

PINE GROVE TOWNSHIP MONTHLY BOARD MEETING MINUTES

May 4, 2022 7:00 p.m.

1. **Meeting was called to order** at 7:00 P.M. by Smith
2. **Pledge of Allegiance.**
3. **Roll Call: Present:** Richardson, Meert, Smith, Sell, Hephner -Attorney Catherine Kauffman
4. **Agenda: Motion made by Richardson, supported by Smith to approve the agenda. All yes, motion carried.**
5. **Consent Agenda:** Hephner stated that in the April Meeting Minutes, the date was listed as April 7th and the meeting was actually the 6th. On page 3, item # 6, in the narrative, SEC is actually SET. **Motion made by Hephner, supported by Smith to approve the Consent Agenda with corrections to Minutes of April 6, 2022. All yes, motion carried. (April minutes were corrected on 5-5-22)**
6. **Monthly Bills: Motion made by Hephner, supported by Richardson to pay the monthly bills as presented. All yes, motion carried.**
7. **Public Comment:** Jacob Diljak, Outreach Coordinator for Van Buren Conservation District stated that there are some free recycling collection events coming up and wanted to get the word out. Jacob also mentioned the 2022 Food, Farm & Fun Guide that is available which highlights Van Buren Co. agriculture programs, farmer's markets, and local festivals. All information is available at www.vanburencd.org.
*A resident asked about item B on the *Consent Agenda: Approval of Minutes of April 13, 2022 special meeting* and asked if that was discussed and approved. Supervisor Smith stated that it was a part of the Consent Agenda and was approved.
*A resident stated that the Kendall drain has not been cleaned out since 1976. He stated that with the heavy rains, the water from Kendall and drains are going under the Kendall store, down the road and into the blueberry field and over the road, not under the road where the drain is. The resident stated that this has been a problem for quite some time and would like to see the Drain Commission take care of this. Same resident also complained of some blight, an open pit dump on CR 388 where there is a small trailer and a small house that you can see from the road. Same resident stated that there is still a problem with unlicensed junk cars in several yards around the township. Supervisor Smith stated that there are several open blight complaints and sometimes it takes 6 months or longer to get resolutions. Supervisor Smith stated that he would contact the Drain Commission in regards to the drain in Kendall.
*A resident stated that they wanted to file a formal complaint/grievance against Pine Grove Township Supervisor Don Smith. The resident stated that Supervisor Smith was contacted and told about the severe blight in the neighbor's yard. The resident stated that Supervisor Smith was told that they wanted to be completely anonymous as there are only three neighbors and that it is a delicate situation. According to the resident, Don told the property owner of the blight, that a neighbor had made a complaint about the blight. Attorney Kaufman stated that the Supervisor is an elected official and that there is really no law that addresses a township official doing their duties in this type of matter if he is authorized by the board to handle these matters.
*A resident stated that he is hard of hearing and cannot hear everyone all the time. The resident was told there are some headphones that he could request if he would like so that he could hear the board talk better.
*A resident stated that he is opposed to the building of a new township hall. He stated that the township hall has always been in Kendall, that building a new building down there and spending all that money when a recession is coming, paying to have all the trees cut down, etc. is a waste of tax payers' money. Resident stated that this town hall is fine and we do not need a new town hall and stated that if you are talking about mold in this building, that means neglect and this board and prior boards have not taken care of the building. He also complained about the roads being in bad shape.
8. **Correspondence and Reports:**
 - A. **Library:** Nothing at this time.
 - B. **Sheriff:** Submitted. 25 criminal complaints, 3 larcenies from vehicle, 2 were removal of catalytic converters. There were many car/deer accidents.
 - C. **County Commission:** Submitted. Copy on file.
 - D. **Road Commission:** Submitted.
 - E. **Fire Chief:** Submitted.

