

**THE REGULAR MEETING OF THE GREEN CHARTER  
TOWNSHIP BOARD WAS CALLED TO ORDER AT 7:00 P.M. NOVEMBER 10, 2009.  
THE SUPERVISOR OPENED THE MEETING AND LED THE BOARD IN THE PLEDGE  
OF ALLEGIANCE TO THE FLAG.**

THE FOLLOWING TOWNSHIP BOARD MEMBERS WERE IN ATTENDANCE.

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

**MINUTES**

October 13, 2009 regular board meeting minutes were presented.

**MOTION** was made by J. Peek and supported by G. Todd to approve the minutes of the October 8, 2009. **MOTION CARRIED. 7 yes**

November 02, 2009 special board meeting minutes were presented.

**MOTION** was made by J. Peek and supported by G. Todd to approve the minutes of the October 02, 2009. **MOTION CARRIED. 7 yes**

The clerk presented the report of the township board in attendance of the Big Rapids City Commission meeting of November 2, 2009 dealing with the sewer user charge.

**MOTION** was made by J. Peek and supported by G. Todd to accept the report as presented of the Big Rapids City Commission meeting of November 2, 2009. **MOTION CARRIED. 7 YES**

**TREASURERS REPORT**

The treasurer presented the treasurers report:

11-05-09 General fund balance	\$584,559.81
11-05-09 Sewer fund balance	\$471,372.05

**MOTION** was made by J. Peek and supported by G. Todd 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:  
9/1/9 – 10/1/09

Reading-----122130600

Total Flow-----896810

Average daily flow-----28025

Denny reported new heater working fine.

**PUBLIC COMMENTS**

County Commissioner Kevin Courtney was present and reported HHW Household Hazardous Waste program. The numbers for 2009 are available from Charmain Lucas. Mecosta County HHW funding looking good for 2010.

**OLD BUSINESS**

**USER CHARGE**

The supervisor reported the following has been received from the City of Big Rapids and copies are on file and attached to the end of these minutes.

RESOLUTION NO. 09-128 – USER CHARGE SYSTEM REPORT FOR 2009-2010  
ORDINANCE NO. 613-11-09 ORDINANCE REPEALING \$0.30-\$0.60-\$0.90 PER 1000  
GALLONS FOR THE PURPOSE OF PAYING STRUCTURAL AND CAPITAL COSTS OF THE  
UPGRADE OF THE WASTEWATER TREATMENT PLANT

**CREDIT TO GREEN CHARTER TOWNSHIP SEWER CUSTOMERS**

Currently with the removal of the \$0.90 upgrade charged removed, back to April 1, 2009 ( when the bonds were sold), the amount to be refunded to Green Charter Township sewer customers is \$\$4,026.97, equal to approximately \$16.85 per REU, which will be reflected in the next quarter billing.

The following resolution prepared by attorney James White was presented for adoption.

**RESOLUTION RE: USER CHARGE SYSTEM REPORT FOR 2009-2010**

**CHARTER TOWNSHIP OF GREEN**

**COUNTY OF MECOSTA**

**RESOLUTION RE: USER CHARGE SYSTEM REPORT FOR 2009-2010**

Minutes of a regular meeting of the Township Board of the Charter Township of Green, Mecosta County, Michigan, held in the Green Township Hall, in Paris, Michigan, on the 10th day of November, 2009 at 7:00 p.m. Local Time.

PRESENT: Members: B. Waldron, J. Peek, J. Clark, B. Baldwin, D. MacFarlane,

G. Todd, N. Stephan

ABSENT: Members: None

The following preamble and resolution were offered by Member N. Stephan and supported by Member J. Peek :

WHEREAS, the City of Big Rapids (the "City") is party to separate Amended Wastewater Treatment Agreements, each dated as of May 1, 1995 (together, the "Amended Treatment Agreements") with the Charter Township of Green and the Charter Township of Big Rapids (together, the "Townships"); and

WHEREAS, Paragraph 14 of each of the Amended Treatment Agreements states in part that "[t]he Township shall pay the City for the Township's share of the costs of operation, maintenance and replacement of the City System based upon actual metered sewer flow in accordance with the methodology set forth in the User Charge System (UCS). It is understood and agreed that the User Charge System will be reviewed annually by the City by May 15 of each year and any rate adjustments shall be computed in accordance with the methodology set forth in the User Charge System;" and

WHEREAS, the methodology for the User Charge System is attached to each of the Amended Treatment Agreements as Exhibit A (the "Contractual UCS Methodology"); and

