

MINUTES OF THE REGULAR MEETING OF THE **GEORGETOWN CHARTER TOWNSHIP BOARD** HELD JANUARY 25, 2010, 7:30 p.m.

The meeting was called to order at 7:30 p.m. by Chairperson D. Dale Mohr.

Prayer for guidance by Richard VanderKlok

Pledge of Allegiance to the Flag

Roll Call

Members present: D. Dale Mohr, Del South, Carol Scholma, Chad Tuttle, Jim Wierenga, Richard VanderKlok, John Schwalm

Also present: Daniel Carlton (Township Manager)

Absent: none

#100125-01 - Approval of agenda as presented for January 25, 2010

Moved by Richard VanderKlok, seconded by Chad Tuttle, to approve the agenda as presented.

MOTION CARRIED UNANIMOUSLY.

#100125-02 - Communications, letters and reports: Received for information, to be filed:

- a. Finance Committee meeting minutes of [January 21, 2010](#)
- b. Services Committee meeting minutes of [January 18, 2010](#)
- c. Utilities Committee meeting minutes of [January 11, 2010](#)
- d. Fire Department Report for [December 2009](#)
- e. Legislative Commission [Final Report](#)
- f. GVMC [Policy Packet](#) for January 20, 2010
- g. [Jenison Historical Society](#) Footnotes for January 2010
- h. Sheriff's Department Report for [December 2009](#)
- i. [Ice arena report](#) dated January 20, 2010
- j. [Letter](#) from Michigan Department of Natural Resources regarding the Parks Plan
- k. [Letter](#) from MDOT regarding the road improvement project for M-121
- l. Cemetery report of [annual number of burials](#) and [annual rights sold](#)

#100125-03 - Public Comments

The following people made public comments: Donna Heuker, 4551 Bauer Rd.; Larry Frantz, 2853 Parkside Dr.; Brett Strick, 1973 Pinegrove.

Jim Wierenga stated that Board members were always willing to talk to anyone outside the context of the public meeting.

#100125-04 - Consent agenda

Moved by Carol Scholma, seconded by Richard VanderKlok, to grant the following:

- a. Approval of minutes of the regular Board meeting held on [January 11, 2010](#)
- b. Approval of the regular [monthly bills](#)

- c. Approval of the request for an additional restroom at the DPW building with an estimated cost of \$8,000.00 (Note: The Services Committee recommended approval)
- d. Approval of the [proposal](#) from M.C. Smith Associates and Architectural Group, Inc. to provide professional services for the grant application and associated master planning for 8th Ave Community Park (Note: The Services Committee recommended approval)

MOTION CARRIED UNANIMOUSLY.

#100125-05 - Draft Master Plan (Land Use Plan and Future Land Use Map) Distribution

Moved by Richard VanderKlok, seconded by Carol Scholma, to approve the distribution of the draft Master Plan (draft [2010 Land Use Plan](#) and draft [2010 Future Land Use Map](#)) to the neighboring communities and to the Ottawa County Planning Commission to give them 63 days to respond with *advisory* comments.

Note: This is **NOT final approval** of the Master Plan. After the distribution of the draft Plan to the neighboring communities and the county, and the advisory time period of 63 days expires, the Planning Commission will hold a public hearing (notice will be published and posted at least 15 days before the hearing as per the requirements in the Michigan Planning Enabling Act ([excerpt](#)) and the notice may be published prior to the expiration of the 63 day time period). As per the [process](#) required in the Michigan Planning Enabling Act, after the public hearing is held, the Planning Commission will act on the Master Plan and it must be approved by a majority of the members of the Planning Commission. Since the Township Board approved a motion to be the approving authority, the Township Board will act on the Master Plan (after approved by the Planning Commission) and it must be approved by a majority of the Board members. If the Township Board rejects the plan at this step of the process, a statement of objections to the proposed plan is to be submitted to the Planning Commission. The Planning Commission shall consider the Board's objections and revise the proposed Master Plan so as to address those objections. This procedure is repeated until the Board approves the proposed Master Plan.

At the January 6, 2010 meeting, the Planning Commission approved the presentation of the draft Master Plan (Land Use Plan and Future Land Use Map) to the Township Board for review and approval for distribution. The public hearing at the Planning Commission will tentatively be held on April 21, 2010.

MOTION CARRIED UNANIMOUSLY.