- F. **Fire Board:** Submitted. Working on information for Board for future fire truck purchase.
- G. **Ambulance:** None
- H. **Treasurer:** T&A: \$9,939.87 Checking: \$731,277.82 Savings: \$199,925.39
Tax: \$570,357.03 Consumers: ARPA: \$154,902.54, Extra Protect Savings: \$250,290.55 Money Market: \$250,499.04
- I. **Planning Commission:** SLU granted on CR 388
- J. **KABA:** Submitted.
- K. **OEO:** None submitted. OEO Smith resigned, no report submitted. Job posting on web site and local papers. *Motion made by Sell, supported by Hephner to assign the OEO duties to the Pine Grove Township contracted hourly deputy and to authorize the contract to be amended up to an additional 5 hours per week and to authorize the Supervisor and Clerk to sign a revised contract with the Sheriff's Department. Roll Call: Richardson – yes, Meert - yes, Smith - yes, Sell – yes, Hephner – yes. All yes, motion carried.* Supervisor Smith will take the job posting down from the website.

9. **Presentation: Derick Knauss, Consumers Energy, possible Solar Farm in Township:** A lengthy presentation was made by Derick Knauss from Consumers Energy regarding the preliminary research for Solar Farm projects throughout the State of Michigan. A benefit for the township would be the tax base that Consumers would pay where they put their solar fields. Consumers Energy would probably look at leasing open farm land, approx. 200-800 acres. Attorney Kaufman suggested that the township zoning ordinance be amended to reflect utility grade solar if Pine Grove Township would like this to be a possibility in the future. Supervisor Smith stated that the Planning Commission has already obtained a written opinion from Consultant Rebecca Harvey and this will be a project for the Planning Commission to work on in the next 6 months.

10. **Committee Reports: ARPA Funds:** Hephner stated that at the last meeting, a motion was approved to fill out an application for ARPA funds and give those monies to the Fire Dept. for part of the down payment on a fire truck. Attorney Kaufman advised that she had researched the ARPA fund conditions and found that the Township could give \$100,000.00 to the Fire Department for their Operating Budget, the Fire Dept. could then use \$100,000 from their original Operating Budget for a down payment on a fire truck, thereby releasing the Township from “owning” any part of the fire truck. Sell stated that the Township should allocate the ARPA Funds for the Fire Dept. Operations, however, it will not be transferred to them until the Fire Truck is ordered in case something happens and the new fire truck is not ordered by 2024. Attorney Kaufman agreed. *Motion by Hephner, supported by Richardson to allocate \$100,000.00 of the ARPA Funds to the Gobles Fire Dept. for Operations. Roll Call: Richardson – yes, Meert – yes, Smith – yes, Sell -yes, Hephner -yes. All yes, motion carried.*

11. **Old Business:**

1. **Appoint Alternate to the ZBA:** Meert stated that she had not received any interest. Sell asked if the person that was the Alternate on the Board or Review would be interested in being the Alternate on the Zoning Board of Appeals. Attorney Kaufman stated that that was allowed. Meert stated that she had the contact information and would find out if there was any interest there.

2. **Charter Township Resolution / Ballot Language:** Smith read out loud the Charter Township ballot language. Smith stated that last month a resolution was voted on and approved and therefore another vote was not needed. Attorney Kaufman stated that a vote should be taken to approve the ballot language. *Motion made by Smith to adopt the resolution for the Charter Township Ballot Language to be put the on the August ballot. There was no support. Smith stated that there was no support but called for a vote anyways, that he did not need the support and called for a roll call vote. Roll Call: Richardson – no, Meert – no, Smith – yes, Sell – no, Hephner – no. 4 No, 1 Yes, motion failed.*

3. **Computer Upgrades: Review and Award Bid:** Smith stated that he did not make copies for everyone. Smith stated that he had two bids for the computer upgrades. Smith stated that Advantage Computer sent in a bid but called and stated that they would not bid on just providing the equipment, he would only bid if he was installing the equipment himself. Meert stated that he did submit a bid. Sell stated that she has worked with him in the past and he works with several other townships and he called her after talking with Smith and she told him he could go ahead and bid with the labor included if he wanted, that there was a board of 5 persons that would decide, not just one person. Smith stated that he did not tell Advantage Computer that they could not bid, Advantage was the one that said he wasn't going to bid. Sell stated that she was not going to argue.

