

**MINUTES OF THE CASCADE CHARTER TOWNSHIP  
REGULAR BOARD MEETING**

Wednesday, September 14, 2011

7:00 P.M.

- Article 1.** Supervisor Beahan called the meeting to order at 7:00 p.m.  
Present: Supervisor Beahan, Trustees Lewis, Koessel, Fox, Goldberg, Clerk Goodyke and Treasurer Peirce.  
Absent: None  
Also Present: Manager Cousins, Planning Director Peterson, Building Official Visser, Engineer Brian Vilmont and those listed on Supplement #1.
- Article 2.** Supervisor Beahan led the Pledge of Allegiance to the Flag.
- Article 3.** Motion was made by Trustee Goldberg and supported by Trustee Fox to approve the Agenda as presented. Motion carried unanimously.
- Article 4. Presentations/Public Comments**
- a. Presentation of Museum Painting by Reverend Gaylord.**  
Reverend Gaylord presented a picture of the original Cascade Township Hall (built in 1898) to the Township.
- b. Public Comments (Please limit comments to 3 minutes)**  
Kenneth Carey, 2929 Thornapple River Dr., Mr. Carey stated that he has lived at the same address for nearly 35 years and encountered very little drainage problems from the property behind my home. His issue is the last home that was built on the Summit...which is directly above mine. Mr. Carey continued with a chronological account of what has happened since the home behind him started to be built.  
Paul Slater, 2965 Thornapple River Dr., wanted to reaffirm everything that was said by Mr. Carey. Have lived at their residence for 6 years and have never had any water in the back yard. We are looking for a way to keep the water out of our yard...that is really all I'm looking for.  
Edward Westerhoff, 2900 Overlook, I would like to hold back my comments until after Mr. Visser and Mr. Peterson have made their report.  
Dr. Greg Lawton, 2975 Thornapple River Dr., I own the property adjacent to Mr. Slater. I am aware of the problem and hoping you can support my neighbors and assist them with their concerns.
- Article 5. Approval of Consent Agenda**
- a. Receive and File Various Meeting Minutes**
1. Regular Board Meeting Minutes for 08/24/11.
  2. Regular Meeting Minutes of the KCRC for 8/9/11.
- b. Receive and File Communications**
1. Note from Forest Hill Public Schools Community Services – re: Senior Luncheon.
  2. Letter from Charter – re: Late Fees
  3. Letter from State of Michigan – re: Notice of Hearing for the Gas Customers of Consumers Energy Company Case No. U-16149.
- c. Education Requests**
1. Doug Poolman – Michigan Fire Inspectors Conference – September 13-16, 2011 – East Lansing, MI.
  2. Todd Stevenson – Firefighter Safety and Survival – September 27-29, 2011 – Farmington Hills, MI.
  3. Oxana Sourine – MMTA Fall Conference – October 2-5, 2011 – Mackinac Island, MI.

4. Brian Wilson – COCM Fall Conference – October 10-14, 2011 – Thompsonville, MI.
5. Bill Cousins/Steve Peterson – 2011 Michigan Planning Conference – October 19-21, 2011 – Grand Rapids, MI.
6. Denise M. Biegalle – Employment Law 2011 – October 25, 2011 – Grand Rapids, MI

Motion was made by Trustee Lewis and supported by Trustee Fox to approve the consent agenda as presented. Trustee Koessel commented on the number of education requests have been considered lately and thought that in the future we take a long hard look at the distance that is travelled and whether or not it is financially viable for us to drive back and forth...rather than to pay the fees to stay there. Motion carried unanimously.

**Article 6. Financial Actions**

- a. **Consider Approval of August, 2011 Public Utilities Funds.**  
Motion was made by Trustee Koessel and supported by Trustee Lewis to approve the August, 2011 Public Utilities Funds. Motion carried unanimously.
- b. **Consider Approval of August, 2011 General/Special Funds.**  
Motion was made by Trustee Lewis and supported by Trustee Goldberg to approve the August, 2011 General/Special Funds. Motion carried unanimously.
- c. **Consider Approval of August, 2011 Payables, Payroll and Transfers.**  
Motion was made by Trustee Koessel and supported by Trustee Goldberg to approve the August, 2011 Payables, Payroll and Transfers. Motion carried unanimously.

