

MINUTES OF THE REGULAR MEETING OF THE GEORGETOWN CHARTER TOWNSHIP BOARD HELD DECEMBER 13, 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 Del South

Pledge of Allegiance to the Flag

Roll Call

Members present: D. Dale Mohr, Carol Scholma, Chad Tuttle, Richard VanderKlok, Brett Strick, Del South

Also present: Daniel Carlton (Township Superintendent)

Absent: Jim Wierenga

#101213-01 - Approval of agenda as presented for December 13, 2010

Moved by Richard VanderKlok, seconded by Carol Scholma, to approve the agenda as presented.

MOTION CARRIED UNANIMOUSLY.

#101213-02 - Fire Department Promotion Requests

Moved by Richard VanderKlok, seconded by Del South, to approve the promotion requests as presented in the [letter](#) from Fire Chief.

Note: The Services Committee recommended approval

MOTION CARRIED UNANIMOUSLY.

Dan Hamming, Fire Chief, gave a presentation.

#101213-03 - Communications, letters and reports: Received for information, to be filed:

- a. Minutes of the [December 9, 2010](#) Finance Committee meeting
- b. [General ledger report](#) for November 2010
- c. Code Enforcement Report for [November 2010](#)
- d. Sheriff's Department Report for [October 2010](#)
- e. Jenison Historical Society [November 2010](#) newsletter
- f. [Email](#) from Ottawa County Road Commission regarding request for traffic signal
- g. Maplewood Park Grant Application [final scores](#); the project received an additional 10 points after the initial review and is ranked 19th. The final decision will be made at the MNRTF Board meeting on December 1
- h. [Letter](#) dated November 15, 2010 from Ottawa County Road Commission
- i. [Letter](#) dated November 23, 2010 from James Price regarding speed limits in Georgetown Shores area
- j. [Letter](#) dated November 30, 2010 to James Price from the Ottawa County Road Commission
- k. [DNRE Press Release](#) with Grant Recommendations
- l. Grand Valley Metro Council [Board packet](#) for December 2, 2010
- m. [Library report](#) for September 2010
- n. Fire Department [Reports](#) for October and November 2010

#101213-04 - Public Comments

No one was present in the audience to make public comments at this time.

#101213-05 - Consent agenda

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

- a. Approval of minutes of the regular board meeting held on [November 22, 2010](#)
- b. Approval of the regular monthly bills for [December 13, 2010](#) and [November utility bills](#)
- c. Approval of the [2011 bid from Advance](#) Newspapers for publishing legal notices from April 1, 2011 to March 31, 2012 in the amount of \$4.74 per column inch for electronically sent ads and 20% up-charge for hard copy, with the contract to be signed by the Clerk. Note:
 1. The Advance only has one year contracts.
 2. Other [bid](#) includes Grand Rapids Press as follows: Daily 21.00 per column inch, Saturday 22.40 per column inch, Sunday 28.60 per column inch.
 3. The GR Press does NOT provide zoned advertising options any more.
 4. Current Advance rates for legal advertising from April 1, 2010 to March 31, 2011 are \$4.50 per column inch for hard copy and \$4.15 per column inch for electronically sent ads.
 5. The new rate is a \$.59 increase or about a 14% increase. Note: The Finance Committee recommended approval.
- d. Approval of the Summer Tax Collection Agreements with [Jenison](#), [Hudsonville](#) and [Grandville](#) Public Schools. Note: The Finance Committee recommended approval. The current fee is \$2.50 per parcel. The consensus of the committee was to leave the fee the same for the next contract period.
- e. Approval of the [letter agreement](#) which extends the existing METRO Act Right-of-Way Permit issued by the Township to Michigan Bell Telephone Company d/b/a AT&T Michigan which expires on December 31, 2010. The extension is for a term to end on December 31, 2013. Note: The Finance Committee recommended approval

MOTION CARRIED UNANIMOUSLY.