Smith stated that he was not going to argue either, he was really tired of getting stabbed in the back every time he turned around here. Sell stated that she got an extra bid and did not know how that was sticking him in the back. It was from a gentleman that she has worked with in the past and she really likes his work and he designs websites and is local. Smith stated that he is supposed to be getting in a bid for the website as well. Hephner asked what his bid was and Smith stated \$16,658.70 on the equipment, but his equipment is all completely different than what is in the specs and does not include labor. Advantage Computer labor is \$109 per hour and did not state how many hours it would take to install. Sell asked to see the bid since no one had received copies to review before the meeting and Smith stated that she has seen the bid, that Advantage Computer had put the bid in an email and sent it. After reading the bid, Sell stated that the quote states that the server will be set up but did not see a line item specifically for labor so was not sure if it was included or not. Smith stated another bid is from Wired Solutions and their bid is \$18,585.49 and they made a list of three things that they did not like about the equipment that was spec'd. Smith stated that their bid however was on the equipment as it is on the bid spec's. Hephner asked if they had different ideas of what equipment was needed and would it be better and Smith stated yes. Hephner stated that they were the experts and Smith stated that the Township received the specs for the bid from experts. Smith stated the third bid is from Hi-Tech, the Townships currently contracted IT company and their bid is \$19,589.00. Sell stated that she would like copies and the opportunity to see all three bids together to be able to compare before voting. Richardson, Meert, and Hephner all agreed. ***Motion made by Richardson, supported by Hephner to table the bids for the computer equipment until the June meeting. 4 yes, 1 nay. Motion carried.***

Sell stated that Meert's computer is old and out of space. Sell stated that she talked with Computer Analytics who is contracted for the township backup systems and they tentatively will continue to back up Meert's computer but that her computer is out of space and the township needs to purchase more space and it is approx. another \$30 per month. ***Motion made by Hephner, supported by Sell to provide additional back up space for the Clerk's computer. All yes, motion carried.***

4. New Building: Review and Award Bid for Boundary Survey: Smith stated that 3 bids were submitted for the Boundary Survey on the township's property. Sell asked for copies and Smith stated that he did not make copies of any bids. Smith stated that the first bid is from SLS (Stephenson Land Surveying) is \$2,500.00. The second bid is from AR Engineering for \$1,975.00. Andrew Rossell from AR stated that it is more than a 4-corner survey, that this is an L shaped property so when you do a boundary survey you tie it down based on the tax description and then tie down the boundary corners based on the adjacent legal descriptions to make sure they all jive. The third bid is from Whitman and Assoc. \$1,938.00. Hephner asked if they were all basically the same and Smith said yes. ***Motion made by Hephner, supported by Sell, to use AR Engineering for the Boundary Survey. Roll Call: Richardson – no, Meert – yes, Smith – yes, Sell -yes, Hephner – yes. 4 Yes, 1 No, motion carried.***

12. New Business:

1. Renewal of Senior Service Milage, Roger Paul, Member of the Board of Directors, Senior Services: Smith stated that currently Pine Grove Township residents pay a .25 mil for 4 years, which is expiring at the end of 2022, for Senior Services in Van Buren County. Smith stated that the millage request from Senior Services is for 1 mil for 8 years. Paul stated that Senior Services have a newly renovated building in South Haven, 37,000 sq ft. and that Senior Services have picked up about 500 new seniors since it opened in February 2022. Paul stated that Senior Services are providing more services for more seniors. Paul stated that Senior Services has the opportunity to purchase another building to renovate on this side of the County. Paul stated that it takes a lot of time to go to each township every 4 years and they are trying to avoid that and use their time better by requesting 1 mil for 8 years. Paul stated that the 1 mil is needed due to the increase in cost of services, employee wages, additional staff and more services, as well as the costs of everything else required to operate Senior Services. ***Motion made by Hephner, supported by Meert to adopt a resolution to renew the Senior Services milage at .25 for 4 years on the August 2022 ballot. Roll Call: Richardson – yes, Meert – yes, Smith – yes, Sell – yes, Hephner – yes. All yes, motion carried.***

2. Review/Amend Planning Commission Resolution: Meert stated that in 2019, the Board adopted a resolution for the Planning Commission to go to monthly meetings rather than the 4 regularly schedule meetings per year. Meert stated that according to the old Salary Resolution, the Chair and the Sec. receive \$375 for each of the 4 regular schedule meetings, but now since the board changed it to 12 regular scheduled meetings, we have to update the resolution, addressing if the Chair and Secretary receive the