#100125-06 - Introduction and First Reading of Ordinance No. 2010-02, Floodplain Management Ordinance

Moved by Chad Tuttle, seconded by Richard VanderKlok, to approve the introduction and first reading of Ordinance No. 2010-02, Floodplain Management Ordinance, as follows:

**ORDINANCE NO. 2010-02
CHARTER TOWNSHIP OF GEORGETOWN
OTTAWA COUNTY, MICHIGAN**

AN ORDINANCE ADDRESSING FLOODPLAIN MANAGEMENT PROVISIONS OF THE STATE CONSTRUCTION CODE AND FLOODPLAIN MANAGEMENT PROVISIONS UNRELATED TO THE STATE CONSTRUCTION CODE.

An ordinance to designate an enforcing agency to discharge the responsibility of the Charter Township of Georgetown located in Ottawa County, and to designate regulated flood hazard areas under the provisions of the State Construction Code Act, Act. No. 230 of the Public Acts of 1972, as amended.

THE TOWNSHIP OF GEORGETOWN, OTTAWA COUNTY, MICHIGAN, ORDAINS:

Section 1. AGENCY DESIGNATED.

Pursuant to the provisions of the State Construction Code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, the Building Official of the Charter Township of Georgetown is hereby designated as the enforcing agency to discharge the responsibility of the Charter Township of Georgetown under Act 230, of the Public Acts of 1972, as amended, State of Michigan. The Floodplain Manager of the Charter Township of Georgetown is hereby designated as the enforcing agency to discharge the responsibilities of the Charter Township of Georgetown for floodplain management unrelated to the State Construction Code, including, but not necessarily limited to, zoning ordinances, subdivision regulations, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance), and other applications of police power that provide standards for the purpose of flood damage prevention and reduction. The Charter Township of Georgetown assumes responsibility for the administration and enforcement of said Act throughout the corporate limits of the community adopting this ordinance.

Section 2. CODE APPENDIX ENFORCED.

Pursuant to the provisions of the State Construction Code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, Appendix G of the Michigan Building Code shall be enforced by the enforcing agency within the Charter Township of Georgetown.

Section 3. DESIGNATION OF REGULATED FLOOD PRONE HAZARD AREAS.

The Federal Emergency Management Agency (FEMA) Flood insurance Study (FIS) Entitled Ottawa County, Michigan (all jurisdictions), dated PRELIMINARY JUNE 19, 2009, and the Flood Insurance Rate Maps (FIRMS) panel numbers of [26139C](#), [0234E](#), [0245E](#), [0255E](#), [0258E](#), [0261E](#), [0262E](#), [0263E](#), [0264E](#), [0266E](#), [0268E](#), [0332E](#), [0351E](#), [0352E](#), and [0356E](#), dated PRELIMINARY JUNE 19, 2009, are adopted by reference for the purposes of administration of Floodplain Management and administration of the Michigan Construction Code, and declared to be a part of Section 1612.3 of the Michigan Building Code, and to provide the content of the "Flood Hazards" section of Table R301.2(1) of the Michigan Residential Code.

Section 4. REPEALS.

All ordinances inconsistent with the provisions of this ordinance are hereby repealed.

Section 5. EFFECTIVE DATE AND PUBLICATION

This Ordinance shall become effective on the thirtieth day after publication after adoption. This Ordinance was introduced and read for the first time on _____, published on _____, read for the second time and adopted by the Georgetown Charter Township Board on _____, published for the second time on _____, and effective thirty days from second publication which is _____.

Note: The Finance Committee recommended approval.

The Township has been working with FEMA, Ottawa County and the Michigan Department of Environmental Quality to adopt the digital maps. The maps are preliminary at this time because they are still being reviewed and appealed. However, they are better and more accurate than the current maps dated 1992. The MDEQ recommended that the Township adopt the ordinance and resolution referencing the preliminary maps and to amend the ordinance and resolution at the time the maps are finalized (which could be a year or more) with the date of the final maps.

The purpose of the Township participating in the National Flood Insurance Program (NFIP) is to enable property owners to purchase insurance protection against losses from flooding. The Federal Government created the program to provide an insurance alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods. By adopting the ordinances and resolution stating that the Township will enforce floodplain management to reduce future flood risks to new construction in Special Flood Hazard Areas, an agreement is established with the Township and the Federal Government that the Federal Government will make flood insurance available within the Township as a financial protection against flood losses. The Township has been participating in the program with the old Flood Insurance Rate Maps (FIRM). However, to continue participating in the program, the Township is required to adopt the new maps.