#101213-06 - (LIQ1001) Sunnybrook Golf Club LLC-Liquor License Application/Public Hearing

Moved by Richard VanderKlok, seconded by Carol Scholma, to schedule a public a public hearing for Monday, December 27, 2010 for the liquor license [application](#) LIQ1001 for Sunnybrook Golf Club LLC.

Note: As recommended by the Finance Committee

MOTION CARRIED UNANIMOUSLY.

#101213-07 - Introduction and First Reading of Ordinance No. 2011-01, Michigan Motor Vehicle Code and Uniform Traffic Code

Moved by Del South, seconded by Chad Tuttle, to approve the introduction and first reading of Ordinance No. 2011-01, Michigan Motor Vehicle Code and Uniform Traffic Code, as follows:

ORDINANCE NO. 2011-01
MICHIGAN MOTOR VEHICLE CODE AND UNIFORM TRAFFIC CODE
AN ORDINANCE TO AMEND CHAPTER 54 OF THE
CODE OF ORDINANCES OF THE CHARTER TOWNSHIP OF GEORGETOWN, MICHIGAN,
TO ADOPT THE MICHIGAN VEHICLE CODE AND UNIFORM TRAFFIC CODE BY
REFERENCE

THE CHARTER TOWNSHIP OF GEORGETOWN ORDAINS:

Section 1. Amendment. That Chapter 54 of the Code of Ordinances, Charter Township of Georgetown, Michigan, is hereby amended to read as follows in its entirety:

ARTICLE I. TRAFFIC CODE

Sec. 54-1. Michigan Vehicle Code adopted.

Pursuant to the provisions of the Michigan Charter Township Act, 1947 PA 359; MCLA 42.23; MSA 5.26(23), the Michigan Vehicle Code, Act No. 300 of the Public Acts of Michigan of 1949, as amended, MCL 257.1, *et seq.*, is adopted by reference, as if fully set forth herein.

Sec. 54-2. References in code.

References in the Michigan Vehicle Code to “local authorities” shall mean the Charter Township of Georgetown, Ottawa County, Michigan.

Sec. 54-3. Enforcement; sanctions.

(a) The Michigan Vehicle Code may be enforced by any police officer or other employee of the township authorized to enforce criminal ordinances or authorized to issue civil infractions.

(b) The penalties provided by the Michigan Vehicle Code are adopted by reference, provided, however, that the township may not enforce any provision of the Michigan Vehicle Code for which the maximum period of imprisonment is greater than 93 days.

(c) When any person is found guilty of a misdemeanor or responsible for a civil infraction pursuant to this section, the judge or magistrate shall summarily determine and tax the costs of the action which shall include all expenses, direct and indirect, to which the township has been put in connection with the violation or infraction up to the entry of judgment.

Sec. 54-4. Uniform Traffic Code Adopted.

The Uniform Traffic Code for Cities, Townships, and Villages as promulgated by the Director of the Michigan Department of State Police pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.201 to 24.328 and made effective October 30, 2002 is adopted by reference, as if fully set forth herein.

Sec. 54-5. References in code.

References in the Uniform Traffic Code to “governmental unit” or “municipality” shall mean the Charter Township of Georgetown, Ottawa County, Michigan.

Sec. 54-6. Enforcement; sanctions.

(a) The Uniform Traffic Code may be enforced by any police officer or other employee of the township authorized to enforce criminal ordinances or authorized to issue civil infractions.

(b) The penalties provided by the Uniform Traffic Code are adopted by reference, provided, however, that the township may not enforce any provision of the Uniform Traffic Code for which the maximum period of imprisonment is greater than 93 days.

(c) When any person is found guilty of a misdemeanor or responsible for a civil infraction pursuant to this section, the judge or magistrate shall summarily determine and tax the costs of the action which shall include all expenses, direct and indirect, to which the township has been put in connection with the violation or infraction up to the entry of judgment.