**Article 7. Unfinished Business (None)**

**Article 8. New Business**

- 063-2011 a. **Public Hearing – Ordinance to repeal Ordinance #12 of 2004.**  
Motion was made by Trustee Goldberg and supported by Trustee Lewis to open the public hearing. Motion carried unanimously. No comments/correspondence received. Trustee Goldberg stated the Board is basically saying “give this back to the County”...in terms of administering precautions on erosion and sedimentation control ...doesn’t mean that our Township Planning Dept. Planner’s, Engineers and our Planning Commission as they look at developments would not have a opportunity and a responsibility to consider drainage and similar issues as regards to future development. Planning Director Peterson stated that it simply means that the County would be taking over the permitting and inspection process for the soil erosion. Motion was made by Trustee Goldberg and supported by Trustee Koessel to reconvene into regular session. Motion carried unanimously.
- b. **Consider Ordinance to repeal Ordinance #12 of 2004. Soil Erosion and Sedimentation Control Ordinance (SESC).**  
Motion was made by Clerk Goodyke and supported by Trustee Fox to approve the Ordinance to repeal Ordinance #12 of 2004. Soil Erosion and Sedimentation Control Ordinance (SESC). Motion carried unanimously by roll call vote.

- 064-2011 a. **Public Hearing – Replacement of Soil Erosion and**

**Sedimentation Control Ordinance (SESC).**

Motion to was made by Trustee Koessel and supported by Trustee Goldberg to re-open the public hearing. Motion carried unanimously. Planning Director was present to explain the Ordinance. This Ordinance will cover those “gaps” that aren’t requirements of the County. It provides us the flexibility to make that determination based on site conditions. This Ordinance would still enable us to respond to some things if we thought it was necessary. No written comments/phone calls received.

Lois Carey, 2656 Wyndham Dr., curious to find out if there is a time limit...if there is an issue...for it to get it fixed.

Planning Director Peterson stated that there was not a time limit to get something done.

Ray Carey, 2656 Wyndham Dr., spoke in reference to the property at 2929 Thornapple.

Motion was made by Trustee Lewis and supported by Trustee Goldberg to close the public hearing and reconvene into regular session. Motion carried unanimously.

**b. Consider Ordinance to Replace the Soil Erosion and Sedimentation Control Ordinance (SECS).**

Motion was made by Trustee Goldberg and supported by Trustee Fox to approve the Ordinance with direction to our Township Attorney to take a look at Section III (E) and make it broader and consistent with Section V. Discussion followed. Motion carried unanimously by roll call vote.

**065-2011 Consider Approval of Cascade Charter Township Strategic Plan 2014-2016.**

Manger Cousins presented the Final Draft of the Strategic Plan for approval. Discussion followed. Motion was made by Trustee Koessel and supported by Trustee Goldberg to table the item until such time the Board can meet with staff to get some clarification of some of the action points within the Strategic Plan. Motion carried unanimously.

**066-2011 Consider Approval of Gypsy Moth Monitoring Program for 2011-12.**

Motion was made by Trustee Goldberg and supported by Trustee Koessel to approve the Gypsy Moth Monitoring Program for 2011-12 to Aquatic Consulting at a fee of \$8,500.00. Motion carried unanimously.

**067-2011 Consider Request from American Cancer Society for an Outdoor Gathering Permit and Overnight Event at the Cascade Library.**

Motion was made by Trustee Fox and supported by Trustee Lewis to approve the Request from the American Cancer Society for an Outdoor Gathering Permit and Overnight Event at the Cascade Library; including the approval of the Resolution to close Jacksmith Dr. on May 18-19, 2012. Motion carried unanimously by roll call vote.

