

SCHOOLCRAFT TOWNSHIP BOARD MEETING

November 10, 2014

Call to Order: 6:00 p.m.

Pledge of Allegiance

Members Present: Hovenkamp, Feldmeier, Mongreig, Scott and Ulsh.

Attorney Craig A. Rolfe

Approximately 65 guests

Approval of agenda. Motion by Scott with second by Hovenkamp to approve the agenda as presented.

Motion carried 5-0.

Approval of minutes. Motion by Scott with second by Feldmeier to approve the minutes of October 14, 2014 Regular Meeting minutes as presented. **Motion carried 5-0.**

Approve payment of bills. Motion by Hovenkamp with second by Feldmeier to approve the list of bills for payment. **Motion carried 5-0.**

Treasurer's Report. Treasurer Scott reported the following for the month of October 2014:

Interest Income	\$ 25.94
Income	\$ 14,465.73
Expenditures	\$ 68,389.02
General Fund Balance	\$ 223,294.71
September 2014	\$ 277,294.71

Motion by Feldmeier with second by Mongreig to approve the Treasurer's report. **Motion carried 5-0.**

Citizen's Time: Kristina Powers-Aubry commended Clerk Mongreig, Deputy Clerk Bailey, and the staff on the November 4, 2014 General Election, saying that the inspectors for Schoolcraft Township are well trained and outstanding in ensuring that everyone has the opportunity to exercise their right to vote.

Attorney Time: 11607 South 23rd Street Zoning Violation: Attorney Rolfe opened the discussion stating that Mr. Curtis Allen's construction of a motorcycle/off-road vehicle course/track on the subject property constitutes a violation of the Schoolcraft Township Rural Residential Zoning Ordinance as it is not one of the specified principle uses fit for or allowed in this land use. Through case law research in the Michigan Appellate Courts, Attorney Rolfe reached the conclusion that the ORV course/track does not qualify as a permissible accessory use.

In correspondence from Attorney Rolfe to Mr. Allen dated, October 23, 2014, Attorney Rolfe ask that Mr. Allen contact the Schoolcraft Township Ordinance Enforcement Officer at his earliest convenience to discuss a "grace period" for abating the violation and restoring the property to its prior condition, with no use of the track whatsoever during said period.

Mr. Allen did not respond to either Attorney Rolfe or Schoolcraft Township.

Attorney Rolfe will follow up with correspondence with a hard deadline for returning the property to its prior condition and, if necessary, the Township will initiate the ordinance enforcement action with the assistance of a third party – the court. That is the process in every ordinance violation.

Attorney Rolfe issued a suggestion to the individual responsible for placing a flyer in the mailboxes of township residents that the terminology of the notice was incorrect, as the meeting is the regularly scheduled meeting of the Schoolcraft Township Board, not an emergency meeting, and, the violation of Federal Law by placing un-posted mail in the mailboxes of others.

Supervisor Ulsh stated the comments will be welcomed, but that the legality of the Rural Residential Zoning will remain. There will be no vote or consideration of changing the law as a result of comments made at this meeting.

Mr. Curtis Allen addressed the township board and guests; stating that he "has hired a company to move dirt under the provisions of the earth moving permit from the County, DEQ, and all that legal stuff that goes on prior to". He said that he spoke with Supervisor/Zoning Administrator, Don Ulsh to let him know what they (Allen's) were doing.

Mr. Allen stated that the "Schoolcraft Township board has the power and authority to enforce, or not enforce the spirit of the law, not the rule of the law." "There is a difference in the letter of the law and the spirit of the law, and it's only an interpretation of Schoolcraft Township Attorney, Craig Rolfe.

TU Avenue property owner and resident, Pam Ruddick express concerns over the noise from the bike track.

Clerk Mongreig asked Mr. Allen why he believes his violation differs from any others, and why he thinks the township board should overturn their support of the Zoning Ordinance and Land Use Plan that they were instrumental in approving.

Mrs. Vicki Allen of Centerville voiced her support of Curtis Allen.

Mark Elliott of East TU Avenue thanked the board for standing by the Land Use Plan and Zoning Ordinances of the Township.

Comcast Agreement:

Motion by Hovenkamp with second by Scott to approve the renewal of Comcast Franchise Agreement for a period of 10 years beginning November 10, 2014. **Motion carried 5-0.**

Stiller Zoning Violation:

Mr. and Mrs. Stiller must remove the fence structure, (violation of Schoolcraft Township Zoning Ordinance #137 as amended), in their front yard by no later than May 14, 2015. If the Stiller's fail to comply the Township may proceed as follows: 1.) Remove the fence 2.) Mail an invoice of costs to the Stiller's 3.) If the Township is not reimbursed, the amount will be reflected on the next property tax bill for the property.

Railton Lane:

Joanne Craddock submitted a copy of the final recorded Grant of Shared Easement, officially naming Railton Lane a legal private road/lane from Y Avenue to the north, (Barton Lake). Attorney Rolfe will review the documents and report back to the board his findings.

GIS Kalamazoo County Department of Planning & Community Development: Motion by Scott with second by Mongreig to approve the Resolution To Allow Kalamazoo County Access To Existing Geographic Information Systems (GIS) Date. **Motion carried 5-0.**

2014-2015 South Kalamazoo County Fire Authority Budget: Motion by Mongreig with second by Feldmeier to approve the South Kalamazoo County Fire Authority 2014-2015 Budget as presented. **Motion carried 5-0.**

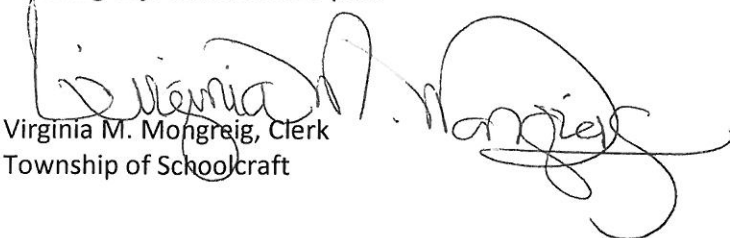
Road Committee Chair Scott received correspondence form Mark Worden of the Kalamazoo County Road Commission who will be scheduling road rating ride-a-long's, saying that he is available at this time. Board members can contact Mark for scheduling.

Supervisor Ulsh reported that South County Sewer & Water Authority has been very busy scheduling meetings with a number of sections/groups around the township, including a recent meeting with the Barton Lake Association.

Clerk Mongreig reported on the November 4, 2014 General election saying the there was over 50% turnout.

Treasurer Scott reported that the property located at 2259 W Avenue did not sell at the Kalamazoo County tax sale, and that the unless she hears otherwise the property will be deeded to Schoolcraft Township by December 31, 2014. The subject will be on the December 2014 agenda.

Meeting adjourned at 7:27 p.m.


Virginia M. Mongreig, Clerk
Township of Schoolcraft