

**BIG RAPIDS CHARTER TOWNSHIP BOARD
REGULAR MEETING TUESDAY, FEBRUARY 2, 2010
HELD AT THE BIG RAPIDS TOWNSHIP FIRE HALL**

CALL TO ORDER: 7:00 p.m. McClelland, Gilbert, Winegar, Hamelund, O'Neil, Osburn present. Smith absent. All lead in the Pledge of Allegiance.

ADDITIONS TO AGENDA: None

CORRESPONDENCE: So noted and filed. Regarding the letter from the Zimmerman's, by the March meeting, Gilbert will follow up with the Road Commission and report to the Zimmerman's and the Board regarding the status of the signs.

APPROVAL OF JANUARY MINUTES:

A motion to approve the January minutes as printed was made by O'Neil. Seconded by Osburn. Motion carried.

APPROVAL OF JANUARY TREASURER'S REPORT:

A motion to approve the January treasurer's report as presented was made by O'Neil. Seconded by Gilbert. Motion carried.

MONTHLY REPORTS:

Chief Butterfield reported on the Fire Department. A motion to approve the purchase of five mobile radio's at a cost of \$2494 due from the fire departments capital outlay was made by Winegar. Seconded by Osburn. Motion carried on roll call vote. Smith absent.

Cemetery: Regina Geib is on maternity leave. No report.

Building Department: No Report. Gilbert will request from Tom Berg a report on a deficit plan of action regarding the building departments' budget for the March meeting.

Utilities: Steve Sobers reported to the board regarding the utilities department.

UNFINISHED BUSINESS:

Avigation Easement:

**CHARTER TOWNSHIP OF BIG RAPIDS
COUNTY OF MECOSTA**

**RESTATED RESOLUTION TO APPROVE AGREEMENT FOR SALE OF LAND AND
AVIGATION EASEMENTS**

RESOLUTION NUMBER 2010-01

Minutes of a regular meeting of the Township Board of the Charter Township of Big Rapids, Mecosta County, Michigan, held in the Big Rapids Township Fire Hall, in Big Rapids, Michigan, on the 2rd day of February, 2010 at 7:00 p.m. Local Time.

PRESENT: McClelland, Gilbert, Winegar, Hamelund, O'Neil, Osburn

ABSENT: Smith

The following preamble and resolution were offered by O'Neil and supported by Winegar:

WHEREAS, a proposed Agreement for Sale of Land and Avigation Easements by and between the City of Big Rapids(the "City") and the Charter Township of Big Rapids(the "Township") in the form attached hereto as Attachment 1 (Revised Draft Dated 1/29/10) (the "Agreement") has been submitted to the Township Board; and

WHEREAS, the proposed agreement is in the best interest of the Township.

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT:

1. The Agreement and all exhibits thereto are hereby approved in form attached Hereto as Attachment 1.

2. The Township Supervisor and Clerk are hereby authorized and directed to execute the Agreement and to deliver the same on behalf of the Township with such immaterial additions and deletions shall be determined by the Supervisor and Clerk to be in the best interest of the Township.

3. The Township Supervisor and Clerk are hereby authorized and directed to Execute the Warranty Deed, the Avigation Easement for Properties Inside the Runway Protection Zone and the Avigation Easement for Properties Outside the Runway Protection Zone in the forms attached as Exhibits 3, 4 and 5, respectively, to the Agreement, and to deliver the same on behalf of the Township to the City at the Closing (within the meaning of the Agreement), with such immaterial additions and deletions as shall be determined by the Supervisor and Clerk to be in the best interest of the Township.

4. The supervisor and clerk are authorized to approve a reallocation of the stated monetary consideration to be paid at closing between the Warranty Deed (currently \$59,205.50) and the two Avigation Easements (currently \$1.00 each), as requested by the City, provided that the total monetary consideration to be paid at closing and as reallocated does not exceed \$59,207.50, consistent with paragraph 1(a) of the Agreement.

5. All resolutions or parts of resolutions in conflict herewith, including without Limitation that certain Resolution to Approve Agreement for Sale of Land and Avigation Easements, adopted by the Township Board on May 18, 2009, shall be and the same hereby rescinded.

YEAS: O'Neil, Winegar, Hamelund, Osburn, Gilbert, McClelland

NAYS:

ABSTAIN:

RESOLUTION ADOPTED:

Sherri S. Gilbert, Township Clerk
Charter Township of Big Rapids

STATE OF MICHIGAN)
)ss.
COUNTY OF MECOSTA)

I, the undersigned, the duly qualified and acting Clerk of the Charter Township of Big Rapids, Mecosta County, Michigan (the "Township") do here by 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 2nd day of February, 2010, the original of which is on file in my office. 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 2nd day of February 2010, A.D.

Sherri S. Gilbert, Township Clerk
Charter Township of Big Rapids

UNFINISHED BUSINESS CONTINUED:

CreeksEdge Easement: McClelland reported the township received the easement. A motion to authorize Eric Williams to review the document was made by O'Neil. Seconded by Gilbert. Motion carried.

Perry Street Lift Station Pump: Bob Robison of Robison Electric is working with the City on possible solutions. No action needed at this time.

Sewer Rates: Tabled until the March 2nd meeting.

Township Committees: A motion to set up a policy & procedural committee consisting of two board members, the supervisor and up to four township residents with the clerk placing an ad in the newspaper for interested residents to submit a letter of interest and qualifications to the clerk by February 17th was made by Hamelund. Seconded by O'Neil. Motion carried.

NEW BUSINESS:

Cobra Insurance Compliance: Gilbert informed the board she was contacted by Lerner, Csernai & Fath regarding our insurance ordinance indicating Cobra insurance and that at this time we maybe non-compliant with the insurance. Gilbert was still waiting on some answers regarding if we met the criteria to comply. A motion to authorize the clerk to take necessary measures to make sure we are compliant was made by O'Neil. Seconded by Winegar. Discussion followed. Motion died. A motion to table until March when further information was obtained was made by Hamelund. Seconded by Osburn. Motion carried.

APPROVAL OF BILLS:

A motion to approve the payment of bills presented in the amount of \$40,629.93 was made by O'Neil. Seconded by Winegar. Motion carried on roll call vote.

PUBLIC COMMENT:

Darwin Booher and Morris Langworthy Jr. spoke regarding their candidacy's.

ADJOURNMENT:

Meeting adjourned at 8:25 p.m.

Clerk

Supervisor