

**MINUTES OF GAINES CHARTER TOWNSHIP BOARD  
FOR THE REGULAR MEETING  
January 14, 2019**

Present: Fryling, Osterink, Burnside, DeWard, Lemke, VanderStel

Absent with notice: Haagsma

Assistant Planner McKernan was also present

Opening prayer was given by Trustee VanderStel and the Pledge of Allegiance was recited

1. The meeting was called to order at 7:00 p.m. by Supervisor DeWard

**2. Question of Conflict of Interest**

None declared.

**3. Proposed Agenda**

Motion by VanderStel and supported by Burnside to approve the agenda as presented.

VOICE VOTE: All Ayes. Motion carried.

**4. Recognition of Individuals and/or Delegations**

- Jim Berke, 9690 Waterstone, spoke regarding his request for a refund (Item 1 on the agenda under the Water & Sewer Department)
- Alicia Pant, 139 Brownell, wanted an update on the Living Waters Ministries situation
- Kurt Root, 147 Brownell, informed the Board that Living Waters appeared to be moving additional people in, not out
- **Public Hearing – Preservation Lakes #2 – Street Lighting Special Assessment District**

Motion by Burnside and supported by VanderStel to open the public hearing.

VOICE VOTE: All Ayes. Motion carried.

No one wished to comment.

Motion by Burnside and supported by VanderStel to close the public hearing.

VOICE VOTE: All Ayes. Motion carried.

- **Public Hearing – Preservation Lakes #2 – Special Assessment District Assessment Roll**

Motion by Burnside and supported by Fryling to open the public hearing.

VOICE VOTE: All Ayes. Motion carried.

No one wished to comment.

Motion by Burnside and supported by VanderStel to close the public hearing.

VOICE VOTE: All Ayes. Motion carried.

- Krystal Stuart, Community Policing Officer, gave December report.
- Ken Yonker, Kent County Drain Commissioner, gave a presentation on the Vantage Pointe West Drain

## 5. Consent Agenda

Motion by VanderStel and supported by Lemke to approve the consent agenda including payment of bills for 12/7/18 through 12/28/18 in the amount of \$237,038.17.

VOICE VOTE: All Ayes. Motion carried.

## 6. Department/Office Reports

### A. Clerk's Office

#### 1) Planning Zoning Fee Schedule

Motion by Lemke and supported by VanderStel to adopt the resolution #2019-01 to modify the Planning and Zoning Fees, as shown on attached Exhibit A.

Ayes: Fryling, Osterink, Burnside, DeWard, Lemke, VanderStel. Nays: none. Motion carried.

### B. Planning Department

#### 1) Zoning Ordinance Amendments – Prohibition of Marihuana Establishments

Motion by Fryling and supported by Burnside to approve the resolution to adopt Ordinance 2019-01 which contains zoning text amendments to Chapter 4 for the purpose of prohibiting marihuana establishments.

Ayes: Osterink, Burnside, DeWard, Lemke, VanderStel, Fryling. Nays: none. Motion carried.

#### 2) Explorer Estates – Final Preliminary Plat Approval

Motion by Burnside and supported by VanderStel to grant Final Preliminary Plat approval to Explorer Estates, with the condition that Engineering approval is required of all applicable construction plans prior to the commencement of construction.

Ayes: Burnside, DeWard, Lemke, VanderStel, Fryling, Osterink. Nays: none. Motion carried.

### C. Treasurer's Office

None.

### D. Assessing Department

None.

### E. Water and Sewer Department

#### 1) Variance Request – 9690 Waterstone Drive in Preservation Lakes

Motion by Lemke and supported by VanderStel to accept the recommendation of the Water & Sewer Committee to grant a partial refund of a high water bill due to irrigation without an irrigation meter.

Ayes: DeWard, Lemke, VanderStel. Nays: Fryling, Osterink, Burnside. Motion failed.

**2) Request for water connection fee payment plan at 6580 College Ave.**

Motion by Burnside and supported by Osterink to approve the request for payment plan for water and sewer hookup fees at 6580 College Ave., in the amount of \$21,136.00, to be paid in 10 years at 3%.

Ayes: Lemke, VanderStel, Fryling, Osterink, Burnside, DeWard. Nays: none. Motion carried.

**3) Request for Partial Easement Release for Carlisle Crossings #5 in Byron Township**

Motion by Burnside and supported by VanderStel to approve the partial release of easement for Carlisle Crossings #5 in Byron Township.

Ayes: VanderStel, Fryling, Osterink, Burnside, DeWard, Lemke. Nays: none. Motion carried.

**7. Recognition of individuals and/or delegations**

No one wished to speak.

**8. Supervisor's Office**

**A. Preservation Lakes #2 – Resolution for Special Assessment District for Street lighting**

Motion by Burnside and supported by VanderStel to adopt the resolution to create the Special Assessment District for Street lighting in Preservation Lakes #2.

Ayes: VanderStel, Fryling, Osterink, Burnside, DeWard, Lemke. Nays: none. Motion carried.

**B. Keyless Entry**

Motion by VanderStel and supported by Burnside to approve the installation of a keyless entry system to the basement entrance, at a cost of approximately \$3,240.00.

Ayes: Fryling, Osterink, Burnside, DeWard, Lemke, VanderStel. Nays: none. Motion carried.

**C. Vantage Pointe West Drain Maintenance**

Motion by Burnside and supported by VanderStel to table the resolution regarding drain maintenance to the Vantage Pointe West Drain, to get clarification from the Drain Commissioner.

Ayes: Osterink, Burnside, DeWard, Lemke, VanderStel, Fryling. Nays: none. Motion carried.

**D. Correction to the Verizon lease agreement**

Motion by Lemke and supported by Fryling to authorize the Supervisor to correct the contract with Verizon from \$2,871.72 to \$2,957.11, as agreed upon.

Ayes: Burnside, DeWard, Lemke, VanderStel, Fryling, Osterink. Nays: none. Motion carried.

**E. Closed Session**

Motion by DeWard and supported by Burnside to move into closed session in regard to confidential attorney-client privilege legal advice presented in a written legal opinion.

Ayes: DeWard, Lemke, VanderStel, Fryling, Osterink, Burnside. Nays: none. Motion carried.

Motion by Burnside and supported by Fryling to return from closed session to open meeting.

Ayes: Lemke, VanderStel, Fryling, Osterink, Burnside, DeWard. Nays: none. Motion carried.

Motion by Burnside and supported by Fryling to adopt the resolution prepared by the Township Attorney regarding Cutlerville Fire Administrator Todd Szakacs.

Ayes: VanderStel, Fryling, Osterink, Burnside, DeWard, Lemke. Nays: none. Motion carried.

#### 9. Comments & Discussion

DeWard informed the Board that he will be establishing a search committee with the Cutlerville Fire Commission for a full time fire fighter to fill the vacancy at Cutlerville.


#### 10. Adjournment

Motion by Burnside and supported by VanderStel to adjourn the meeting at 9:05 p.m.

VOICE VOTE: All Ayes. Meeting adjourned.

APPROVED: February 11, 2019

  
Angele Burnside, Clerk

  
Robert DeWard, Supervisor