Section 2. Pending Proceedings. All proceedings pending and all rights and liabilities existing at the time this ordinance takes effect are saved and may be consummated or continued according to the law in force when they were commenced. No prosecution initiated prior to the effective date of this ordinance or initiated after the effective date of this ordinance for an offense committed prior to the effective date shall be affected by this ordinance.

Section 3. Publication. The Township Clerk shall publish a summary of this ordinance in the manner provided by law and shall at the same time publish a supplementary notice setting forth the purpose of the Michigan Vehicle Code and Uniform Traffic Code and the fact that a complete copy of the Michigan Vehicle Code and Uniform Traffic Code are available at the office of the Township Clerk for inspection by the public at all times.

Section 4. Effective Date. This ordinance shall become effective on the thirtieth day after publication after adoption. This ordinance was 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 publication on ____.

A summary of the Michigan Vehicle Code and Uniform Traffic Code is as follows:

The Michigan Vehicle Code is an act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways and to provide penalties and sanctions for its violation.

The Uniform Traffic Code is an administrative rule promulgated by the Michigan Department of State Police to provide local law enforcement officers with the authority to locally enforce traffic laws; to provide for local traffic administration; to provide for the rights and duties of pedestrians; to regulate the operation of motorcycles, mopeds and toy vehicles; to provide for the rights and duties of drivers and others; to provide for the establishment and maintenance of traffic control devices; and to compel obedience to traffic regulations and provide sanctions for their violation.

Note: The Township Attorney recommended that the Township adopt the MMVC and UTC each year. The Township currently enforces the MMVC (which is readopted annually to include all revisions). With the new ordinance, this will continue; however, the Township will have the ability to enforce the recently amended version of the UTC (which previously largely duplicated the MMVC, but now has been amended such that only its unique supplemental provisions remain). The attorney said that the ordinance HAS to be readopted each year and could not contain wording to include amendments each year without readopting it.

Note: The Finance Committee recommended approval

MOTION CARRIED UNANIMOUSLY.

#101213-08 - Bid to Insulate Maintenance Building Roof and Walls

Moved by Richard VanderKlok, seconded by Chad Tuttle, to approve the [bid](#) from Miedema Metal Building Systems to insulate the 28th Ave. DPW maintenance building roof for a total of \$15,394 and the maintenance building walls for a total of \$11,910.

Note: The Finance Committee recommended approval. There is a proposed 10 year payback and only one bid was received. This is covered by the energy grant.

MOTION CARRIED UNANIMOUSLY.

#101213-09 - Request by Jenison Band Boosters

Moved by Carol Scholma, seconded by Richard VanderKlok, to approve the request by the Jenison Band Boosters to be recognized as a non-profit organization by the local government unit.

Attachment: [Letter](#) from Kimberly Hansen, Director of Business, Jenison Public Schools

Note: The Finance Committee recommended approval

MOTION CARRIED UNANIMOUSLY.

#101213-10 - Review Ordinances

There was discussion on the following ordinance:

- a. [Chapter 18 - Cemeteries](#)

Note: The Finance Committee recommended the review

The Township Board directed that the Services Committee review the following in the ordinance:

- a. Sec. 18-2-Definition of Registrar
- b. Stranger/disturbance
- c. Gender issues

- d. Sec. 18-12(f) - lounging on grounds
- e. Sec. 18-12(m) - firearms
- f. Sec. 18-12(o) – dogs
- g. Discuss unused lots reverting back to the Township

#101213-11 - Public Comment

No one was present in the audience to make public comments at this time.

#101213-12 - Discussion and General information

- a. D. Dale Mohr, Carol Scholma, Del South and Rich VanderKlok attended a seminar in Allendale on medical marijuana and a brief presentation was given.
- b. The Board scheduled a Special Board meeting/workshop for future planning on Monday, January 17, 2011 at 4:00 p.m.

#101213-13 - Meeting Adjourned

Moved by Richard VanderKlok, seconded by Carol Scholma, to adjourn the meeting at 8:25 p.m.

MOTION CARRIED UNANIMOUSLY.

D. Dale Mohr, Supervisor

Del South, Clerk