WHEREAS, there is ambiguity in the methodology as to how the User Charge System Report should be prepared by the City; and

WHEREAS, based on joint discussions, the City and the Townships desire to agree on the manner in which the Amended Treatment Agreements and the Contractual UCS Methodology shall be interpreted and given effect for the 2009-2010 User Charge System Report, without formally amending or waiving any term of the Amended Treatment Agreements or the Contractual UCS Methodology to allow the City and the Townships to accept and approve the 2009-2010 User Charge System Report and enact such sewer rate adjustments as may be necessary; and

WHEREAS, the City and Townships anticipate that the approach outlined in this Resolution will serve as a template for amending the Amended Treatment Agreements and/or the methodology for the User Charge System Reports to be prepared for 2010-2011 and subsequent years so that the analysis of costs and rates can be completed, reviewed, and implemented each year in a timely and expeditious manner; and

WHEREAS, it is the understanding of the City and each of the Townships that all three municipalities will adopt this, or a substantially similar, resolution.

NOW THEREFORE, BE IT RESOLVED that:

1. The sewer rate implemented successively at \$0.30 per 1,000 gallons, \$0.60 per 1,000 gallons and \$0.90 per 1,000 gallons (the "Plant Upgrade Rate") to pay down the cost of the wastewater treatment plant renovations (the "Treatment Plant Upgrade Project") shall be repealed by the City effective November 2, 2009.

2. All revenues collected by the City and attributable to the Plant Upgrade Rate for wastewater service shall be applied in aggregate amount to pay costs of the Treatment Plant Upgrade Project.

3. Effective for sewer services received by Green Township from the City after March 31, 2009: (1) the Plant Upgrade Rate is hereby rescinded by this Township Board and (2) an additional debt service component of \$.12 per 1,000 gallons attributable to the anticipated interest expense on the City's Series 2009 bond issue is hereby enacted by this Township Board.

4. The City, by City Commission Resolution No. 09-128 adopted November 2, 2009, (the "November 2, 2009 City Resolution") agreed to (1) accept as payment in full the sum of \$6,192.99 from Green Township for sanitary sewer services rendered to Green Township from April 1, 2009 through September 30, 2009, which reflects a rescission of the \$.90 per 1,000 gallons Plant Upgrade Rate for Green Township customers effective April 1, 2009 and, in addition, the enactment of the additional \$.12 per 1,000 gallons Debt Service Charge effective April 1, 2009 attributable to the anticipated interest expense on the City's Series 2009 bond issue; (2) reflect such rate adjustments on City billings to Green Township for sanitary sewer services after September 30, 2009; and (3) accept a similar approach for Big Rapids Township, if requested by Big Rapids Township.

5. The Plant Upgrade Rate in effect from time to time in the City shall be applied to the total volume of wastewater contributed to the City wastewater treatment plant by Ice Mountain pursuant to agreement with the City and the City in accordance with the November 2, 2009 City Resolution has agreed to pay the amount so determined as attributable to the Plant Upgrade Rate from the City Reserve Account for Ice Mountain Processed Water (Account No. 101-000-383.007)

and apply said amount together with other revenues attributable to the Plant Upgrade Rate to pay costs of the Treatment Plant Upgrade Project.

6. The portion of City Administrative Costs allocated to the City Sewer System for purposes of the 2009-2010 User Charge System shall be based on the base salaries only and without fringe benefits of the offices of the City Manager (City Manager only), City Attorney (City Attorney only), City Treasurer, (City Treasurer plus two full time employees, (Deputy Treasurer, and Assistant City Treasurer), in the City Treasurer's Office plus 50% of two full time employees (clerks) in the City Treasurer's Office) and Public Services Director (the Utilities Superintendent) and two full time employees (Street Superintendent, Administrative Assistant) in the Department of Public Works) and, that for purposes of allocating such City Administrative Costs to the City Sewer System in the 2009-2010 User Charge System Report, the sewer budget shall be assumed to be ten percent (10%) of the entire City budget (rather than the calculated percentage of twenty five (25%) percent).

7. The City 2009-2010 budget figures shall be used to prepare the 2009/2010 User Charge System Report, rather than the City audit figures, and the City shall attach as appendices to the 2009-2010 User Charge System Report for purposes of comparison and verification the following:

- a. The City's Budget for the Wastewater System (and all related funds) for the 2007-2008 and 2008-2009 City F/Ys;
- b. The City's Audit for the 2007-2008 City F/Y; and
- c. The City's Audit for the 2008-2009 City F/Y or, if not available, the City's final unaudited financial reports for the 2008-2009 City F/Y; and
- d. Depreciation and Replacement Schedules supporting all depreciation and replacement entries and information set forth in the 2009-2010 User Charge System Report, and for the two preceding City FIYs.

