

REGULAR MEETING OF THE GREEN CHARTER TOWNSHIP BOARD WAS CALLED TO ORDER OCTOBER 12, 2010 AT 7:00 P.M. THE SUPERVISOR LED THE BOARD IN THE PLEDGE OF ALLEGIANCE TO THE FLAG.

THE FOLLOWING BOARD MEMBERS WERE PRESENT, ROLL CALL.

ROBERT BALDWIN	SUPERVISOR
JANET CLARK	CLERK
DENISE MACFARLANE	TREASURER
NANCY STEPHAN	TRUSTEE
GARY TODD	TRUSTEE
JAMES T. PEEK	TRUSTEE
BARBARA WALDRON	TRUSTEE

MINUTES

The clerk presented the minutes of the regular September 10, 2010 board meeting.

MOTION was made by N. Stephan and supported by D. MacFarlane to accept the minutes of the September 14, 2010. **MOTION CARRIED. 7 yes**

TREASURERS REPORT

The treasurer presented the treasurers report:

10-07-10 General fund balance	\$556,247.87
10-07-10 Sewer fund balance	\$479,089.93

MOTION was made by G. Todd and supported by N. Stephan to accept the treasurer's report as presented in both funds. **MOTION CARRIED. 7 yes**

SEWER REPORT

Dennis Vandawater was present to present the sewer report of Green Charter Township as follows:

7/30/10-9/01/10

Reading-----131178070

Total Flow-----807930

Average daily flow-----27860

All is working fine.

D. Vandawater reported all is working well. Vacuum pumping contractor will be in next week.

PUBLIC COMMENTS:

County Commissioner Kevin Courtney was present and discussed the pending sale of Mecosta County General Hospital to Spectrum. He indicated there will be public hearing on this issue and the County Commissioners are requesting opinions from their constituents. Mr. Courtney indicated he will email the proposed document to the township, which can be reviewed and put on the township web site.

There was a discussion. As chair of the County Commission, because of the importance of this, he will not push for a decision by December 15th, 2010.

OLD BUSINESS

PROPOSED SAMPLE NOISE ORDINANCE REVIEW

The Supervisor distributed to the board the following sample Noise Ordinance for the board to review.

CHARTER TOWNSHIP OF GREEN

COUNTY OF MECOSTA, STATE OF MICHIGAN

ORDINANCE NO.

NOISE ORDINANCE

An ordinance to secure the public health, safety, and general welfare of the

residents and property owners of the Charter Township of Green, by regulating, and where necessary prohibiting noise within said Township and proscribing penalties for the violation thereof.

THE CHARTER TOWNSHIP OF GREEN, COUNTY OF MECOSTA, STATE OF MICHIGAN, ORDAINS:

Section 1: Title.

This Ordinance shall be known and may be cited as the Noise Ordinance of the Charter Township of Green.

Section 2: Purpose.

Pursuant to its statutorily authorized power to enact ordinances for the purpose of preserving and protecting the general health, safety, and welfare, the Township Board of the Charter Township of Green hereby enacts the following Noise Ordinance, the purpose of which is to prohibit excessive, unnecessary, unnatural, or unusually loud noises, or which are prolonged, unusual, and unnatural in their time, place, and use, and which disturb the peace and comfort of the public, or are a detriment to the public health, comfort, convenience, safety, welfare, peace and prosperity of the general public, and to provide penalties for the violation of this Ordinance.

Section 3: General Prohibited Noise.

A. It shall be unlawful for any person or entity to make, maintain, or continue, or cause to be made or continued, any excessive, unnecessary, unnatural, repeated, prolonged or unusually loud noise, or any noise which annoys or disturbs or injures or irritates or unreasonably impairs the comfort, repose, health, or peace of another, within the limits of the Charter Township of Green.

B. It shall be unlawful for the owner of any premises within the Charter Township of Green, and for the occupant or person in possession of any premises within the Charter Township of Green, whether individual, corporate, or otherwise, to knowingly make, allow to be made, or to permit to be made upon the premises so owned, occupied, or possessed, any excessive, unnecessary, unnatural, repeated, prolonged or unusually loud noise, or any noise which annoys or disturbs or injures or irritates or unreasonably impairs the comfort, repose, health, or peace of other, within the limits of the Charter Township of Green.

Section 4: Specific Noises Prohibited; Standards.

