

PENNFIELD CHARTER TOWNSHIP
REGULAR MEETING MINUTES
February 13, 2007

Supervisor Behnke called the Regular Board Meeting to order at 7:00 p.m. at the Township Hall. Present were Supervisor Behnke, Clerk Bammer, Treasurer Phillips, Trustees Bartlett, Ensign and Newman. There were approximately 22 residents present. Supervisor Behnke gave the invocation and led the Pledge of Allegiance.

PUBLIC COMMENT/PETITIONS/PRESENTATIONS

Proclamation To designate the week of February 11-17, 2007, as "Child Passenger Safety Awareness Week"

Whereas, February 11-17, 2007, has been declared National Child Passenger Safety Awareness Week; and

Whereas, even though child passenger protection laws in Michigan and all other states and the District of Columbia require proper restraints and safety belt use for children, many children are still not properly restrained; and

Whereas, Michigan has stringent child restraint laws requiring children to be in child seats until 4 years of age and buckled up regardless of where they sit in the vehicle until 16 years of age; and

Whereas, parents, guardians and caregivers must make sure that children under age 13 always ride in the back seat of vehicles, buckled up in properly installed child safety seats/booster seats/seat belts, as appropriate, away from front seat air bags;

Whereas, children ages 4 to 9 who use booster seats are 59% less likely to be injured in a car crash than children who are restrained only by a safety belt;

Now, Therefore, I, Robert Behnke, Supervisor of Pennfield Charter Township, do hereby proclaim support for National Child Passenger Safety Awareness Week, and we urge all citizens to buckle up every child properly in an approved restraint, or seat belt, as applicable, every time a child rides in a vehicle. Let us all help spread these important child safety messages. We call upon all citizens, government agencies, public and private institutions, businesses, hospitals and schools in the greater Battle Creek metropolitan area to observe this week with appropriate resolutions and ceremonies.

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Supervisor Behnke opened the floor for Public Comment. There were nine individuals that spoke on the following: 1) Would like to have the water lines extended all the way down Pennfield Road and down Pine Lake Road. 2) What is the Road Commission

going to do with the Bridge on McAllister Road? 3) The water flowing from in front of the Schools on Pennfield Road is flooding the yard at 8719 Pennfield Rd., what can the Road Commission do about this problem? 4) Will Barbara Darlington be able to complete all of the tasks (her job plus Deputy Supervisor)?

ADDITIONS/DELETIONS TO THE AGENDA:

There were no additions or deletions.

CONSENT AGENDA:

It was moved and seconded by (Newman/Ensign) to approve the Regular Board Meeting Minutes of January 9, 2007 and to receive and place on file the Department Reports. Motion carried.

DEPARTMENT REPORTS:

POLICE:

Lt. Eddy gave the monthly report for January 2007. The stats for the month of January are as follows: there were 260 calls for service, 134 Traffic Citations, 96 Verbal warnings, 26 Traffic crashes, 95 Arrests, 63 Self-generated complaints, 260 Dispatched complaints, 841 Property inspections.

FIRE:

Fire Chief Smith gave the monthly report for January 2007. There were 85 Fire runs for the month of January 2007. Monthly stats: 2 fires, 45 rescue & EMS, 31 hazardous conditions (no fire), 1 service call, 4 good intent calls, 2 false alarms & false calls.

UTILITIES:

Performed over 1,200 reads for the month of January 2007. Monthly stats: 12 Miss Dig stakings. Installed 4 radio read boxes: 1 at Greenridge Condo's, 1 at the new High School, 1 at the Middle School, 1 at the old High School. The water samples for the month came back OK.

ASSESSOR/ZONING:

All of the deeds, property transfers, property splits and Homestead Exemptions are current. There were six parcel combinations. Gary is working from home the month of January and will be assisting the staff and residents by phone and e-mail. Board of Review dates are set for March 12th – 14th. Notice will be posted in the Battle Creek Shopper.

Zoning:

The Zoning Board of Appeals did not meet in January.

Planning:

The Planning Commission did not meet in January.

CODE ENFORCEMENT:

- Conducted 19 property inspections for blight and zoning violations.
- There were 9 complaints/violations for the month of January:
 - " 04 junk, trash & rubbish.
 - " 04 unlicensed and or inoperable vehicles.
 - " 01 violation for unsafe structure.
 - " 00 parking/storing of vehicles & recreational vehicles.
 - " 00 Zoning Ordinances.
 - " 00 overgrown grass & weeds.
 - " 00 Township Ordinances.

- Issued notices for violations
- Received notification of approval from DEQ for the Annual Report for National Pollutant Discharge Elimination System (NPDE)
- Attended Greater Battle Creek Area Watershed Management Committee (GBCAWMC) meeting.
- Attended Public Education meeting for GBCAWMC.
- Attended Wellhead Protection meeting at the City of Battle Creek.

