



Park Township

Ottawa County, Michigan

PARK TOWNSHIP MEETING MINUTES

Draft until approved at next meeting

October 9, 2008

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|------------------------|--|------------------------|-------------|---------------|------------|--------------------|------------|---------------------|-------------|
| Art 1 | <p>Supervisor Stuart Visser called to order the regular meeting of the Park Township Board held on October 9, 2008 at 6 p.m. at the Park Township Office.</p> <p>Present were Supervisor Stuart Visser, Treasurer Jan Steggerda, Clerk Jeff Ebihara, Trustees Bret Docter, Doug Dreyer, Amanda Price, John Van Iwaarden, and Attorney Dan Martin.</p> <p>Doug Dreyer gave the invocation.</p> | | | | | | | | |
| Art 2 | <p>The minutes of the September 11, 2008 regular board meeting were approved as published.</p> | | | | | | | | |
| Art 3 | <p>The Treasurer's Report was given as follows:</p> <table data-bbox="228 1020 992 1209"> <tr> <td>Beginning Balance.....</td> <td>\$2,762,289</td> </tr> <tr> <td>Receipts.....</td> <td>\$ 242,556</td> </tr> <tr> <td>Disbursements.....</td> <td>\$ 170,182</td> </tr> <tr> <td>Ending Balance.....</td> <td>\$2,834,662</td> </tr> </table> <p>Treasurer Jan Steggerda stated that investments that are made for the township follow the Investment Policy that was adopted August 1998. All investments are safe and secure.</p> | Beginning Balance..... | \$2,762,289 | Receipts..... | \$ 242,556 | Disbursements..... | \$ 170,182 | Ending Balance..... | \$2,834,662 |
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| Art 4 | <p>The Fire Department Report indicated 15 calls were made in the month of September, and \$500 in property damages. Chief Gamby stated that three firefighters resigned in September. Two replacements have been hired, and they are still taking applications.</p> | | | | | | | | |
| Art 5 | <p>The Zoning Administrator's Report listed 29 building permits for the month of September; 4 were new single-family homes, and a total building permit activity of \$1,754,235.</p> | | | | | | | | |
| Art 6 | <p>PUBLIC COMMENTS (2 MINUTES PER PERSON)</p> <p>Sally Pollock, 2285 Ottawa Beach Road, stated a comment from Joel Welsh, 679 Bosma Avenue, asking the board to keep in mind the best interest for the residents when it comes to voting on the airport lease.</p> | | | | | | | | |
| Art 7 | <p>IMAGING CONTRACT UPDATE</p> <p>Ebihara stated that the township has received a draft contract from Ottawa County to serve as our provider, and let us reside our data on their server. He asked the board for authorization to start negotiations with the county on a service level agreement, with the idea that he will bring the proposed contract back to the board for final approval.</p> <p>Ebihara also asked the board to consider starting the back scanning process so the most critical documents get digitized. He would like an authorization of \$20,000 to start this process. This amount is a major part of the total</p> | | | | | | | | |

expenditure necessary to implement the entire digitization process. He feels that this is a task that could be started prior to signing a contract. It is not in the 2008 budget, and the money would come out of Contingency. The subcommittee has received quotes for the back scanning. The township's I.T. consultants, Worksighted, will be helping with the negotiation process.

Steggerda stated that Park Township is the first to contract with the county for this type of service. Therefore, she is hoping that the subcommittee can negotiate a good price with the County.

Visser stated that the contract with the Ottawa County Road Commission for the 2008 road work is under budget, so this would be another source of income. And Contingency has not been touched yet this year.

Van Iwaarden questioned if a specific soft set of documents has been identified for the initial digitization.

Ebihara stated that the building plans are priority.

MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Van Iwaarden and supported by Dreyer to approve up to \$20,000 to begin the process of back scanning the township's critical documents.

Art 8 DANGEROUS BUILDINGS

Visser stated that hearings have been held on dangerous buildings in Park Township. The township's ordinance states that the board shall fix the date of the final hearing.

MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Steggerda and supported by Van Iwaarden to set the date for the final hearing on dangerous buildings as recommended by the hearing officer for November 13, 2008.

Attorney Dan Martin will prepare a proper notice.

Docter questioned if the hearing is specific to the three properties provided in the board's informational packet, and not to all of the buildings initially listed back in February.

Visser replied that the hearing is only for the three buildings. The others have been resolved.

Art 9 AIRPORT LEASE

Price stated that at the September board meeting, the board asked for two sections of the lease to be looked at again. A special Board/Airport Lease Subcommittee meeting was held October 2nd. Sections 2 and 20 were discussed, and also two other issues: 1) The appointment of a Park Township Board member as an ex officio; and 2) The storage of non aviation related items.