The following noises and acts are hereby declared to be excessive, unnecessary, unnatural, or unusually loud which annoy, disturb, injure, or unreasonably impair the comfort, repose, health, or peace of others in violation of this Ordinance, said specification is not to be construed to exclude other violations not enumerated:

C. **HORNS AND OTHER SIGNALING DEVICES.** The sounding of any horn or signaling device on any automobile, motorcycle, boat, bus, truck, or other vehicle, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; the sounding of any such device for an unnecessary and unreasonable period of time, or at an unnecessary and unreasonable time of the day or night; and, the use of any hand held or hand operated signal device which emits a loud or harsh sound except as a danger warning.

D. **RADIOS, TELEVISIONS, PHONOGRAPHS, AND MUSICAL INSTRUMENTS.** The using, operating, or permitting to be played, used, or operated, any radio receiving set, television receiving set, phonograph, or musical instrument, or other such device for the production or reproduction of sound, in such a manner as to unreasonably or unnecessarily irritate, annoy, or disturb the peace, quiet, and conform of the neighboring inhabitants, or at any time at a volume unnecessary for convenient listening of the person or persons in the room, vehicle, or chamber in which such machine or device is being operated, and who are voluntarily listeners thereto. The operation of

any such radio, television, phonograph, musical instrument, or other such machine or device between the hours of ten o'clock (10:00) p.m. and seven o'clock (7:00) a.m. in such a manner as to be plainly audible at a distance of fifty (50') feet from the building, structure, or vehicle in which it is located, or which is plainly audible in a dwelling unit other than that in which it is located, shall be prima facie evidence of a violation of this Section.

E. YELLING, SHOUTING, AND VERBAL NOISE. Yelling, shouting, hooting, whistling, singing, or other verbal noise upon any premises, or upon the public streets, between the hours of ten o'clock (10:00) p.m. and seven o'clock (7:00) a.m., or at any other time or place, in such a manner so as to unreasonably annoy or disturb peace, natural quietude, comfort, or repose of persons in any office, or in any dwelling, hotel, or other type of residence, or of any persons in the vicinity where such noise is plainly audible at a distance of fifty (50') feet from its point of origin shall be prima facie evidence of a violation of this Section.

F. ANIMALS, BIRDS, OR PETS. The keeping of any animal, bird, or pet which, by causing frequent or continuous noise, plainly audible at a distance of fifty (50') feet from its point of origin, shall be a prima facie evidence of a violation of this Section.

E. EXHAUST NOISES. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, or any other form of engine, whether in a boat, motor vehicle, motorcycle, off-road vehicle, or tractor, except through a muffler or other device which effectively prevents or reduces loud or explosive noises.

F. LOADING, UNLOADING, AND OPENING OF BOXES. The creation of a loud and excessive noise in connection with the loading or unloading of any vehicle or trailer, or the opening or destruction of bales, boxes, crates, and containers.

G. CONSTRUCTION OR REPAIRING OF BUILDINGS. The erection (including excavation), demolition, alteration or repair of any building or structure other than between the hours of seven o'clock (7:00) a.m. and nine o'clock (9:00) p.m. where such activity results in the creation of unusually loud noise or noise which annoys, disturbs, injures, or unreasonably impairs the comfort, repose, health, peace or safety of others except in case of urgent necessity in the interest of public health and safety, for the duration of such emergency.

H. BUSINESS OPERATIONS AND OTHER PREMISES ACTIVITIES. The carrying on of any business operations, or any other activities upon any premises in such a manner so as to create any excessive, unnecessary, or unusually loud noise, which disturbs, injures, or unreasonably impairs the comfort, repose, health, peace or safety of others.

I. PILE DRIVERS AND OTHER HEAVY EQUIPMENT. The operation between the hours of ten o'clock (10:00) p.m. and seven o'clock (7:00) a.m. of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist, or other form of heavy equipment, the use of which is attended by loud, or repeated or continuous noise.

J. The operation of any race track, proving ground, testing area, or obstacle course for vehicles, motorcycles, boats, racers, automobiles, snowmobiles, off-road vehicles, or vehicles of any kind or nature in a residential area of the Township, or adjacent to a residential area of the Township where such noise emanating from the identified vehicles would be unusually loud or continuous, or unreasonably disturbing, or upsetting to persons in that vicinity.

Section 5: Exceptions.

The noise prohibitions set out hereinbefore shall not apply to the following:

G. Any police vehicle, ambulance, fire engine, or other emergency vehicle while engaged in necessary emergency activities.

H. Excavation or repair of bridges, streets, or highways, or other property by or on

behalf of the State of Michigan, Charter Township of Green, or County of Mecosta, between sundown and seven o'clock (7:00) a.m. when the public welfare, health, safety or convenience renders it impossible to perform such work during other hours.

I. Noises emitted from warning devices for the purpose of notifying individuals or the public at large as authorized by law.

