

**THE CHARTER TOWNSHIP OF OSHTEMO**  
**Township Board Meeting**  
**June 22, 2010**

The Oshtemo Township Board public comment session was held at the Township Hall. Supervisor Heiny-Cogswell called the meeting to order at 6:00 p.m.

**PRESENT:**

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

Also present was Township Attorney James Porter, Township Engineer Marc Elliott, and 4 interested people.

**Public Comment**

Scott Spicer, 3180 Chestnut Hills, introduced himself as a candidate for Kalamazoo County Board of Commissioners.

**Police Contract Policy Amendments**

Supervisor Heiny-Cogswell reviewed changes for the 2011 contract year being proposed by the County regarding costs for police protection.

**H Avenue Sewer/Water Project**

Engineer Elliott reviewed a change order regarding the H Avenue Sewer/Water project; quantity changes in some materials and the addition of one item requested by the City of Kalamazoo noted during their permitting process review and two items initiated by contractor Balkema Excavating, a change in the method of construction underneath the roadway and a substitution of plastic pipe. Lengthy discussion resulted in consensus the changes were acceptable. Also discussed was a recommendation from the Sewer/Water Committee that the Board consider procedurally approving public works construction contracts with an additional 5% to 10% budgeted for contingencies which would allow the Supervisor to resolve small change orders. These items will be taken up for action on the regular agenda.

The public comment session was adjourned at approximately 7:05 p.m.

Supervisor Heiny-Cogswell called the regular meeting to order at 7:05 p.m.

**PRESENT:**

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

Also present was Township Attorney James Porter, Township Engineer Marc Elliott, and 5 interested people.

Motion by James Grace, second by Borgfjord to approve the June 8<sup>th</sup> regular meeting minutes as presented. Carried. **NOTE:** Under other Township Business at the end of the agenda, it was noted the date of the minutes approved should have been May 25<sup>th</sup>; there was no June 8<sup>th</sup> regular meeting. Motion by James Grace, second by Borgfjord to approve the May 25<sup>th</sup> regular meeting minutes as presented. Carried.

Income to the General and Fire Funds of \$52,320.48 and disbursements of \$725,301.21 were reported. Motion by James Grace, second by Borgfjord to accept the receipts and disbursements report. Carried.

## CITIZENS COMMENTS

None

### **POLICE PROTECTION CONTRACT SIX MONTH EXTENSION**

Supervisor Heiny-Cogswell advised the First Amendment to the Agreement for police protection to extend the contract through the end of 2010 had been received from the County earlier in the day. She and Attorney Porter noted there were some errors and modifications that had not been discussed. Trustee James Grace commented it was noted during discussions with the County the intent to extend the agreement adopted for the first six months of 2010.

Motion by James Grace, second by Culp to extend the agreement approved for the first six months of 2010 through the end of 2010. Carried.

### **PUBLIC HEARING – WEST MAIN SIDEWALK IN FILL PROJECT – SPECIAL ASSESSMENT DISTRICT**

A public hearing was held regarding the assessment roll to complete sidewalks on West Main from US-131 to Drake Road and along the east side of Maple Hill Drive from West Main to the first driveway.

There was no public comment.

Motion by Culp, second by Borgfjord to adopt a resolution approving the assessment roll for Special Assessment District 2010-1. Roll call showed James Grace-yes, Borgfjord-yes, Culp-yes, Everett-yes, Bushouse-yes, McCormick-yes, Heiny-Cogswell-yes.

### **GLASHOWER CONDOMINIUM LOT RECONFIGURATION**

Attorney Porter advised the one year extension granted by the Township Board on June 23, 2009 for approval of conversion of a duplex into condominium units and lot line configuration that would be the applicant's and adjacent property at 6125/6127 Fairgrove into compliance with side set back requirements will expire on July 10, 2010. He further advised the matter is in process but will not be completed by the deadline, therefore a 90 day extension is being requested.

Motion by James Grace, second by Heiny-Cogswell to grant a 90 day extension as requested. Carried.

### **H AVENUE SEWER/WATER PROJECT FUNDING OPTIONS & DESIGN REVISIONS**

The Board reviewed financing options for the H Avenue Sewer/Water project approved at the May 25<sup>th</sup> meeting in the amount of \$1,386,186.00; using available funds from the Sewer and Water funds, financing all or portions of the project with a financial institution or contractor Balkema Excavating who had also provided a financing option. Consensus was sufficient funds are available for the project without the need for financing.

Motion by James Grace, second by Culp to use available funds for the H Avenue Sewer/Water project. Carried.

As discussed at the earlier session, Engineer Elliott reviewed a change order regarding the H Avenue Sewer/Water project; quantity changes in some materials and the addition of one item requested by the City of Kalamazoo noted during their permitting process review and two items initiated by contractor Balkema Excavating, a change in the method of construction underneath the roadway and a substitution of plastic pipe. Lengthy discussion resulted in consensus the changes were acceptable. Also discussed was a recommendation from the Sewer/Water Committee that the Board consider procedurally approving public works construction contracts with an additional 5% to 10% budgeted for contingencies which would allow the Supervisor to resolve small change orders.

Motion by Borgfjord, second by Culp to approve a 5% contingency for the H Avenue Sewer/Water project and authorize the Supervisor in consultation with the Township Engineer and Attorney to approve needed change orders within that amount. Carried.

### **BOARD MEMBER COMMENTS**

Trustee Borgfjord provided a brief update on the Oshtemo Sunburst 5K and advised the flyer/application is now available.

Trustee James Grace commented the recent traffic study by MDOT resulted in their commenting a traffic signal is not needed at M-43 and North 6<sup>th</sup> Street.

**CLOSED SESSION**

Motion by Culp, second by Borgfjord to adjourn to closed session to discuss pending litigation because doing so in open session could negatively impact the Township's position. Roll call vote showed McCormick-yes, Bushouse-yes, Everett-yes, Culp-yes, Borgfjord-yes, James Grace-yes, Heiny-Cogswell-yes.

The Board adjourned to closed session at approximately 7:35 p.m.

Motion by Borgfjord, second by James Grace to return to open session at approximately 8:20 p.m. Carried.

Motion by James Grace, second by Borgfjord to authorize the Supervisor and Township Attorney to proceed as discussed in closed session. Carried.

There was no further business and the meeting was adjourned at approximately 8:25 p.m.

**DEBORAH L. EVERETT**  
Township Clerk

**Attested: LIBBY HEINY-COSGWELL**  
Supervisor