PERMITS:

BUILDING

01 permit (000-001) \$ 416.90

ELECTRICAL

02 permits (107, 001) \$ 130.00

MECHANICAL

03 permits (001-003) \$ 195.00

PLUMBING

02 permits (001-002) \$ 300.00

ZONING

01 permit (000-001) \$ 40.00

NEW BUSINESS:

It was moved and seconded by (Phillips/Ensign) to appoint Linley Bordine-Houseman to fill the vacancy of Township Trustee to be effective February 13, 2007 and term to expire November 20th, 2008. A roll call vote was taken:

Supervisor Behnke Yes Trustee Bartlett Yes
Clerk Bammer Yes Trustee Ensign Yes
Treasurer Phillips Yes Trustee Newman No
Vote shows 5 yes, 1 no and 0 excused, motion carried.

PENNFIELD CHARTER TOWNSHIP RESOLUTION #07-03

(A resolution for Streetlights within the Greenridge Development Project)

WHEREAS, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the street lighting service as provided in the Standard Street Lighting Contract between Consumers Energy and the Charter Township of Pennfield, dated April 1, 1977, in accordance with the Authorization for Change in Standard Street Lighting contract dated as of January 11, 2007, heretofore submitted to and considered by this Board; and therefore

BE IT RESOLVED further; that the Township Supervisor and the Township Clerk be authorized to execute such authorization for change on behalf of the Township.

Moved by Treasurer Phillips Seconded by Trustee Bartlett

Supervisor Behnke Yes Trustee Bartlett Yes

Clerk Bammer Yes Trustee Ensign Yes

Treasurer Phillips Yes Trustee Newman Yes

Vote shows 6 yes, 0 no and 0 excused, Resolution #07-03 approved.

PENNFIELD CHARTER TOWNSHIP RESOLUTION #07-04

(A resolution reducing the salary for the position of Township Supervisor from \$44,904.00 to \$37,904.00 for the period of March 5, 2007 to March 31, 2008)

BE IT RESOLVED, that the Pennfield Charter Township Board sets the salary of the Township Supervisor at \$37,904.00

Moved by Treasurer Phillips Seconded by Trustee Ensign

Supervisor Behnke Yes Trustee Bartlett Yes

Clerk Bammer Yes Trustee Ensign Yes

Treasurer Phillips Yes Trustee Newman Yes

Vote shows 6 yes, 0 no and 0 excused, Resolution #07-04 approved.

PENNFIELD CHARTER TOWNSHIP RESOLUTION #07-05

(A resolution appointing Barb Darlington Deputy Township Supervisor with a salary of \$7,000.00 per year effective March 5, 2007)

BE IT RESOLVED, that the Pennfield Charter Township Board hereby appoints Barb Darlington Deputy Township Supervisor at a salary of \$7,000.00 per year effective March 5, 2007.

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Moved by Treasurer Phillips Seconded by Trustee Ensign

Supervisor Behnke Yes Trustee Bartlett Yes

Clerk Bammer Yes Trustee Ensign Yes

Treasurer Phillips Yes Trustee Newman Yes
Vote shows 6 yes, 0 no and 0 excused, Resolution #07-05 approved.

PENNFIELD CHARTER TOWNSHIP RESOLUTION #07-06
(A resolution for Budget Amendments for the Pennfield Charter
Township General Operations Budget for Fiscal Year 2006-2007)

BE IT RESOLVED, that the Pennfield Charter Township Board hereby officially approves the following budget amendments within the General Fund Budget for Fiscal year 2006-2007.

1. Amend revenue to add line item
101-000.000-555.000 FEMA Grant Money \$ 24,919.00
101-000.000-664.002 Workers Comp. dividend \$ 5,037.00
101-000.000-680.000 Insurance Claims (Truck) \$313,822.00

2. Amend revenue to increase line item
101-000.000-664.000 Interest earned \$ 4,400.00

3. Amend expenses to add line item
Fire Dept.
101-336.000-981.000 Capital Outlay-Vehicle \$313,822.00
Other Appropriations
101-960.000-957.000 State Permits \$ 2,000.00
101-960.000-957.001 MS-4 City of BC \$ 500.00

4. Amend expenses to increase line item
Police
101-301.000-802.000 Legal \$ 5,000.00
101-301.000-851.000 Telephone \$ 800.00
Fire
101-336.000-977.000 Capital Outlay-Equipment \$ 26,056.00

Moved by Treasurer Phillips Seconded by Trustee Ensign
Supervisor Behnke Yes Trustee Bartlett Yes
Clerk Bammer Yes Trustee Ensign Yes
Treasurer Phillips Yes Trustee Newman Yes
Vote shows 6 yes, 0 no and 0 excused, Resolution #07-06 approved.

It was moved and seconded by (Newman/Ensign) to postpone adopting Ordinance #104E-02-07, an ordinance to amend certain sections of appendix B of the Pennfield Charter Township code of ordinances with respect to Zoning. Motion carried.
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It was moved and seconded by (Phillips/Newman) to authorize Supervisor Behnke to sign the letter of understanding with Siegfried Crandall PC to perform the Pennfield

Charter Township annual audit for fiscal year end March 31, 2007 not to exceed \$10,000.00.