D. All railroad operations meeting the maximum permissible noise levels allowed or permitted by law.

E. Noise emanating from the discharge of firearms providing that such discharge is otherwise authorized under Michigan law or local ordinance.

Section 6: Severability.

The several sections of this Ordinance shall be deemed severable, and should any section, clause, or provision thereof be declared unconstitutional or contrary to the law of the State of Michigan, and therefore voided by any court of competent jurisdiction, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part or section so declared to be unconstitutional or invalid.

Section 7: Violations.

A violation of this Ordinance shall be deemed to be a civil infraction, and any person, firm, or entity found responsible therefore shall be subject to a fine not to exceed \$500 for each offense. A violator of this Ordinance may be subject to additional sanctions, remedies, injunctions or judicial orders as authorized under Michigan law. Each day a violation of this Ordinance continues to exist constitutes a separate violation.

Section 8: Effective Adoption and Date.

F. This Ordinance shall become effective thirty (30) days after its publication, as required by law.

G. This Ordinance was adopted by the Township Board of the Charter Township of Green, County of Mecosta, and State of Michigan, at its regular meeting held on .

TOWNSHIP HALL RENOVATION

The township hall renovation is near completion.
All outside security lights are being repaired.

COUNTRY MANOR ESTATES – WATER SYSTEM

There was a discussion on the sewer and water system in Country Manor. Correspondence and discussion has been received from Mr. Smith, Country Manor (owner) regarding the water and sewer system of the Country Manor Facility. A map of the facility has been received indicating there are 2- 8" wells. The facility presently has 33 units. Mr. Smith indicated he would like the township to take over the complete water and sewer system of Country Manor. There was discussion about the implications and costs to the residents. The supervisor will direct a letter to Mr. Smith and attorney explaining the local issues

ROADS

SPEED LIMIT SIGNS ON NORTHLAND DRIVE FROM 205TH AROUND COZY CURVE UP TO SHAMROCK BLVD.

There was a discussion on working with MDOT, Big Rapids City, Big Rapids Township and Mecosta County Road Commission to have consistent speed limits through this area. Presently there are multiple different speed limits in this short area. Trustee J. Peek has talked with the State Police, County Sheriff and Big Rapids City Police Dept. concurred all entities need to agree on this issue and send a combined consensus of the speed problem to send to the State Traffic Safety Division. The supervisor and J. Peek will work on a common resolution for all parties to agree upon.

PUBLIC COMMENTS

A resident was present and expressed his concern with the speed of vehicles on 230th Avenue south of 19 Mile. There was a discussion.

205th NO THRU TRUCKS BETWEEN 19 MILE & NORTHLAND

MOTION was made by J. Peek and supported by N. Stephan to pass a resolution for no thru trucks on 205th Ave. between 19 Mile and Northland Drive with the exception of agriculture and local construction vehicles for that area. And to submit this resolution to the Mecosta County Road Commission for consideration. MOTION CARRIED. 7 YES.

MECOSTA COUNTY CHAMBER OF COMMERCE ANNUAL DUES.

MOTION was made by J. Peek and supported by G. Todd to approve payment of the annual dues to the Mecosta County Chamber of Commerce. MOTION CARRIED. 7 YES Peek, Waldron, Clark, Baldwin, MacFarlene, Todd, Stephan

MDOT

Is requesting the township's input on sidewalks or other items of concern in regards to the "cold milling and resurfacing project on work between 19 Mile & Meceola Rd.

The discussion was:

1. The existing sidewalk along the east side of Northland Drive between Mill Street and Water Street, the township has no interest or need in keeping this sidewalk in this location, noting the White Pine Trail is a better facility for walking purposes.
2. The board agrees with MDOT discussion on the sidewalk near the Cheney Creek on old US-131 across from the Paris Park Fish Hatchery. The board expressed no opposition to MDOT's requesting to remove this approximately 250 feet of sidewalk and reseeded of the area, being funded by MDOT.

MOISD TAX RATES HAVE BEEN RECEIVED FOR THE TOWNSHIP INFORMATION

ELECTION COMMISSION

APPOINTMENT OF ELECTION INSPECTORS FOR NOVEMBER 2, 2010 GENERAL ELECTION

MOTION was made by N. Stephan and supported by G. Todd to appoint the following election inspectors: Lisa Burch, Pat Moore, Janet Clark, Bob Baldwin, Doris Wells, Kim Chapman Connie Cooley, Joanne Pekrul, Margaret Owens, Sondra Taylor, Carol Scheid-Kailing, Cheryl Thomas, and Richard Thomas MOTION CARRIED. 3 yes

The clerk reported the township will be using the new Electronic Poll Book system for the election and will be implementing a wand scanner for the AV ballot recording.