8. The line items in the City's 2009/2010 Budget in the amount of \$100,000 for extending sewer on Bjornson Avenue, and \$25,000 for paving a portion of the Riverwalk Trail, also known as Trunkline Access, shall be excluded as an expense of the City Sewer System and shall not be taken into account in the 2009/2010 User Charge System Report.

9. The method of allocating depreciation expense on Pages 2-3 of the July 1, 2009 draft of the 2009-2010 User Charge System Report shall be maintained and followed.

10. The transfers out of funds utilized in Table 4b of the July 1, 2009 draft of the 2009-2010 User Charge System Report are recognized and allowed this year, with the understanding that the City and the Townships will further evaluate the necessity and propriety of including those transfers in the User Charge System Reports for 2010-2011 and future years.

11. The City shall add or restore tables to the 2009-2010 User Charge System Report, substantially similar to Tables 2a, 2b and 2c of the Contractual UCS Methodology, showing the total number of residential and nonresidential wastewater customers in the City and the Townships.

12. The entry in Table 20 of the July 1, 2009 draft of the 2009-2010 User Charge System Report for interest on the 2009 Bonds shall be revised to more accurately reflect the actually projected interest expense payable on the 2009 Bonds during the City's 2009-2010 fiscal year.

13. All fines payable to the Michigan Department of Environmental Quality ("MDEQ") pursuant to the proposed Administrative Consent Order currently under discussion with the MDEQ shall be paid by the City and not more than \$34,280.00 of such fines shall be added as an expense of the City Sewer System for purposes of the 2009-2010 User Charge System Report.

14. It is the intent of the City Commission (by adoption of the November 2, 2009 City Resolution), Big Rapids Township Board (assuming that the Big Rapids Township Board adopts this

or a substantially similar resolution), and Green Township Board (by the adoption of this resolution) that (A) this resolution constitutes the agreement on how the Amended Treatment Agreement and the Contractual UCS Methodology shall be interpreted and applied to the 2009/2010 User Charge System Report and (B) the parties shall negotiate in good faith to adopt appropriate amendments to the Amended Treatment Agreements and/or the Contractual UCS Methodology for purposes of the User Charge System Reports to be prepared for 2010/2011 and subsequent years.

15. The Big Rapids City Commission, Big Rapids Township Board, and Green Township Board, shall continue to meet over the next year, as full boards or through representatives on a committee, to discuss further clarification of the Amended Treatment Agreements and the Contractual UCS Methodology, so the process of cost allocation and rate setting can be completed, reviewed, approved and implemented each year in a timely and expeditious manner.

16. The User Charge System Report for 2009-2010 (Final Revision dated October 29, 2009), as modified and described herein is hereby approved and adopted, subject to correction in a manner acceptable to this Township of the "bullet point" items discussed on pages 3, 4 and 5 (first two bullet points on page 5 only) of Special Township legal counsel's November 2, 2009 letter to City Attorney, Eric Williams, and the rate to be charged Green Township and Big Rapids Township thereunder shall be \$3.85 per 1,000 gallons, exclusive of IPP charges.

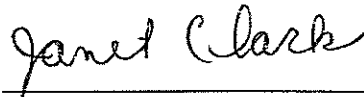
17. All resolutions and parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

YEAS: Members: N. Stephan, G. Todd, D. MacFarlane, B. Baldwin, J. Clark, J. Peek, B. Waldron

NAYS: Members: None

ABSTAIN: Members: None

RESOLUTION ADOPTED:

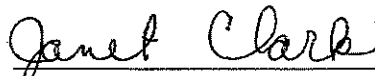


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Janet Clark, Township Clerk  
Charter Township of Green

STATE OF MICHIGAN     )  
                                          ) ss.  
COUNTY OF MECOSTA    )

I, the undersigned, the duly qualified and acting Clerk of the Charter Township of Green, Mecosta County, Michigan (the "Township") do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Township at a regular meeting held on the 10th day of November, 2009, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for the meeting.

IN WITNESS WHEREOF, I have hereto affixed my official signature on this 18 day of November, 2009.



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Janet Clark, Township Clerk  
Charter Township of Green

J. Peek reported he spoke with Lorraine James and the audited figures for 2008-2009 are out and we should continue to work on the user charge with current numbers.