See the document titled "[Floodplain Management for Georgetown Township](#)" dated February 2005 on the website for an explanation of floodplain management and what it means to the Township.

MOTION CARRIED UNANIMOUSLY.

#100125-07 - Resolution of Adoption to Manage Floodplain Development for the Nation Flood Insurance Program

Moved by Chad Tuttle, seconded by Carol Scholma, to approve the following resolution:

**GEORGETOWN CHARTER TOWNSHIP
RESOLUTION OF ADOPTION TO
MANAGE FLOODPLAIN DEVELOPMENT
FOR THE NATION FLOOD INSURANCE PROGRAM**

WHEREAS, the Community of Georgetown Charter Township currently participates in the Federal Emergency Management Agency's (FEMAs) National Flood Insurance Program (NFIP) by complying with the program's applicable statutory and regulatory requirements for the purposes of significantly reducing flood hazards to persons, reducing property damage, and reducing public expenditures, and providing for the availability of flood insurance and federal funds or loans within its community, and

WHEREAS, the NFIP requires that floodplain management regulations must be present and enforced in participating communities, and utilize the following definitions which also apply for the purposes of this resolution:

1. Flood or Flooding means:

- a. A general and temporary condition of partial or complete inundation of normally dry land areas from: 1) the overflow of inland or tidal waters, 2) the unusual and rapid accumulation or runoff of surface waters from any source, 3) mudflows, and
 - b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding, as defined in paragraph (a)(1) of this definition.
2. Flood Hazard Boundary Map (FHBM) means an official map of a community, issued by the FEMA, where the boundaries of the flood, mudslide (i.e., mudflow) related erosion areas having special hazards have been designated as Zone A, M, and/or E. (This is to be included only if the FEMA has issued a FHBM for the community).
 3. Floodplain means any land area susceptible to being inundated by water from any source (see definition of flooding).
 4. Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.
 5. Floodplain management regulations means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance), and other applications of police power that provide standards for the purpose of flood damage prevention and reduction.
 6. Structure means a walled and roofed building that is principally above ground, gas or liquid storage facility, as well as a mobile home or manufactured unit.

WHEREAS, the Stille-Derossett-Hale Single State Construction Code Act”, Act No. 230 of the Public Acts of 1972, as amended (construction code act), along with its authorization of the state construction code composed of the Michigan Residential Code and the Michigan Building Code [and its Appendices (specifically Appendix G if adopted by the community)] contains floodplain development and management regulations that comply with the FEMA NFIP minimum floodplain management criteria for flood prone areas, as detailed in Title 44 of the Code of Federal Regulations (44 CFR), Section 60.3, and

WHEREAS, by an ordinance adoption action, the community accepted the responsibility to administer, apply, and enforce the provisions of the construction code act and the state construction code, specifically the Michigan Residential Code and the Michigan Building Code, to all construction within its community boundaries.

NOW THEREFORE, to maintain eligibility and continued participation in the NFIP,

1. The community directs its designated enforcing agent for the construction code act, the Building Official of the Charter Township of Georgetown, and directs its designated enforcing agent for floodplain management unrelated to the construction code act, the Floodplain Manager of the Charter Township of Georgetown, to administer, apply, and enforce the floodplain management regulations as contained in all adopted codes and ordinances, and in the state construction code (including Appendix G, if adopted), and to be consistent with those regulations by:
 - a. Obtaining, reviewing, and reasonably utilizing flood elevation data available from federal, state, or other sources pending receipt of data from the FEMA to identify the flood hazard area and areas with potential flooding.