**068-2011 Discussion regarding Memo from Planning Director Peterson and Building Official Visser – re: The Summit.**

Planning Director reviewed the location, topography and grading of the property with the Board. Mr. Peterson also gave the Board a synopsis of the history of the property and what is currently happening with the property. Mr. Peterson presented several pictures of the property in question. Trustee Goldberg questioned if the plan was the problem. If it

is, maybe the Township has a role to play as the unit of government that approved the plan and alleviating the problem. Brian Vilmont stated that he believes the plan was not the problem. Discussion followed. Trustee Koessel stated that he is convinced that after hearing the report tonight is that the Township has not been at fault. Does that mean that we shouldn't continue to work with the neighbors to come to a resolution...absolutely not. I'm not sure that we have a financial obligation here. Supervisor Beahan questioned whether or not any repairs should be requested by petitioning the Township thru our Storm Water process. Mr. Peterson stated that we have not had anyone successfully complete the process. Trustee Fox stated she felt the Infrastructure Committee would be a good forum to take up this issue. Mr. Edward Westerhoff, 2900 Overlook offered the following comments:

- We followed the ordinance and the law that exists when we built our property. I am hearing everyone but Trustee Goldberg say that it is not the Township's issue. It is the Township's issue...Mr. Carey and Mr. Slater and I are involved with something that you approved.
- The Association does not own the land...my wife and I own the property.
- It has been a unique summer.
- At this point, I would request the Board to turn this over to the Infrastructure Committee that has been discussed, but not wash your hands of it. Because I do think you have a roll here.
- We are willing to clean up the sand that has gone into Mr. Carey's and Mr. Slater's yard and re-seed it.

Jeff Dionne, 2984 Thornapple River Dr., offered comments regarding the issue "as a whole".

Supervisor Beahan stated that he felt this item should stay on the agenda for the Infrastructure Meeting on Friday morning.

**Article 9. Public Comments on any other matters. (limit comments to 3 minutes)**

**Article 10. Manager's Comments**

Manager Bill Cousins offered the following comments:

- I have received a letter from Law Weathers Richardson ... they are working with the Right Place to create the charter for the next Michigan Development Corporation. Because they represent the Township, and we will be a party to that document, they wanted to make sure that we have no concerns with conflict of interest. The Board had no issues.
- One of our East Precinct deputies was involved in an automobile accident last weekend. He has been released from the hospital and has gone back to work.
- I met with our State Rep. Ken Yonker and State Senator Hildebrand in the last week regarding the Personal Property Tax. I wanted you to be aware that we are keeping in close contact with our legislatures on this issue.

**Article 11. Board Member Comments**

Trustee Lewis offered the following comments:

- I wanted to say how proud I am of the Fire Department, for taking the initiative on the 9/11 program (running up and down the stairs...which was initiated by one of our firefighters).

- I noticed that there is a new sign in our park, the community foundation sign is now in place. It turned out very nice.

Treasurer Peirce offered the following comments:

- Regarding the Personal Property Tax question...are they making it affective 2012 or 2013. It would affect our budget in 2013. We should look into a contingency plan for 2013.

Clerk Goodyke offered the following comments:

- Regarding expenses for travel to conferences, I totally agree with that. I cancelled my conference in Cadillac...Denise is going.

Trustee Fox offered the following comments:

- When you try to schedule a meeting for the Strategic Plan...could we possibly meet prior to the next Board Meeting.

Trustee Goldberg offered the following comments:

- Our Township and the efficiency with which we deliver government services is really a "stand-out" in the State.

Supervisor Beahan offered the following comments:

- Wanted to clarify the Burton Park Dedication is Friday, October 7<sup>th</sup> at Noon.

**Article 12. Adjournment**

Motion was made by Trustee Fox and supported by Trustee Goldberg to adjourn. Motion carried unanimously.

Meeting adjourned at 9:15 p.m.

Respectfully submitted,

Denise M. Biegalle  
Deputy Clerk

Approved by:

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Ron Goodyke, Clerk

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Robert Beahan, Supervisor