Supervisor B. Baldwin has been invited to Big Rapids Charter Township to explain the User Charge System to their board.

**SMILE PROGRAM – HALL USE**

The Smile Program for Mecosta& Osceola Counties has asked to use the township for 2010 once per month. No objection was made for the use at the same rate as last year, \$55.00 per use.

**ROADS**

Supervisor Bob Baldwin reported he and trustee N. Stephan attend the Mecosta County Road Commission meeting. The Mecosta County Road Commission 3 year road plan was distributed to the board along with their budget summary for year ending 12-31-2010

It was also requested the township put together the road project list for next year.

MECOSTA COUNTY ROAD COMMISSION  
3-YEAR ROAD PLAN

YEAR		Location	Township	Miles	Description	Funding Source	
2010	P	5 Mile Rd (NLD - 150th Ave)	Deerfield	3	Pulverize & Pave	ARRA/Fed. Funds	*
	P	5 Mile Rd (150th - 120th Ave)	Deerfield	3	Pulverize & Pave	ARRA/Fed. Funds	*
	P	20 Mile Rd (60th - 80th Ave)	Chippewa	2	Overlay	2008 C-O	*
	P	80th Ave (22 - 23 Mile Rd)	Chippewa	1	Overlay	2008 C-O	
	P	90th Ave (9 - 10 Mile)	Morton	1	Overlay	2009 C-O	
	P	9 Mile Rd (80th - 70th Ave)	Morton	1	Overlay	2008 C-O	
	P	15 Mile Rd (220th - 230th Ave)	Big Rapids	1	Overlay	MCRC/Township	
	P	70th Ave (9 - 7 Mile Rd)	Morton	2	Overlay	2009 C-O	
	P	Jefferson Rd (100th - 110th)	Hinton	1	Overlay	2007 C-O	
	P	Taft Rd (65th - 75th Ave)	Martiny	1	Overlay	2009 C-O	
	P	23 Mile Rd (NLD - 200th Ave)	Green	1	Overlay	2007 C-O	
	P	Old State Rd (M20 - Polk Rd)	Mecosta	1.5	Overlay	2007 C-O	
	P	Madison & 65th Ave (45th - Taft)	Martiny	3	Overlay	2008 C-O	
	P	120th Ave (16 Mile - 15 Mile Rd)	Colfax	1	Overlay	MCRC/Township	
	P	18 Mile Rd (W. of NLD) + Intersec.	BR/Green	1	Pulverize & Pave	MCRC/Township	*
	P	17 Mile Rd (M66 - 40th Ave)	Sheridan	1	Overlay	MCRC/Township	
	P	13 Mile Rd (60th -70th Ave)	Martiny	0.75	Overlay	MCRC/Township	
	L	10th Ave (M20 -10 Mile Rd)	Wheatland	1	Overlay	2008 C-O	
	L	Thornapple Dr. (E. of 205th Ave)	Big Rapids	0.5	Overlay	2008 C-O	
	L	Campus View (E. of 205th Ave)	Big Rapids	0.5	Overlay	2009 C-O	
	L	14 Mile RD (205th - 215th Ave)	Big Rapids	1.5	Pulverize & Pave	2009 C-O	
	L	Round Lake Rd (190th - Fir Dr)	Green	1	Overlay	2009 C-O	
	L	Buchanan Rd (140th -150th Ave)	Austin	1	Overlay	MCRC/Township	
	P	155th Ave (Pierce - 6 Mile Rd)	Austin	1.5	Sealcoat	MCRC/Township	
	P	14 Mile RD (105th - 80th Ave)	Martiny	2.5	Sealcoat	MCRC/Township	
	P	85th Ave (1 Mile - 2 Mile Rd)	Hinton	1	Sealcoat	MCRC/Township	
	P	120th Ave (McKinley - 15 Mile Rd)	Colfax	0.75	Sealcoat	MCRC/Township	
	P	130th Ave (5 - 6 Mile Rd)	Deerfield	1	Sealcoat	MCRC 2009 C-O	
	P	1 Mile Rd (50th - 60th Ave)	Millbrook	1	Sealcoat	MCRC/Township	
	P	1 Mile Rd (60th - 85th Ave)	Hinton	2.5	Sealcoat	MCRC/Township	
	P	1 Mile Rd (85th - 95th Ave)	Hinton	1	Sealcoat	MCRC/Township	
	P	50th Ave (5 Mile - 45th Ave)	Millbrook	2	Sealcoat	MCRC/Township	
	L	3 Mile (85th - 100th Ave)	Hinton	1.5	Sealcoat (Dbl)	MCRC 2008 C-O	
	L	3 Mile (100th - 110th Ave)	Hinton	1	Sealcoat (Dbl)	MCRC/Township	
	L	65th Ave (1 Mile - 2 Mile Rd)	Hinton	1	Sealcoat (Dbl)	MCRC/Township	
	L	50th Ave (1 Mile - Monroe Rd)	Millbrook	1.5	Sealcoat	MCRC/Township	
	L	Monroe Rd (50th/45th - Jackson)	Millbrook	1.5	Sealcoat	MCRC/Township	
	L	80th Ave (5 Mile - 6 Mile Rd)	Hinton	1	Sealcoat	MCRC/Township	
	L	Monroe Rd (230th - Brady Lake)	Aetna	1.25	Sealcoat	MCRC/Township	
		Rural/Urban Minor Arterial (Fed Aid Eligible)					
		Rural Major/Urban Collector (Fed Aid Eligible)					
		Rural Minor Collector (Fed Aid Eligible)					





