

Schoolcraft Township Board  
November 9, 2010  
Schoolcraft Township Hall

Call to Order 7:00 p.m.  
Pledge of Allegiance

**Members Present:** Supervisor Ulsh, Clerk Mongreig, Treasurer Scott, Trustee Feldmeier and Trustee Hovenkamp

**Approval of Agenda:** Attorney's Time moved to New Business. Motion by Scott with support by Feldmeier to approve the agenda with amendment.  
Motion Carried 5-0

**Approval of Meeting Minutes:** Motion by Hovenkamp with support by Scott to approve the minutes of the meeting held October 12, 2010 as presented.  
Motion Carried 5-0

**Approval of List of Bills:** Motion by Scott with support by Hovenkamp to approve the list of bills as presented.  
Motion Carried 5-0

**Approval of Treasurers Report:**

Interest Income for October 2010	\$ 75.71
Income for October 2010	\$ 25,793.72
Expenditures for October 2010	\$ 54,124.14
Total Cash	\$ 196,607.05

Motion by Feldmeier with support by Mongreig to approve the Treasurer's report as presented.

Motion Carried 5-0

**Citizens Time for Non-Agenda Items:**

Gregory Setina of 15418 West Barton Lake Drive addressed the board on what he referred to as a "national issue over last few years". Mr. Setina was speaking of a voter in Schoolcraft Township Precinct #1 at the General Election held November 2, 2010, and the matter of displaying an "Open Carry" pistol. He described the flaunting and ostentatious display of the pistol in the precinct, both the scaring and intimidating of voters and election inspectors not acceptable.

Setina has spoken with Kalamazoo City Public Service Department and attorneys regarding this incident learning that Legislature states clearly that this is an ongoing issue.

Clerk Mongreig stated that she has contacted State Representative Jase Bolger and Congressman Fred Upton regarding the incident, with no response as of yet. She has also been on contact with the Michigan State Police who have advised that the decision to create a list of firearm-free zones is a public policy decision which is the responsibility of the legislature, not the Michigan State Police. Clerk Mongreig was encouraged to share her concerns of MCL 750.234d with her State Representatives and/or State Senator.

Clerk Mongreig will look in petition language and the citizen's process for an attempt to amend the law to include election precincts as firearm-free zones.

**Attorney's Time**

**) Discuss "W" Ave. Non-Conforming Issue**

Schoolcraft Township residents Jeff and Kelly Blodgett 2259 East W Avenue Vicksburg were present for discussion of renovations of their home which is located very close to the right-of-way of W Avenue, and is non-conforming with the current front yard setback requirement. The property is zoned I-1 Manufacturing District, so the use of the building for a single family dwelling purposes is also non-conforming as a single family dwelling is not a permissible use in the I-1 zone.

Several months ago the Blodgett's began removing the porch of the dwelling as it was beyond normal maintenance or repair. The work began without obtaining a Permit for the project. In June 2010, Michigan Township Services Building Official, Steve Siegwart brought the omission to the owners attention. The owners immediately applied for, and were issued a building permit by Mr. Siegwart.

Attorney Rolfe, in written correspondence, advised the board that in discussing the matter with Mr. Siegwart he learned that Mr. Siegwart issued the building permit in error as he incorrectly based his decision on Section 27.4 of the Schoolcraft Township Zoning Ordinance. While Section 27.4 does apply to ordinary repairs and maintenance work, Section 27.4 also states that the circumstances in which a non-conforming building/structure can be reconstructed, such as damaged or destroyed by fire, flood, wind, or other calamity. Attorney Rolfe also referred the board to a "special rule" for non-conforming dwellings; but this rule only applies "in a zoning district where a single family dwelling is an allowed use, and thus has no applicability in this particular case because a single-family dwelling is not an allowed use in the I-1 zoning district.

Attorney Rolfe concluded by stating that Mr. Siegwart should not have given the permit without Zoning Board of Appeals approval, and that Mr. Blodgett can continue with ordinary repairs of new siding on the remaining house (not porch), after submitting a formal application to complete the porch project before the ZBA.

Supervisor Ulsh has reviewed ordinance with Mr. Blodgett and is confident that Mr. Blodgett's intent is to follow the ordinance as written. Mr. Blodgett has been cooperative in obtaining a building permit and following the process correctly.

Motion by Supervisor Ulsh with support by Mongreig that due to the problems caused by the township, the fee for the Blodgett's Application for Variance is waived.

Motion carried 5-0

**b.) Discussion Barton Lake Right-of-Way:**

Pursuant to correspondence received from Kalamazoo County Treasurer, Mary Balkema regarding a 7 foot by 90 foot (out lot), parcel, #3914-27-270-420, issued for tax sale on July 28, 2010 and again on September 17, 2010, which is now foreclosed upon and being deeded to Schoolcraft Township, motion was made by Hovenkamp with support by Feldmeier to accept the county treasurer's deeding over of the parcel which can be offered to a neighbor for sale if the township chooses.