- b. Ensuring that all permits necessary for development in floodplain areas have been issued, including a floodplain permit, approval, or letter of no authority from the Michigan Department of Environmental Quality under the floodplain regulatory provisions of Part 31, "Water Resources Protection," of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.
 - c. Reviewing all permit applications to determine whether the proposed building sites will be reasonably safe from flooding. Where it is determined that a proposed building will be located in a flood hazard area or special flood hazard area, the construction code act enforcing agent shall implement the following applicable codes according to their terms:
 1. Floodplain management regulation portions and referenced codes and standards of the current Michigan Residential Code.
 2. Floodplain management regulation portions and referenced codes and standards of the current Michigan Building Code.
 3. Appendix G of the current Michigan Building Code, if adopted.
 - d. Reviewing all proposed subdivisions to determine whether such proposals are reasonably safe from flooding and to ensure compliance with all applicable floodplain management regulations.
 - e. Assisting in the delineation of flood hazard areas; providing information concerning uses and occupancy of the floodplain or flood-related erosion areas, maintaining floodproofing and lowest floor construction records, cooperating with other officials, agencies, and persons for floodplain management.
 - f. Advising FEMA of any changes in community boundaries, including appropriate maps.
 - g. Maintaining records of new structures and substantially improved structures concerning any certificates of floodproofing, lowest floor elevation, basements, floodproofing, and elevations to which structures have been floodproofed.
2. The community assures the Federal Insurance Administrator (Administrator) that it intends to review, on an ongoing basis, all amended and revised Flood Hazard Boundary Maps (FHBMs) and Flood Insurance Rate Maps (FIRMs) and related supporting data and revisions thereof and revisions of 44 CFR, Part 60, Criteria for Land Management and Use, and to make such revisions in its floodplain management regulations as may be necessary to continue to participate in the program.
 3. The community further assures the Administrator that it will adopt or has adopted the current effective FEMA Flood Insurance Study (FIS), FHBMs, and/or the FIRMs by reference within its Floodplain Management Map Adoption Ordinance or similarly binding ordinance documentation.

Note: The Finance Committee recommended approval.

MOTION CARRIED UNANIMOUSLY.

#100125-08 - Appoint Floodplain Manager

Moved by Del South, seconded by Chad Tuttle, to appoint Mannette Minier as the Township Floodplain Manager.

Note: The Finance Committee recommended approval.

MOTION CARRIED UNANIMOUSLY.

#100125-09 - Policy 2010-02, Policy on Nepotism

Moved by Richard VanderKlok, seconded by Del South, to approve Policy [2010-02](#), Policy on Nepotism.

Note: The Finance Committee recommended approval.

MOTION CARRIED UNANIMOUSLY.

#100125-10 - Stabilization Fund

Moved by Chad Tuttle, seconded by Carol Scholma, to approve the following resolution:

Stabilization Fund Resolution

WHEREAS, the Township Board has already created a [Stabilization Fund](#); and

WHEREAS, the Township Board determined that the established Stabilization Fund would benefit the Township;

NOW THEREFORE BE IT RESOLVED by the Georgetown Township Board as follows:

That the Township Board hereby approves moving \$1,000,000 into the Stabilization Fund; and

That the budget be amended accordingly from the fund balance.

Yeas: Chad Tuttle, Del South, Jim Wierenga, John Schwalm, Richard VanderKlok, D. Dale Mohr, Carol Scholma

Nays: none

Absent: none

MOTION CARRIED AND RESOLUTION ADOPTED.

State of Michigan)
) ss.
County of Ottawa)

I, the undersigned, the duly qualified and acting Township Clerk for Georgetown Township, Ottawa County, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Township Board at a regular meeting held on January 25, 2010.

Signed: _____
Georgetown Township Clerk

Date: _____

Note: The Finance Committee recommended approval.

#100125-11 - Discussion and General information

The Supervisor stated that Maplewood Park Redevelopment public meeting is Wednesday, February 10, 2010 from 3:00 p.m. to 4:30 p.m. at the Township Office and the MTA Convention is this week in Grand Rapids.

In regard to a public comment about closed meetings, Jim Wierenga clarified that all Township meetings, including committees and subcommittees, are all open to the public and the public is invited to attend. He said that no business is conducted out of the public eye and no meetings are secret.

In regard to a public comment, the Township Manager clarified that the Township Board approved soliciting bids and the Board approved a bid for an ice arena contract.

John Schwalm commented on the positive ice arena report and said that he has been meeting with parent groups. He said that WCET would do a video promoting the ice arena.

In regard to a public comment, Chad Tuttle noted that the vote for the Family Fare PUD was 5 to 2. He said that regardless of the Township Board's vote, the public would have their say and the Board vote would be irrelevant.

#100125-12 - Public Comment

Brett Strick, 1973 Pinegrove; Larry Frantz, 2853 Parkside Dr.; John Cade, 7869 Parkside Ct.; Liana Fire, 8446 24th Ave.; and Donna Heuker, 4551 Bauer Rd. and submitted a [letter](#).

The Supervisor stated that all meetings, including committee meetings, were posted on the bulletin board and were listed on the website.

#100125-13 - Meeting adjourned at 8:18 p.m.

Moved by Richard VanderKlok, seconded by Carol Scholma, to adjourn the meeting at 8:18 p.m.

MOTION CARRIED UNANIMOUSLY.

D. Dale Mohr, Supervisor

Del South, Clerk