

VICTOR TOWNSHIP BOARD MINUTES- June 5, 2007 (Approved)

Call to Order and Pledge

The regular monthly business meeting of the Victor Township Board was held at the Township Hall, 6843 Alward Road, Laingsburg, MI 48848. Supervisor Warren Malkin called the meeting to order at 7:00 p.m. The pledge to the flag was given.

Roll Call of Members

Members present: Warren Malkin, Michelle Wilsey, Donald McDonald, Duane Ginther and Dan Morris.

Members absent: None. Other governmental representatives in attendance: Clinton County Commissioner Terry Link, ~~Clinton County Deputy Sheriff John Vance~~. Thirty-six (36) citizens present.

Public Comment

Mark Burkhart commented on activities of the Round Lake Environmental Corporation and noted that weed treatments at the lake were progressing.

Agenda

Ginther moved, second by Morris and motion carried to approve agenda with the change of order to allow the Clinton County Economic Alliance presentation and variance request ZC 11-07 VR to be addressed as the first two items on the agenda.

Clinton County Economic Alliance (CCEA) Report – Dave Brown, President of Firstbank and Chairman of the finance committee of the CCEA reported on the history, purpose and development of the CCEA to date. He requested that the Victor Township Board support and fund the organization at a level of \$7,500 over three years. Board member Wilsey, who also serves on the CCEA finance committee noted that the funding structure for municipalities was developed to meet the overall budget of 50% public-50% private funding ratio. However, those jurisdictions benefiting more directly were asked to contribute more. Smaller townships without major commercial centers would be expected to contribute less. McDonald asked if a budget had been prepared. Dave Brown said a target budget was developed based on review of existing economic development operations and that a pro forma budget specific to CCEA was in development. Wilsey moved, second by McDonald and motion carried to approve a contribution of \$2,500 per year for three years (2007-2009) for a total contribution of \$7,500. Ginther noted that this budget appropriation should be subject to review by the board each year. McDonald amended his motion to make the annual appropriation subject to annual budget approval. Motion carried.

ZC-11-07 VR Andy Arthur – Andy Arthur discussed road frontage access of parcel 19-140-029-400-005-00 on Twin Oaks Drive. He noted that the variance request for clarification of road frontage for this parcel was for construction of a single family home. He commented that, in his view, this is a public road. He said the Clinton County Road Commission plows snow. Further he argued, the road is built on his property. Board member Wilsey noted that the actual variance application was vague and overly broad. It did not indicate what specifically the variance was for and, therefore, for what purpose the township had to review the matter. Dan Leonard, staff member of Clinton County Community Development Department explained that the question was whether construction would be allowed on the existing parcel. A plot plan from KEBs was presented and reviewed. Malkin noted that this is not a public road but is private. The deed created it as a private road to be constructed and maintained by the property owners. Mr. Arthur has use of the road like anyone but his parcel does not have access to use that road for purposes of construction. Mr. Arthur explained that he already has farm drives to the road. Leonard noted that the road already has more houses than the road commission rules allow. Because the Arthur parcel already exists, it could be approved as a legal non-conforming use for construction of a single-family home. Malkin noted that the road is not constructed to County standards and should be improved prior to any additional construction. A round lake resident noted that County maintenance is questionable as he has never seen them plow the road. Residents do it. Mr. Arthur said the road commission confirmed that they do plow the road. Dan Leonard explained that this is a private road regardless of whether the road commission plows it or not. It would be an easier question if it were a public road. Richard Robinson, township attorney commented that if the road is already on his parcel and it has been for a sufficient period of time, he may already have an easement. Malkin questioned whether there was sufficient frontage even if Twin Oaks frontage is included. The dimensions on the plot plan indicated that there was only 310.6 feet of road frontage. Mr. Arthur said there was an additional approximately 80' to the end of the road that was not indicated on the plan. McDonald moved, second by Ginther to table to variance recommendation until a sealed survey is received by the board. Motion failed.

Malkin moved, second by McDonald to recommend denial of the variance until a sealed survey, maintenance agreement, and a cul-de-sac is constructed on the road. Motion failed.

Wilsey moved, second by McDonald to recommend approval of the variance subject to certification of access through a sealed survey, a maintenance agreement is established, and a cul-de-sac is constructed. Motion carried.

Minutes and Treasurer Report

Morris moved, second by McDonald, and motion carried to approve minutes of May 1, 2007 with correction under unfinished business item Jason Road... "water issue under review by County Drain Commissioner *and Road Commission*." The Treasurer's report was accepted subject to audit.

Approval of Bills

McDonald moved, second by Morris and motion carried to approve bills in the amount of \$37,040.26, check #s 10081-10110.

Reports

Planning: The planning commission discussed the Arthur variance and voted to approve. Shirley Hazel commented that once again, they received insufficient notice from the County to make an informed decision.

Next meeting is June 27, 2007, 7:00 p.m., Victor Township Hall.

Fire/CAF&R: Next meeting is June 12, 2007, 7:00 p.m., Station #1, Saint Johns.

Historical Society: Next meeting is June 13, 2007, 7:30 p.m., Victor Township Hall.

Clinton County Officials

County Commissioner Terry Link reported that the annual audit went well and the budget is in reasonably good shape. There are continued stresses. The budget public hearing is scheduled October 9, 2007, 7:00 p.m., Board of Commissioners Room, County Courthouse. Board of Commissioners' meetings were moved back to the morning. Commissioner Link noted that he supports evening meetings. He provided an update on the recreation plan and a reminder of upcoming recycling events.

Items of Public Interest – Township Audit was rescheduled by the auditing firm to Thursday, July 12, 2007, 8:00 a.m.

Correspondences (received and placed on file)

Sheriff's report of Victor Township (April).

Sheriff's report of jail and County (April).

Clinton County Community Development zoning violation 140-032-300-025-00

Tri-County Regional Coalition, June 8, 2007, 10:00 a.m.-2:00 p.m. meeting

Drain Commissioner's Annual Report.

Unfinished Business

Township Policies and Procedures Review /Update – Pending MTA rewrite of model policies and procedures.

Jason Road east of Chandler water issue under review by road commission and drain commission.

Township Land Use – draft has been sent to the county.

New Business

Replacement of front entry doors – Estimates for ADA assist electronic doors and regular doors were reviewed.

Wilsey to contact Secretary of State to see if HAVA funds are available for ADA upgrade.

Fire Run 07-0112 Rosner – Mr. Rosner requested that the Board act to eliminate or reduce the fire run charge for a call made to his home. He set debris and wood from a downed barn on fire. He had secured a temporary burn permit at the township. The barn was down so he thought it was o.k. to burn as a brush or recreational fire. The fire was reported and Mr. Rosner was issued a bill for the fire run. He said he was not notified or called in advance of dispatch. He claimed that he was told by board members Wilsey and/or McDonald that it was o.k. to burn the barn. The board noted that structures and structural materials are not legal and therefore not covered by his permit. Therefore he is liable for the fire run charge.

Extended Public Comment

Elizabeth Woodend asked if signs or surveys had been completed for the alleyways at Round Lake. She noted that follow-up on these items had been promised for a very long time. Malkin will work on getting this completed.

Clinton Area Ambulance waterball tournament fundraiser is scheduled Saturday, July 21, 10a.m.-3p.m. at the vacant K-mart parking lot in St. Johns.

Meeting adjourned at 9:47 p.m.

Michelle Wilsey, Clerk