\$375 for each regular scheduled meeting or just the 4 meetings in January, April, July and October. Meert stated that she does payroll and was not sure how to handle this. Hephner asked how long the Planning Commission had been meeting each month and Meert stated that it has just started, it was changed during covid so it worked out that they did not meet every month. Richardson stated that the Planning Commission wanted to change to monthly meetings so that Special Meetings did not have to be called and applicants would not have to pay the outrageous fees for a special meeting. If the Planning Commission doesn't have agenda items for a meeting, it will be cancelled. Hephner stated the resolution states the Chair receives \$375 for each of the 4 meetings plus a \$60 per diem, the Secretary receive \$375 for each of the 4 meeting plus a \$125 per diem, all other members will receive a \$60 per diem for every meeting attended. Attorney Kaufman suggested to just pay a standard per diem per meeting. Smith asked Chair Jim Kehoe if he does something up and above for the \$375. Kehoe stated that the Chair makes more than the regular board members for conducting the meetings. Kehoe stated that there have always been more than 4 meetings, and in the past, it was every month as the Planning Commission reviewed the Master Plan and then revised the Zoning Ordinance. Kehoe stated that the Secretary does significantly more. Kaufman stated that typically board members receive anywhere from \$75 to maybe \$125 and then a little more for the Chair and Secretary, but typically they are paid per meeting and generally not some type of lump sum quarterly. Hephner stated that if her math was right, the Chair and Sec. get \$2400.00 per year and members are getting \$720 per year. If they have 12 meetings, unless we are going to raise it, just take that figure and divide it by 12, pay the Chair and Secretary that much. Sell stated that we were not going to give them a pay decrease. Hephner stated give them all \$75 per meeting and that gives them a little bit of a raise, they have been at \$60 for a long time. If there is no meeting, they don't get paid. Hephner stated that the Secretary at \$125 would be right around \$1,500.00 per year. Kehoe stated that if he were the Secretary, he would be offended. Sell stated that she would be offended if you cut her pay for doing good at the job. Hephner asked Kehoe if he would be offended if they cut his pay and he stated in a way, yes. Hephner stated you don't want to cut the Secretary; she has a lot of work to do in typing out the minutes. Yapple stated that the Secretary does an excellent job and Richardson stated that she is very good. Sell stated that she does a good job at everything. Richardson stated that Jim does a great job as well. Sell stated that they all do a good job and that she appreciates them. Sell stated to give them all \$75 and leave the Chair and Secretary the same. Hephner stated that if you take the \$1,500 that the Chair and Secretary currently receive per year and divide that by 12, it is \$125.00 plus the \$75 per diem, that is \$200 per meeting for the Chair and Secretary and the rest of the board members receive \$75 per diem. ***Motion made by Hephner, supported by Sell to amend the wage resolution for the Planning Commission and set the wages for the Chair at \$200 per meeting, Secretary to be \$200 per meeting and \$75 per meeting for the remaining Board members. Richardson abstained himself as he sits on the Planning Commission. Roll Call: Meert – yes, Smith - yes, Sell - yes, Hephner – yes. All yes, motion carried.***

3. **Policy for Fees and Escrow Accounts: ZBA, Planning Commission:** Smith stated that it has come up during Planning Commission meetings as to whether or not the fees on the Special Land Use Applications are enough or too much. Smith stated that Meert found the original resolution on fee's that was done in 1994 and amended in 2005 setting the fees. Smith stated that he wanted to see if the meetings were being conducted at a loss or if they were supposed to be breaking even. Attorney Kaufman stated that the cost of the application fee should cover the cost of conducting the meeting for a Special Land Use Application, such as publication costs and wages of planning commissioners, postings. Attorney Kaufman stated that the Escrow fee is to cover the costs for professional consulting services such as Bear Priest, Rebecca Harvey, Attorney Kaufman, and for larger projects if needed to bring in traffic engineers, environment consequences consultants, etc. Kaufman stated that the ZA has the ability to adjust the Escrow amount based on the size of the project. Smith stated that if the application fee is supposed to cover the cost of the Planning Commission wages, that would be over \$700 right there. Meert stated that the cost for the last Public Hearing Notice was \$280. Kaufman stated that if there were multiple applications at one meeting, some of the costs could be split such as the planning commission wages. Kaufman stated that you want the person who is applying for the review to pay for the cost of holding the meeting. Kaufman stated that if the township wants to underwrite any part of the cost of conducting a Planning Commission meeting, that is a perfectly acceptable and a lawful expenditure use of township monies. Kaufman stated that at the end of the review, any monies left in the escrow account are to be refunded. Meert stated that there are rarely ever any monies left in escrow and the application fees never cover the expenditures.