Supervisor Behnke Yes Trustee Bartlett Yes
Clerk Bammer Yes Trustee Ensign Yes
Treasurer Phillips Yes Trustee Newman Yes
Vote shows 6 yes, 0 no and 0 excused, motion carried.

It was moved and seconded by (Phillips/Newman) to approve the request as submitted transferring the liquor license at 1401 Capital Avenue, NE from Ronnie Dean Talbott to Carl Angelo's Fine Food, Inc. Motion carried.

It was moved and seconded by (Newman/Ensign) to hire Dixon Engineering to conduct an inspection of our current water tower at a cost not to exceed \$2,500.00.

Supervisor Behnke Yes Trustee Bartlett Yes
Clerk Bammer Yes Trustee Ensign Yes
Treasurer Phillips Yes Trustee Newman Yes
Vote shows 6 yes, 0 no and 0 excused, motion carried.

It was moved and seconded by (Phillips/Ensign) that the Township Board approves the placement of the new fiber electronics cabinet for AT & T in-between the current cabinets on Primrose Trail, with the stipulation that additional screening (bushes) be placed along the entire length of the east side of the easement once the new cabinet is completed. Motion carried.

It was moved and seconded by (Phillips/Ensign) that the Township Board authorizes Chief Smith, in conjunction with the Executive Committee, to prepare an RFP for the addition to the current Fire Station at a cost not to exceed \$6,000.00.

Supervisor Behnke Yes Trustee Bartlett Yes
Clerk Bammer Yes Trustee Ensign Yes
Treasurer Phillips Yes Trustee Newman Yes
Vote shows 6 yes, 0 no and 0 excused, motion carried.

It was moved and seconded by (Phillips/Ensign) that the Township Board approves CEI, Inc. agreement for the Greenridge project with the following two amendments; #1 in the amount of \$4,241.25 and the Amendment #2 in the amount of \$3,000.00, bringing the total contract to \$14,300.00.

Supervisor Behnke Yes Trustee Bartlett Yes
Clerk Bammer Yes Trustee Ensign Yes
Treasurer Phillips Yes Trustee Newman Yes
Vote shows 6 yes, 0 no and 0 excused, motion carried.
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PENNFIELD CHARTER TOWNSHIP RESOLUTION #07-07

(A resolution endorsing the creation of a T Intersection at McAllister Road and Pennfield Road.)

WHEREAS, the Pennfield Charter Township Board at the November 14, 2006 meeting approved a motion to endorse the creation of a T Intersection, and

WHEREAS, the Township Board approved design option #3 for the T Intersection, and

WHEREAS, the Calhoun County Road Commission is now preparing an application for Federal Highway Safety Grant funds to implement design option #3.

NOW THEREFORE, BE IT RESOLVED that the Charter Township of Pennfield endorses the application for Federal Highway Safety funds for this project, and

FURTHER BE IT RESOLVED, that the Charter Township of Pennfield encourages the Michigan Department of Transportation to designate Federal Highway Safety funds for the improvement of the intersection of McAllister Road and Pennfield Road.

Moved by Trustee Newman Seconded by Trustee Ensign
Supervisor Behnke Yes Trustee Bartlett Yes
Clerk Bammer Yes Trustee Ensign Yes
Treasurer Phillips Yes Trustee Newman Yes
Vote shows 6 yes, 0 no and 0 excused, Resolution #07-07 approved.

TREASURER'S REPORT:

January 2007, Treasurer's report shows the following balances on hand:

General Fund \$ 816,829.65
Metro Act-Maint. \$ 16,419.53
Parks \$ 12,113.25
Public Safety \$ 17,537.66
Permits/Inspections \$ 3,879.74
Sewer \$ 876,107.07
Water \$ 551,962.84
Trust & Agency \$ 7,285.00
Tax Collection \$ 914,750.27

TOTAL \$3,216,885.01

It was moved and supported by (Newman/Ensign) to receive and place on file the Treasurer's Report. Motion carried.

It was moved and seconded by (Phillips/Bartlett) to approve the monthly bills for January 2007 in the amount of \$259,334.81. Motion carried. (See addendum #1).
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PUBLIC COMMENTS:

Supervisor Behnke opened the floor for public comments. Nine individuals spoke in respect to: 1) the T Intersection at McAllister Rd. (Please don't make it like McAllister and Bellevue Rd. 2) The ditches along Pennfield Rd. in front of the Schools look bad. 3) Consumers Energy put in the wooden poles not the break away poles for safety. 4) Why don't you use the architect that you have on payroll?

TRUSTEE'S PERSONAL PRIVILEGE:

Supervisor Behnke opened the floor for Board comments.

It was moved and seconded by (Phillips/Bartlett) to set a Budget Workshop for Tuesday, March 13, 2007 at 5:30 pm prior to the regular Board Meeting. Motion carried.

The next regular Board Meeting will be held Tuesday, March 13, 2007, starting with a Budget Workshop at 5:30 pm and continue the rest of the Board Meeting directly after the Workshop.

It was moved and seconded by (Phillips/Newman) to adjourn the meeting at 8:53 p.m. Motion carried.

Carole J. Bammer, CMC
Township Clerk