Bank requesting we update our records with their institution and to approve a resolution for Political Subdivision - Wire transfer Authorization and Security Procedure with updated signatures for the governmental cash investment fund.

Motion by Mary Ellen, support by Rosemary, PASSED to approve the Declaration for entering wire transfer agreements and designation of authorized agents and approve the Resolution regarding the same. Roll call vote. Yes: Mary Ellen, Rosemary, Diane, Lynn, Mike and Petsy. No: none.

ELECTED OFFICIALS PAY:
Mary Ellen stated that pay increases for Egelston Township, Muskegon Township, and Muskegon County, so also provided the cost of living allowed for this year. This item was tabled until the next regular meeting. No action was taken.

BOARD COMMENT:
Petsy stated that all board members, except Scott, were here tonight before the regular meeting for a special meeting of the township board. Notice of the special meeting was posted to meet with engineers, etc. regarding sewer projects. However, none of the expected persons and engineers arrived for the meeting. Petsy stated this will have to be rescheduled for next month before the regular meeting.

Mary Ellen stated that she received a grant application from Wendy Oost from Muskegon County for infrastructure to be placed into the Cordova property area. Officials from the County requested that Scott sign the application and that it be returned to the County as soon as possible for submission to the State. She requested the board's permission for Scott to sign the grant application and to approve the grant application as completed in Dalton Township's name. She stated that she would get Scott's signature and return to the county tomorrow.

Motion by Diane, support by Lynn, PASSED to approve submitting the grant for infrastructure in Dalton Township's name as the county can not own the infrastructure and approve for Scott to sign the grant application to be submitted. Roll call vote. Yes: Diane, Mike, Lynn, Rosemary, Mary Ellen and Petsy. No: none.

Mary Ellen informed and urged all board members, as requested, to attend a special meeting of the Muskegon County Road Commission tomorrow, as she understands that road funding for townships are the topic of discussion at this meeting.

Mary Ellen stated that the public hearing/special meeting to review the township's master plan and hold the public hearing for the proposed new zoning ordinance is scheduled for March 6, 2006, at 6:00 p.m. at the Twin Lake Elementary School, 3175 Fifth Street, Twin Lake, MI.

Mary Ellen reminded all board members of the upcoming special district library election.

Mary Ellen stated that the board needs to set a date and time for the board to review the preliminary budget for the 06-07 fiscal year's budget. Motion to set a special meeting at 6:30 p.m. before the next regular board meeting to review the proposed budget. Yes: all.

Mike and others had very good comments in reference to the job performance of the township's Ordinance Enforcement Officer, Frank Swiatek.

PUBLIC COMMENT:
Steve Ellis again approached the board with comments regarding land bids. He also requested information regarding his legal case with the township. The attorney and Mr. Ellis spoke, and the attorney stated that he has been waiting on Scott and/or Stephanie to schedule a meeting with himself and Mr. Ellis to try and resolve the remaining issues with regard to this case.

ADJOURNMENT:
Motion by Mike, support by Diane, PASSED to adjourn at 8:16 p.m.

DALTON TOWNSHIP BOARD
Scott Hladki Supervisor
Mary Ellen Sherwood Clerk
Rosemary Rinella Treasurer
Michael Hiner Trustee
Elizabeth Jenkins Trustee

Diane Misze Trustee Lynn Young Trustee

Clerk_____
Mary Ellen Sherwood