Price stated that the committee's recommendation to the board is that the lease reflects the several terms that were discussed, including committing Ottawa Aviation to come up with \$52,080 as part of their commitment to the 8 items on the 5 year plan. Plus, agreeing to acquire state or private funds for an additional \$50,000 in order to secure a 5 year extension to the lease. The lease term right Now is 25 years. If there was a possible extension, it would be after acquisition of \$50,000 in grant monies from the state or \$50,000 in private funding to Ottawa Aviation.

MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Price and supported by Ebihara to approve the Airport Lease and Service Agreement as presented.

Dreyer expressed his concerns about the lease coverage of aesthetic improvements to the airport. He would like to see tangible improvements in good faith.

Visser stated that the board was assured of the restoration of the community hangar as soon as the lease is approved. However, this is not in

writing.

Dave Siegers, Ottawa Aviation, stated that it's been Ottawa Aviation's intent from the beginning to make improvements. They want the residents to be proud of this airport.

Van Iwaarden stated that maintenance evolved poorly over the last 16 years. He would have liked a specific roster of when things were going to be done, statistics on our areas population growth, and the need for open spaces. He does not like tying up 78 acres for one specific purpose. A good use of the township's money would be not to buy more land, but use the land we already have to benefit everyone.

Docter stated that a tangible improvement to the airport would be the removal of hangars. He feels that many of the current owners would not be willing to invest in a new hangar unless they know they have a 25 year lease. Therefore, tangible improvements would not be seen until December 31, 2012, because we would not have determined yet if they have met their thresholds in order to have the new lease. He stated that if the board wants to make the commitment to have this airport, then they should take it over. He encouraged the board to look at higher thresholds to continue the lease.

Price stated that Ottawa Aviation must complete the eight steps listed on page 4 of the lease.

Visser stated that if Ottawa Aviation does not complete the eight steps, then they are in default.

Martin stated if the steps are not completed in the 5 year plan, it would be a breach of the agreement. Upon notice of default Ottawa Aviation would have 60 days to correct that default. After that, the board could waive the default or terminate the agreement.

Steggerda stated that the original lease goes to December 31, 2012. Ottawa Aviation has a substantial amount of work to do in that time period to show the board how serious they are about obtaining the new lease agreement. The board has the assurance that if Ottawa Aviation does not complete the requirements, then the lease could be terminated. The ball is in their court, if the board approves this lease.

Ebihara stated that because not everyone fully agrees on whether this is the best and highest use of the property, the real question is whether or not it should remain an airport. He is convinced that enough people want this airport, and it's worth our while to make this lease work. Ebihara personally does not believe that it's the best use of the land, but it has been an important part of our community for many generations, and it's an infrastructure that very few communities in this country have. He has seen good opportunities for kids that have come out of Ottawa Aviation's efforts. The lease is not perfect, but the committee has done a good job.

Price thanked the board and Ottawa Aviation for all their patience. It has been a long process. We are at a point to move on.

Ebihara questioned who owns the infrastructure on the property, and how do we dispose of it if there is a termination of the lease?

Martin replied that all of the buildings and improvements at the conclusion of the lease, whether it's through expiration or termination, would be turned over to the township in good condition and repair. Ottawa Aviation would be required to remove any personal property, except for property that would become the townships i.e. runways and hangars.

Ebihara questioned under Section 7 Environmental, is there a reason why we would not perform a phase I audit prior to signing the lease?

Martin replied that right now the lease is indicating that we are not aware of any environmental problems on the property.

Ebihara questioned the purpose of the airport layout plan.

Price replied that the layout plan is a diagram of what things exist on the airport, where they are located, and the length of the runway. There is a current plan, and a future plan to show what would be developed.

Martin stated that the lease requires Ottawa Aviation to provide the airport layout plan within six months from the start of the lease.

Ebihara stated that he would like to have the 8 development items defined in laymen's terms.

Siegers, Ottawa Aviation, stated that they would agree to this request.

Ebihara also encouraged Ottawa Aviation to include women and minorities on their board to better reflect the makeup of our community.

Docter stated that he would vote against the lease because he does not feel that it's the highest and best use of the land, and that his views reflect a significant portion of the township's residents. Docter also believes tying up the land for many years might also be tying significant dollars up in assets, and that the board will be saddled with many issues.

ROLL CALL VOTE: 5 - Yes; 2 - No (Van Iwaarden and Docter opposed.)

Art 10 IDENTITY THEFT PREVENTION

Visser stated that the Board was given the deadline of November 1 to have the Identity Theft Prevention Program Policy in place. This information was just received the first part of October, and we were lead to believe better guidelines and direction on education were also to be received.

Steggerda stated that this policy is basically with the Utility Department. It covers 26 rules that the township must follow. We have not received information from the federal government regarding training yet.