Motion carried 5-0

**c.) Discuss Barton Lake Sp. Assessments**

Treasurer Scott reported a current balance in the Barton Lake Weed Assessment of \$22,162.91 after collecting for 2008 and 2009. Scott has not received a report from the Barton Lake Association advising of the costs for the 2011 lake treatment and is concerned with the amount to be assessed on the 2010 Winter tax bills due to be mailed out December 1, 2010. Trustee Hovenkamp stated that the association plans to meet the first of December, which will be too late for Treasurer Scott to prepare the tax bills. Attorney Rolfe expressed concern that the consultant for the association should have provided an estimate of next year's treatment two months ago. Annual redetermination should be in each year for December tax bills.

Supervisor Ulsh will contact consultant Wednesday, November 10, 2010.

Special meeting will be called once the information is obtained, at which time a proposed resolution reflecting the cost for treatment for 2011 will be created.

**New Business**

**a.) Brady Township Participation-SCIC:**

Motion by Hovenkamp with support by Scott to include Brady Township in the SCIC with the appointment of their representatives Randy Smith, Gary Miller, and Scott Oswalt

Motion carried 5-0

**b.) Schoolcraft Township SCIC Member Resignation:**

Motion by Mongreig with support by Ulsh to accept the resignation of Charlie Bibart from the SCIC.

Motion carried 5-0

**c.) Draft Recreation Plan:**

Motion by Feldmeier with support by Scott to accept the Draft Recreation Plan as presented by Sherrin Hood of LSL Planning for public review.

Motion carried 5-0

**d.) Schedule Draft Recreation Plan Public Hearing:**

Motion by Hovenkamp with support by Feldmeier to set the Draft Recreation Plan Public Hearing January 11, 2011.

Motion carried 5-0

**e.) Approval of SKCFA Proposed Budget:**

Supervisor Ulsh will meet with the Fire Authority and return to the township board with more in depth information on proposed budget.

**f.) Extend Water-Schoolcraft Cemetery: Moved to December 2010 meeting.**

**g.) Approve ZBA Member:**

Motion by Hovenkamp with support by Feldmeier to approve Supervisor Ulsh recommendation to appoint Mike Rochholz as a member of the ZBA rather than an alternate.

Motion carried 5-0

**h.) Approve 2011 Hazardous Waste Contract:**

Motion by Hovenkamp with support by Mongreig to budget \$2,500 to the 2011 Household Hazardous Waste Center Agreement.

Motion carried 5-0

**i) Amendments to Budget:**

Amendment #11092010-01 Transfer \$4,000 from General Fund to Acct. 101.276.970 Cemetery Capital Outlay

Amendment #11092010-02 Transfer \$500.00 from General Fund to Acct. 101.651.826 Pollution Control-Legal Fees

Amendment #11092010-03 Transfer \$3,000.00 from General Fund to Acct. 101.722.826 ZBA Legal Fees

Amendment #11092010-04 Transfer \$5,000 from General Fund to Acct. 101.751.970 Parks Capital Outlay

Motion by Ulsh with support by Hovenkamp to adopt the amendments as presented.

Roll call vote:

Feldmeier	Yes
Hovenkamp	Yes
Mongreig	Yes
Scott	Yes
Ulsh	Yes

Motion carried 5-0

Assessors Report: Received

**Planning Commission Report-**

Trustee Hovenkamp reported that letters to land owners and residents of 40+ acres will be mailed soon inviting them to the December 6, 2010 meeting for discussion of the AG-1/AG-2 zoning district.

Zoning Board of Appeals Report - No report

**Township Park Committee Report:**

Ryan LaPorte reported on the following:

The Eagle Scout project - Flag pole has been leveled

No Lacrosse team in 2011 at the park

Continue to work with Rocket Football program for home field

Working on rules with LL

Vandalism of the township hall and attempted vandalism of the park restrooms.

Park parking lot has been laid out for spring - getting excavation bids.

**Members Time**

Trustee Hovenkamp expressed disappointment with Michigan Township Services, S.W. and owner Steve Siegwart in regards to the Blodgett renovation project.

Treasurer Scott - winter tax bills to soon be processed.

Feldmeier - 2009 and 2010 Road Commission costs reflect \$26,330.00 remaining.

He suggests evaluating all roads in need of repair earlier this coming season.

Feldmeier to contact Jim Beaudoin of the KCRC to set a date for evaluation.

Clerk Mongreig - Reported of an approximate 46% voter turnout at the November 2, 2010 General Election.

Supervisor Ulsh asked the board members to consider a merit increase for office administrator and Deputy Clerk, Shelby Moss, adding she has been an exemplary employee since 2003.

Adjournment: Motion by Mongreig with support by Hovenkamp to adjourn the meeting at 9:25 p.m.

Motion carried 5-0

  
Virginia M. Mongreig, Clerk