Kaufman stated that the applicant has a right to request to see the invoices taken from the escrow account as they paid for that work, so if they ask for an accounting, it is required to give it to them. ***Motion made by Sell, supported by Meert, to leave the application and escrow fees as they are listed at this time. All yes, motion carried.*** It was decided by the board to keep track of the costs for SLU applications or other business that requires an escrow account for the next 6 months to see what the exact expenses are for each application.

4. **Policy for Treasurers' Report:** Smith stated that he would like to see the addition of every bank account for Pine Grove Twp. listed out for reconciliation, when it was reconciled and what the balance was, every month. Hephner stated that a reconciliation report can be printed out for each account and Sell stated that she is currently doing this. Hephner stated that she does not believe that a policy is required for a Treasurer's Report. Sell stated that she included the three other accounts for this meeting which will be recorded in the meeting minutes under Treasurer's Report. Sell stated that the CDs only have statements either quarterly or annually so they wouldn't have a report every month. Smith stated that he is looking for a complete listing of all the financial assets of the Township. Sell stated that she can list the ARPA funds, Extra Protect Savings and the Money Market account that haven't been on the monthly report but she can add them on. Hephner stated that she feels if a board member wants the information, they can ask the Treasurer for it and Smith stated that he would like to see all the balances every month. Sell stated that she will provide Smith information on any balances that change each month and Smith agreed.

13. **Public Discussion:**

*A resident stated that he is against moving the town hall to Gobles and paying one million on a new building and against the 65,000 acres of solar panels in Michigan. Twenty-five years from now most of us won't be here, and that 65,000 acres of solar panels is all going to have to come out and be replaced and where are they going to dispose of all those old solar panels and batteries.

*A resident stated that he has read a lot of meeting minutes regarding blight and stated that in Portage they had a program years ago where they sent an officer around to the blighted areas with paperwork requiring them to clean it up and how long they had to do it. Resident stated that Portage also had a program where they would pay for half a dumpster to be put on site for the homeowner to use to clean up their blight, also a program to beautify the place, where Portage actually paid for the paint for every house that needed to be painted, as long as the home owner actually painted the house. The resident stated that Pullman, MI received a grant to beautify. The resident asked if anyone here was a grant writer, and has any grants been written and stated that according to what he has read, Lansing has a lot of money and they don't know what to do with it and the more aggressive Pine Grove Twp. is to make things look better, it catches on, other people like to see things look nice and cleaned up, but to have an officer go to home owners, they see it as a threat. The resident stated that if you give them notices and incentives, then that helps, but if they don't care and don't take the incentives, then use the threats.

*A resident stated that Otsego Twp. has "throw all your garbage out here, we will pick it up" twice a year, does anyone know how much that costs the township. Sell stated that Pine Grove opened a Recycle Station that is free to property owners so hopefully that will help with the blight. Smith and Hephner stated that the recycle is free but the trash is not free. Another resident stated that many residents do not know about the recycle center or cannot afford to pay to have large garbage taken care of. Hephner stated that it is always a work in progress keeping up with the blight, we are doing what we can and appreciate your information. Richardson stated that in regards to blight enforcement; it is a very long process. The resident said that that is why perhaps incentives would work.

14. **Member Comment:** Richardson asked the fire chief what has to happen to clean up the double wide and pole barn that burned down on CR653, it is a blight issue. The Fire Chief stated that Pine Grove Twp. is enrolled in the Fire Insurance Withholding Program so the township has to contact the insurance company and if nothing is being done, get the money from the program to clean the blight up.

Motion made by Hephner, supported by Smith to adjourn. All yes, motion carried.

Adjournment: 9:45 p.m.

Respectfully submitted,

Michelle Meert, Pine Grove Twp. Clerk