Martin stated that under the Fair and Accurate Credit Transaction Act all financial institutions and creditors have to comply with these red flag rules. Because we have a utilities company that bills people out for utilities that they already consumed, in a sense you are a creditor. Therefore, the township must comply with these federal rules. The policy has been drafted to have the township manager or supervisor work closely to administer this policy at this time.

Van Iwaarden questioned if it would be a wise decision for the board to move ahead with this policy tonight?

Martin answered yes. The township must have a policy in place by November 1. If a customer has his/her identity stolen, and the proper steps were not taken the township would be negligent.

Visser stated that the policy could be amended.

MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Van Iwaarden and supported by Dreyer to accept the Identity Theft Prevention Program Policy as presented.

Steggerda questioned who should take the training class.

Martin recommends having the supervisor or manager take the training along with the utilities director.

Art 11 COMMITTEE REPORTS

Price, MACC Policy Committee, stated that Ottawa County was deemed nonattainment for Particulate Matter 2.5 (PM-25) also known as soot. MACC Board sent a letter to EPA protesting the Ottawa County Designation, and a letter from each unit of government would be sent as well. If the nonattainment designation continues, extremely expensive provisions would have to be put in place in Ottawa County.

Price, West Michigan Airport Authority, stated that a decision on whether or not to allow Holland BPW to sequester carbon dioxide liquid form, transport

it, and possibly site it underground at Tulip City Airport will take place on October 13. This is a pilot project, and BPW applying for federal funding.

Van Iwaarden, Parks & Recreation Committee, stated that they are looking into installing an ice skating rink this winter. Location is yet to be determined. The committee will work with the maintenance department. Van Iwaarden also reported that the 1st season of the Little Kickers soccer program was very successful. The committee will also partner with the Holland Area Art Council to hold a juried art fair on September 5, 2009 on the fairgrounds.

Jeff Compagner, Skate Board Park, stated that skate boarding events could generate a lot of fun and activity for local youths and visitors. He is confident that it would get high usage. They have approximately \$250,000, and need to raise \$50,000 more. May 2009 is the goal for the construction completion date. The committee has decided to continue the fund raising to the end of this year, and then present a design to the Board for approval.

Ebihara stated that he is a little dismayed that we are still \$50,000 short for construction of the planned skate park. He would not like the plans to be scaled back due to the lack of funds. He feels that this park should be first class as originally intended. Ebihara encouraged Compagner and the Skate Board Park Committee to get the remaining amount needed. He expressed his personal commitment by offering his own \$1,000 donation.

Dreyer questioned if the donations were tax deductible?

Visser stated that donations thru the Community Foundation are tax deductible.

Van Iwaarden, Park 12 Advisory Committee, stated that there will be a Mt. Pisgah grand opening in the near future. He encouraged everyone to check out the new construction.

Ebihara stated that the Township Manager Search Committee had met with the PAR Group from the Chicago area, and the Michigan Municipal League. The recommendation from the committee is to hire a consultant to help them through the search process. Both firms have submitted proposals. As the Chair of this committee, Ebihara would like authorization to start negotiations on a contract with the Michigan Municipal League with the plan to bring the contract to the Board in November.

Dreyer questioned the cost.

Ebihara stated the cost would be approximately 10% of the base salary, plus advertising and travel costs for some of the candidates. There may also be hourly fees if the consultants were to meet with people other than the Board.

The Board had no objections to having Ebihara begin the contract negotiations.

Docter thanked Janet Magennis for putting together the annual Planning Commission report.

Docter stated that the Master Plan Subcommittee will be meeting with three potential consultants on October 20th to go over their proposals.

Art 12 PAYMENT OF BILLS

MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Docter and supported by Steggerda to approve the check register for September, and the bills to be paid in October.

Art 13 ADDITIONAL PUBLIC COMMENTS (5 MINUTES PER PERSON)

Eric Fogg, 16275 Quincy, thanked the Board for their vote on the airport lease. He also commended the township's soccer program.

Mike Toscano, 1228 Oak Hampton, in regards to the liquefaction of the CO₂,

he stated that the Heinz Pickle plant drilled a deep well back in the early 1970's which may lead to a source of information.

**Art
14** BOARD COMMENTS

Visser thanked John Van Iwaarden for his years of service on Park Township Board.

Ebihara read a letter that he received from Ken Lamb addressing the problem of owners allowing their dogs to defecate on other people's property.

Visser stated that a Sanitation Ordinance is in place.

Steggerda stated that she is very proud of our township residents. Even with hard times that we are faced with, 93% of the summer taxes have been paid.

**Art
15** ADJOURN

MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made By Ebihara and supported by Steggerda to adjourn.

Julie Northrup, Recording Secretary



