

**THE CHARTER TOWNSHIP OF OSHTEMO**  
**Township Board Meeting**  
**August 9, 2011**

Township Board work session was held at the Township Hall. Supervisor Heiny-Cogswell called the meeting to order at 5:00 p.m.

**PRESENT:**

Supervisor Libby Heiny-Cogswell  
Clerk Deb Everett  
Treasurer Nancy Culp  
Trustee Grace Borgfjord  
Trustee Dave Bushouse  
Trustee James Grace  
Trustee Lee Larson

Also present were Township Attorney James Porter, Township Engineer Marc Elliott and 12 interested people.

**Public Comment**

State Representative Margaret O'Brien was present and provided an update of activities at the State level.

**KCSD Activity Report**

Sgt. Todd Meyers was present and provided information on recent activity in the Township.

**Kalamazoo County Commissioner's Report**

Commissioner Brandt Iden provided an update of recent Kalamazoo County Commission activities.

**Discussion – Sewer Strategic Plan & Road Policy**

There was discussion of the Sanitary Sewer Strategic Plan Study conducted by the Sewer/Water Committee. Topics included groundwater protection, no oversight of septic system maintenance, functioning rates and/or failure rates of septic systems, mandatory connection, and costs of septic system versus connection to public sewer. It was also noted the Road Committee had drafted language that road dollars would only be spent for routine maintenance when a local street is not served with sewer but is available to be extended, which would facilitate the coordination of road work with sewer extensions to more efficiently use Township funds.

Comments from the public included the cost of connecting to public sewer, mandatory connections, and cost of future maintenance or repairs.

**Retiree Medical Trust Fund – Transfer to MERS**

A recommendation from Treasurer Culp and Attorney Porter to transfer the funds currently in the Retiree Medical Trust Fund to Municipal Employees Retirement System was before the Board.

Motion by James Grace, second by Larson to authorize the Supervisor to sign the agreement with MERS for transfer of the funds. Carried.

**Update on EECGG Sidewalk Grant**

Supervisor Heiny-Cogswell updated the Board on the status of the West Main Sidewalk Grant noting the holdback on the grant is larger than expected; data of in kind work is still being tabulated and will be submitted.

**Township Hall Roof & Exterior Repairs**

Supervisor Heiny-Cogswell advised there has been deterioration of the stucco like finish on the Township Office exterior and roof problems resulting in leaks. There were three proposals for consideration concerning the needed repairs.

Motion by James Grace, second by Borgfjord to accept the proposal from Hoekstra Roofing in the amount of \$3,159 for needed roof repairs and the proposal from Miller's Plastering & Stucco in the amount of \$8,290 for exterior repairs contingent upon verification of references. Carried.

The Board work session adjourned at approximately 6:45 p.m.

Supervisor Heiny-Cogswell called the regular meeting to order at 7:00 p.m.

**PRESENT:**

Supervisor Libby Heiny-Cogswell  
Clerk Deb Everett  
Treasurer Nancy Culp  
Trustee Grace Borgfjord  
Trustee Dave Bushouse  
Trustee James Grace  
Trustee Lee Larson

Also present were Township Attorney James Porter, Township Engineer Marc Elliott, and approximately 30 interested people.

Motion by Borgfjord, second by James Grace to approve the July 12<sup>th</sup> regular meeting and July 28<sup>th</sup> special meeting minutes. Carried.

Income to the General, Building, Fire, Sewer & Water Funds of \$166,968.54 and disbursements of \$376,587.06 were reported. Motion by James Grace, second by Borgfjord to accept the receipts and disbursements report. Carried.

**CITIZENS COMMENTS ON NON-AGENDA ITEMS**

Steve Kinney, representing Oshtemo Rotary reminded the Board and public of the 15<sup>th</sup> Annual Oshtemo Rotary Fun Day on August 20<sup>th</sup> and thanked the Township and Fire Department for their support of this event. He also commented Oshtemo Rotary has pledged to contribute to the refurbishment of the pavilion in the Township Park.

Mary Beth Mauer, 8353 Gibbs commented she felt there should be rental housing guidelines addressing requirements for upkeep by landlords. She also commented 12 inches is too tall for grass as permitted by Township ordinance.

**EMPLOYEE SERVICE RECOGNITIONS**

The following employees were recognized for their years of service:

Dispatcher Theresa Paddock – 22 years  
Firefighter Jeremy Searls – 5 years  
Firefighter Eric Burghardt – 5 years  
Firefighter Nick Paddock – 10 years  
Firefighter Steve Hippensteel – 15 years  
Administrative Assistant Linda Ignasiak – 15 years

**UPDATE POSITION DESCRIPTIONS**

Updated position description for Fire Chief adding the essential job functions and a description for the previously approved position of half time Zoning Administrator were before the Board.

