

**Allegan Township Board Meeting**  
**July 3, 2017**  
**7:30 PM**

- I. Call to Order
  - A. Pledge and Invocation
  
- II. Roll Call
  - A. Supervisor Steve Schulz, Trustee Mike Bender, Trustee Jim Connell, Clerk Linda Evans and Treasurer Jane Waanders were present.
  - B. Also present was Roxanne Seeber, Allegan Township's lawyer from Bauckham, Sparks, Thall, Seeber & Kaufman, PC.
  
- III. Approve Minutes of June 5, 2017 Regular Meeting, June 26, 2017 and June 29, 2017 Special Meetings
  - A. Connell/Bender made motion to approve which passed with an aye vote.
  
- IV. Reports
  - A. Professional Code Inspectors (PCI), Building Inspector
    - 1. Evans reported nine permits were pulled in May with no new homes with fees totaling \$5,345.00; and in June six permits were taken out with two new homes for total fees of \$3,076.00.
  - B. Fritz Spreitzer, Board of Appeals Chair
    - 1. Was not present with Supervisor Schulz noting a variance for a back-yard setback had been denied for a Dollar General planned on Lincoln Road/M-40 North; they will be returning with different set-backs but Schulz isn't sure if it would be too close to the state highway.
    - 2. There is a variance planned for their August meeting on Miner Lake.
  - C. Ted Heckman, Planning Commission Chair
    - 1. Was not present with Trustee Jim Connell, a member of Planning Commission, commenting they had a special meeting where work has started on stand-alone ordinances to bring them in line and without any conflicts.
      - a. There will be a public hearing, eventually, to make a recommendation to approve.
  - D. Max Thiele, County Commissioner – 3<sup>rd</sup> District
    - 1. There will be patrol section follow up meetings of the county-wide law enforcement meeting that was held in April.
    - 2. 2016-2017 dashboard report from Allegan County was handed out as well as the State of Allegan County 2017.
    - 3. He asked the board if we had spoken with the EPA regarding the Kalamazoo River clean-up and learned we had not with him adding they would like to set up Community Communication Teams, establishing relationships to find out how much people do not know and then

communicate with local officials to let the people know what is going on with the river clean-up.

E. Other Reports

1. *Allegan Fire District* – Steve Schulz –

- a. In May there were 32 fire runs compared to last year's 13, noting there have been more runs the past few months thus more man hours.
- b. There were 180.5 man hours for public relations.
- c. Schulz said "I think they are doing a good job."

V. Public Comment

A. Audience member Jim Billman asked about 122<sup>nd</sup> Avenue just recently paved between 26<sup>th</sup> and 28<sup>th</sup> Streets and why it was fog/seal-coated and learned from studies that it has proven worth-while to seal coat it because of lots of openings that are on the top of a newly paved road and it does a good job of sealing up the road; it is the first time we have done it and costs an extra \$27,000-\$30,000 per mile.

- a. Trustee Bender asked how soon they would be putting lines on it and learned we don't know.

VI. Old Business

A. Appeal to the Construction Board of Appeals (Steve Patrick)

1. Patrick's is a single-wide mobile home that has been condemned and has blight issues and he is appealing said decision and will be setting up a date to meet with township's CBA made up of James Beaudoin, Jon Hestera, Frank Tooker and Bill Creech.

B. Follow-up Meeting with Board of Commissioners (Law Enforcement) (July 19, 2017 here at Allegan Township Hall at 6:30 PM)

1. This is a meeting for the #4 Patrol Section of which Allegan Township is a part.

VII. New Business

A. Public Hearing for Riverview Estates

1. Schulz noted this was the first of two public hearings required before the special assessment process is complete.
2. This hearing is on the estimate of cost, plans and the special assessment district proposed planned for five years (2017-2021 inclusive).
3. The second hearing is the special assessment roll.
4. Dan Wagner, owner of Partnership Development LLC, noted it was to put a second layer of asphalt on the road and place on the taxes of those who own parcels in the development and that Collin Engineering worked up the plans and road should be good for another 15-20 years.
  - a. He also noted the cost could be paid off and doesn't have to go on taxes.

5. Clerk Evans then noted the report of the public hearing was published in the Allegan County News on both June 22 and 29 as well as mailed to each property owner with the proposed district as shown on current tax rolls.
6. Evans/Connell made motion to open the public hearing where comments and objections could be offered from the public.
7. As there were none, it was noted one letter had been received from Tom Hardin objecting with lawyer Roxanne Seeber commenting that Hardin does not own more than 20% of proposed district as he owns three lots and that it appears his objection is not with the township board but rather the Home Owners Association of Riverview Estates and its developer.
  - a. The objection he states regarding MI Statute MCL 559.166 has to do with site condos and not with a Special Assessment District and the township board can disregard that part.
  - b. Hardin noted the Riverview Estates board erred and questioned “where do we go from here?” with Seeber noting it is not an issue from township board and need to go back to master deed of Home Owners Association and put the responsibility back on the developer and go back to the attorney.
8. Connell/Waanders made motion to close the public hearing which passed with an aye vote.
9. Question then arose if the two lots that are not a part of the proposed district were intended to be a part of it and learned the one parcel would be accessed from 34<sup>th</sup> Street but Wagner didn’t want to eliminate the possibility of the other parcel.
10. Treasurer Waanders questioned if Wagner would sell that one parcel would they use Autumn Trail with Wagner responding “yes” as it was originally intended for duplexes/condos with Waanders feeling it should be included with Wagner agreeing and then since that parcel has much frontage on the road it would be proportionately beneficial to do all parcels by road frontage.
11. Connell asked if there is any improvement on it and learned there is no drive, no electric, etc.
12. Following other questions and discussion, Connell/Waanders made the motion, based on the present map, without adding two adjoining lots, to direct the Supervisor and Chief Assessing Officer to make a special assessment roll.
  - a. The motion passed following roll call on a vote of four to one with Schulz feeling the one parcel is rather large that was not included and should be.
13. The next resolution was to set the second public hearing for August 7, 2017 at 7:30 PM to approve plans, cost and review special assessment roll.

- a. Evans/Bender made motion to approve which passed following roll call.
    - 14. Seeber finished by noting there will be a notice for the second hearing published twice in the paper as well as mailed out to the owners.
  - B. Tainted Aquifer (Jeffrey Drive) (Chromium)
    - 1. A well on Jeffrey Drive, across from the old Wedge Oil, has tested positive for chromium and more wells are being tested out in the area with it noted the wells for the mobile home parks have come in clean.
    - 2. The City of Allegan has offered to put spickets on the fire hydrants out in that area for those who need water.
- VIII. Pay Bills
- A. General Fund
    - 1. \$9,381.08 in bills were presented with Connell/Bender making motion to approve which passed following roll call.
- IX. Correspondence
- A. Evans noted there was a resolution received from the County Board of Commissioners to oppose legalization of marijuana for general use and is available after the meeting to read.
- X. Adjourn
- A. Waanders/Connell made motion to adjourn with meeting closing at 8:48 PM.