### **SNOW PLOWING**

The township has received four price quotes for snow plowing this winter at the township hall. The amounts were Gross Snowplowing-\$75.00 salt drive \$80.00, M&M Lawn Care - \$55.00, Knuth Plowing - \$45.00, D&J Lawn Care -\$50.00

**MOTION** was made by G. Todd and supported by J. Peek to accept the lowest bid for \$45.00 for this seasons snow plowing of the township hall. **MOTION CARRIED. 7 YES** Waldron, Peek, Clark, Baldwin, MacFarlane, Todd, Stephan

### **REED CITY LIBRARY BOARD GREEN TOWNSHIP APPOINTMENT**

The board recommended sending a letter supporting Sara Potts for appointment to the Reed City Library Board. With the appointment, the Green Township board would appreciate reports and updates concerning library issues.

### **PEST CONTROL COMPANY**

**MOTION** was made by N. Stephan and supported by J. Peek to accept the bid from Hanes Exterminator for township hall pest control for one year @ \$32.00 per month to pay annually for a 5% discount, \$364.80 beginning January 1, 2010. **MOTION CARRIED. 7 YES** Stephan, Todd, MacFarlane, Baldwin, Clark, Peek, Waldron

### **HALL USE**

#### **PLANT SALES GARDEN CLUB Mecosta Osceola-Lake**

**MOTION** was made by J. Peek and supported by N. Stephan to allow the use of the township hall by the Mecosta Osceola-Lake Conservation District & Garden Club for the 2010 native plant presentation and sale in exchange for the work and plants that were provide at the Wildflower path. **MOTION CARRIED. 7 YES.**

**UNITED WAY** hall use was not granted, no direct service was indicated to be provided to the township.

### **HALL USE –CENSUS**

The recommendation of the board was to allow the Census Bureau to use the hall for census testing December 2 & 5, explaining on how it is very important for the census information to be accurate.

### **MECOSTA COUNTY PLANNING COMMISSON – SPECIAL LAND USE REVIEW**

J. Peek reported the hearing was for correction on the language of the document.

**AMENDMENTS**

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

11/10/2009						
ACCOUNT	DESCRIPTION	ACTUAL	BUDGET	AMENDED	NEW	AMENDED
				AMOUNT	NEW	BALANCE
					\$ -	\$ -
<b>SEWER FUND</b>					\$ -	\$ -
590-800-826	ATTORNEY	\$ 10,243.90	\$ 7,700.00	\$ 2,545.00	\$ 10,245.00	\$ 1.10
590-000-818	CONTRACTED SERVICES	\$ 1,210.16	\$ 500.00	\$ 720.00	\$ 1,220.00	\$ 9.84
from					\$ -	\$ -
590-000-695	ADVANCE FROM FUND BALANCE	\$ -	\$ 6,300.00	\$ 3,265.00	\$ 9,565.00	\$ 9,565.00

**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, Peek, Waldron And to pay Jack Jones for the hours he completed the day of the board meeting.

**GENERAL FUND** 10-19-09 – 11-10-09 CK # 9342- 9375 \$14,032.48

**GREEN SEWER FUND** 11-02-09 -11-10-09 CK # 2556 - 2571 \$11,317.55

**ADJOURN**

**MOTION** was made by G. Todd and supported by J. Peek to adjourn. 9:00 p.m.

**MOTION CARRIED. 7 YES**

Janet Clark,  
Township Clerk