ELECTRONIC TRANSFER OF FUNDS

The clerk & treasurer reported the Federal Government is requiring all quarterly FDIC tax deposit be done electronically. There was discussion and the township will proceed with the requirement.

MECOSTA COUNTY DEVELOPMENT CORP.

There was a discussion on the township participation in the Mecosta Co. Dev. Corp. no decision was made at this time.

MTA ANNUAL EDUCATION CONFERENCE-schedule for January 26 -28, 2011 in Grand Rapids has been received.

SNOW PLOWING – REQUEST FOR BIDS

The township will be taking bids for snow plowing and notice will be advertised.

ROAD BRINING

There was a discussion on requesting all the brining applications be done in the township by the middle of September unless otherwise requested by the township.

CEMETERY MONUMENT FOUNDATIONS

There was a request by an individual to install his marker foundation. The board recommended to stay with the present policy of having the township install all foundations.

PUBLIC COMMENTS

There was a concern of a dumpster overflow regularly in the township. The supervisor will look into the situation.

MECOSTA COUNTY ZONING ORDINANCE

There is scheduled a public hearing on the Mecosta County Zoning Ordinance November 1, 2010 at 7:00 p.m. in the Mecosta County Services Building.

BUDGET AMENDMENTS

MOTION was made by J. Peek and supported by N. Stephan to approve the budget amendments in the general and sewer funds. **MOTION CARRIED. 7 YES** Peek, Waldron, Clark, Baldwin, MacFarlane, Todd, Stephan, Peek

10/12/2010						
ACCOUNT	DESCRIPTION	ACTUAL	BUDGET	AMENDED AMOUNT	NEW NEW	AMENDED BALANCE
GENERAL FUND						\$ -
101-276-702	CEMETERY WAGES	\$ 14,232.75	\$ 13,500.00	\$ 900.00	\$ 14,400.00	\$ 167.25
from	FROM					
101-276-704	CEMETERY HOURLY	\$ 1,091.72	\$ 2,000.00	\$ (900.00)	\$ 1,100.00	\$ 8.28
					\$ -	\$ -
101-446-818	HIGHWAYS CONTRACTUAL SERVICES	\$ 73,200.00	\$ 40,000.00	\$ 33,200.00	\$ 73,200.00	\$ -
from					\$ -	\$ -
101-101-695	ADVANCE FROM FUND BALANCE	\$ -	\$ 182,564.01	\$ 33,200.00	\$ 215,764.01	\$ 215,764.01
					\$ -	\$ -
101-751-972	REC. & PARK LARGE ASSETS	\$ 37,292.65	\$ 20,000.00	\$ 17,300.00	\$ 37,300.00	\$ 7.35
FROM					\$ -	\$ -
101-751-818	REC & PARK CONTRACTUAL SERV.	\$ 25.00	\$ 5,000.00	\$ (4,970.00)	\$ 30.00	\$ 5.00
101-751-970	REC & PARK SMALL ASSETS	\$ 852.80	\$ 5,000.00	\$ (4,140.00)	\$ 860.00	\$ 7.20
101-101-695	ADVANCE FROM FUND BALANCE	\$ -	\$ 215,764.01	\$ 8,190.00	\$ 223,954.01	\$ 223,954.01
					\$ -	\$ -
SEWER FUND					\$ -	\$ -
590-000-705	SALARY ADMIN. PER DIEM	\$ 440.00	\$ 400.00	\$ 160.00	\$ 560.00	\$ 120.00
from					\$ -	\$ -
590-000-704	SALARY NON ADMIN.	\$ 22.50	\$ 500.00	\$ (160.00)	\$ 340.00	\$ 317.50

AUTHORIZE PAYMENT OF BILLS

MOTION was made by J. Peek and supported by G. Todd to approve payment of the following bills: **MOTION CARRIED. 7 YES**, Stephan, Todd, MacFarlane, Baldwin, Clark, Waldron, Peek

GENERAL FUND 10/12 /2010-10/12/2010 CK # 9772 - #9810 \$151,739.77

GREEN SEWER FUND 10/12/10 Ck # 2682-2692 \$11,837.12

SEWER USERCHARGE REVIEW

The supervisor reported the Sewer Usercharge Review is complete and been submitted to Attorney Jim White and later will be submitted to the DNRE for review.

ADJOURNED

Supervisor Bob Baldwin closed out meeting at 8:55 P.M.

Janet Clark, Clerk