

Regular Meeting
Charleston Township Board
February 28, 2006

CALL TO ORDER:

The meeting was called to order at 7:00 p.m. by the Supervisor who led those present in the pledge of allegiance to the flag.

ROLL CALL OF OFFICERS:

Roll was called and members present were: Bell, Schug, Hiestand, Samson and Kramer. Also in attendance: Larry A Bolhuis, Patsy Longfield, Dennis Ward, Phyllis Rose, John & Kim DeHaan, Gary Moline, Terry Seybert, Henry Valkema, Dan Balkema, Paul Flach and another concerned citizen.

ADOPTION OF PROPOSED AGENDA AND MINUTES:

Motion by Samson/Hiestand to approve the agenda as presented. CARRIED Samson/Schug moved to approve the January 24, 2006 regular meeting minutes as presented. CARRIED Hiestand/Samson moved to approve the February 21, 2006 special meeting minutes as presented. CARRIED Samson/Hiestand moved to approve the February 21, 2006 closed meeting minutes as presented. CARRIED

POLICE, FIRE, ZONING AND PLANNING COMMISSION REPORTS:

6. No Zoning Administrator report.
7. Art presented the revised asphalt plant regulations for the Board to review. Hiestand/Schug moved to **accept the recommendation of the Planning Commission to give conditional approval to the changes made to the asphalt plant regulations contingent upon review by the township attorney.** CARRIED
8. Nelson reported on the financial status of the Fire Board and presented the proposed fire department budget. Samson/Schug moved to receive the Fire Board report. CARRIED

CITIZEN TIME:

No comments were offered.

OLD BUSINESS:

None

NEW BUSINESS:

- a. Hiestand/Samson moved to **authorize the supervisor to solicit bids within 10% of previous bids and to schedule a date for the Spring Trash Drop-off.** CARRIED
- b. The Kalamazoo County Road Commission has asked for a date for their annual township visit. Hiestand/Samson moved to **allow the supervisor to schedule a date at his discretion.** CARRIED

PUBLIC HEARING: 7:30 P.M. Renewal of Gravel Mining Permits

Schug/Hiestand moved to recess the regular meeting at 7:30 p.m. and open the Public Hearing to take public comment on the mining permits. CARRIED

Dan Balkema presented information on Aggregate Resources. He indicated that mining expectations for the last three years had not been met due to the state of the regional economy. Midway Aggregate, also a

Balkema gravel pit, had not met expectations either. Dan expected that 10 acres per year would be mined in the next three years. Henry Valkema, Gary Moline, for Lone Eagle Aggregates, and Terry Seybert indicated that they also were experiencing a depression in the market for aggregate and intended to mine what they had planned to mine for the last three years. Two letters were read concerning Lone Eagle Aggregates. The letter from Keith & Carolyn Martin favored renewing the permit and the letter from Ron & Amy Rice was opposed. The only public comment concerned the speed of traffic on North 37th Street. Hiestand/Samson moved **to approve the three-year gravel-mining permit for Aggregate Resources pending receipt of all documentation and fees.** CARRIED Hiestand/Samson moved **to approve the three-year gravel-mining permit for Midway Aggregate pending receipt of all documentation and fees.** CARRIED Hiestand/Schug moved **to approve a three-year gravel-mining permit for Henry Valkema conditional upon receipt of the fees and bond.** CARRIED Hiestand/Kramer moved **to approve a three-year gravel-mining permit for Lone Eagle Aggregates conditional upon receipt of the fees and bond.** CARRIED Hiestand/Samson moved **to approve a three-year gravel-mining permit for Seybert's Excavating pending receipt of all documentation and fees.** CARRIED Hiestand/Samson moved to adjourn the public hearing at 7:58 and return to the regular meeting. CARRIED

COMMUNICATIONS:

Fran presented communications from Household Hazardous Waste that detailed their continued success in recycling larger and larger amounts of waste. Fran also reviewed a letter from the County Road Commission that explained their goals for 2006 and presented a fax from Comcast requesting that we contact our representatives and senators and voice opposition to statewide franchising.

TREASURER'S REPORT:

Year to Date receipts \$158,337.62, disbursements: \$230,693.55, transfers from savings to general fund: (\$8,256.40), General fund balance: \$104,219.03, Beginning balance was \$184,831.36, Received since January Board meeting \$1,263.77. Samson/Hiestand moved to accept the Treasurer's report for February as received. CARRIED

MEMBERS TIME:

Nelson indicated that the ZBA had approved the variance for Chris & Debra Howard. Brenda said that the winter tax season was winding down and that the township was soliciting bids for work to the township hall. Art asked what was happening with the KVG Landfill and brought Board attention to a couch and dumpster that had appeared in the vicinity of the Thrifty King convenience store. Fran reported that the fence repair at the pump station had been completed.

READING & DISPOSITION BILLS:

Samson/Hiestand moved that the bills be allowed and that warrants be drawn on the treasury for their respective amounts. CARRIED

Samson/Schug moved to recess the regular meeting at 8:23 p.m. and go into closed session. Roll Call Vote: Hiestand – Y; Kramer – Y; Bell – Y; Schug – Y; and Samson – Y. CARRIED

Discussed legal issues pertaining to the Lakeview Meadows lawsuit and the Galesburg Speedway hearing. Samson/Hiestand moved to recess the closed meeting and return to the regular meeting at 8:55. CARRIED

Samson/Schug moved **that the Charleston Township Board approve the proposed Final Order By Consent received by the Township Attorney from Attorney Roragen on February 27, 2006, with the changes required by the Township Attorney in his February 28 letter to Attorney Roragen, and authorize the Township Supervisor, Township Clerk and Township Attorney to execute the proposed Final Order By Consent with the appropriate form and substance on behalf of Charleston**

Township; with the following conditions:

- 1. The Township Supervisor and Township Attorney verify that the Exhibits attached to the proposed Final Order By Consent are as referenced in the order and are as contemplated by the Township Board;**
- 2. The principals of LV Development and the Lakeview Meadows Condominium Association have executed a stipulation acceptable to the Board, approving for entry the resulting proposed Final Order By Consent. CARRIED**

MOTION TO ADJOURN:

Samson/Hiestand moved to adjourn at 9:07 p.m. CARRIED

Linda Kramer, Clerk