Motion by Everett, second by Culp to approve the update and new description as presented. Carried.

**ANNUAL REGISTRATION & LICENSING FEE FOR MEDICAL MARIHUANA FACILITY**

Attorney Porter presented a resolution to establish the registration and licensing fee for a medical marihuana facility at \$225.00 and up to \$325.00 if electrical and plumbing inspections are necessary.

Motion by Everett, second by James Grace to adopt the resolution establishing the fee as presented. Roll call showed James Grace-yes, Borgfjord-yes, Culp-yes, Everett-yes, Bushouse-yes, Larson-yes.

**DISCUSSION – OUTDOOR WOOD-FIRED FURNACES ORDINANCE AMENDMENT**

A proposed amendment to the Outdoor Wood Fired Furnace Ordinance to prohibit their use from April 30<sup>th</sup> through October 1<sup>st</sup> so as to avoid complaints of smoke which can negatively affect nearby residents was before the Board for First Reading.

In response to previous board member inquiries, Supervisor Heiny-Cogswell advised nine permits have been issued for wood fired furnaces since 2007, there have been multiple complaints concerning one situation.

Mary Beth Mauer, 8353 Gibbs commented an open fire would generate as much or more smoke than a wood fired furnace.

Marvin Darling, 7210 West H Avenue commented he did not see the purpose of the changing the existing ordinance without valid written complaints.

Mark Baker, 7447 West H Avenue commented heat was needed for a cool May, and he heats hot water year round.

There was lengthy discussion regarding balancing right of use of property without being a nuisance to others; courts generally define nuisance as what would be offensive to persons of ordinary sensibilities.

Motion by Larson, second by Borgfjord to accept the ordinance amendment for First Reading and set Second Reading for August 28<sup>th</sup>. Denied 4-3 with Larson, Borgfjord, and Heiny-Cogswell voting yes.

#### **LOITERING ORDINANCE – SECOND READING**

A proposed ordinance to address loitering which the Township has been advised by the Sheriff's Department is a problem at certain times in some locations in the Township was before the Board for Second Reading.

Motion by James Grace, second by Heiny-Cogswell to adopt the proposed ordinance. Carried.

#### **LONG TERM CARE BENEFIT – PERSONNEL COMMITTEE RECOMMENDATION**

Supervisor Heiny-Cogswell commented the Personnel Committee had been asked to review the Long Term Care benefit and are recommending no change.

Trustee James Grace commented he feels no one should have the benefit, even if the cost is small, it is not offered at most employers.

Supervisor Heiny-Cogswell noted 29% of employees are purchasing additional coverage at their own expense, the benefit provided is minimal.

Clerk Everett commented she appreciates the benefit and would rather forego the life insurance offered. There was discussion perhaps there could be a choice.

Jerry Stirton, 1042 Wickford commented there will be new Federal law addressing long term care, perhaps no changes should be made until it is clear what it is and he would not recommend discontinuing life insurance.

Mary Beth Mauer, 8353 Gibbs commented no other employer offers this benefit; why does the Township need it; other employers are getting rid of benefits.

Motion by James Grace to discontinue the long term care benefit. Motion died for lack of support.

Consensus was the issue should go back to the Personnel Committee for further review.

#### **OTHER BUSINESS**

Clerk Everett advised the regular meeting on November 8<sup>th</sup> would need to be rescheduled due to the Mattawan Consolidated Schools election. Consensus was to change the meeting date to November 15<sup>th</sup>.

Trustee James Grace suggested it would be more beneficial for the KCSD activity report to be given at the 7:00 p.m. regular meeting since they are televised.

#### **BOARD MEMBER COMMENTS**

Ms. Borgfjord reminded all of the 2<sup>nd</sup> Annual Oshtemo Sunburst 5K to be held on August 13<sup>th</sup>, noting runners and volunteers are needed.

She also advised there had been a delay in processing paperwork but the Flesher Field concession stand would be open soon.

Trustee Bushouse thanked Oshtemo Rotary representatives for attending the meeting and noted the trails at Flesher Field was one of many past Rotary projects as well as their participation in the Fire Department acquiring their first jaws of life.

There was no further business and the meeting was adjourned at approximately 8:15 p.m.

**DEBORAH L. EVERETT**  
Township Clerk

**Attested: LIBBY HEINY-COGSWELL**  
Supervisor