

CROCKERY TOWNSHIP BOARD MEETING MINUTES  
HELD ON FEBRUARY 9, 2021

1. The meeting was called to order by Supervisor Erhorn at 7:01 p.m.
2. This meeting is being held virtually due to the Michigan Department of Health and Human Services Covid-19 directive.
3. Roll call: Present: Erik Erhorn-Crockery Township, Kathy Buchanan-Crockery Township, Judy VanBemmelen-Crockery Township, Ryan Kelly-Spring Lake Village, Rich Suchecki-Crockery Township.  
Others present: Attorney Ron Redick-Grand Haven Township, Deputy Fire Chief Kyle Botbyl-Nunica.
4. Motion by Kelly, seconded by VanBemmelen to approve the minutes of the January 12, 2021 Regular Meeting as presented. Roll call: VanBemmelen, Suchecki, Buchanan, Erhorn, Kelly – Yes. Motion carried.
5. Motion by VanBemmelen, seconded by Suchecki to approve the minutes of the January 18, 2021 Special Meeting as presented. Roll call: Kelly, Erhorn, VanBemmelen, Buchanan, Suchecki – Yes. Motion carried.
6. Motion by Suchecki, seconded by Buchanan to approve disbursements as presented. Roll call: Buchanan, VanBemmelen, Suchecki, Kelly, Erhorn – Yes. Motion carried.
7. Supervisor Erhorn has added an item to the agenda. It will be item H, the David Kooi Trust.
8. Motion by VanBemmelen, seconded by Suchecki to approve the additional item to the agenda. Roll call: Suchecki, Kelly, Erhorn, VanBemmelen, Buchanan -Yes. Motion carried.
9. Public comments were offered. Lisa Doering commented on the fact that there are several campaign signs and flags still up in yards in the township and she was questioning why there is no time limit on the removal of these campaign items since the election is long over. Attorney Redick explained that the township is not required to set a time frame for their removal and by doing so we could face residents challenging it based on the First Amendment. The State has a 10 day removal policy for anything on MDOT road right-of-ways. Ms. Doering stated that Spring Lake Township recently placed a time frame for removal of campaign signs and she is requesting that Crockery Township adopt the same language as the State of Michigan and that we send a reminder letter to those residents who are in violation of the 10 day limit. She also suggested that the township have a penalty fee in place for those that do not comply. No Board member was in agreement of taking any action on Ms. Doering's request at this time.
10. Supervisor's comments/correspondence was offered. Supervisor Erhorn received correspondence from Misty Hearth, a Grand River Landing lot owner. Ms. Hearth is questioning if the hydro study is done and the State then allows sheds and decks, will the township also allow the shed and decks to remain. Attorney Redick stated that the position the Township has taken is that if EGLE/FEMA allow it then the Township will. Supervisor Erhorn stated that he

will check with Doug Hopkins, the Building Inspector to see if permits or anything further will be required at the Township level.

11. Clerk's report was offered. No report was heard.
12. Treasurer's report was offered. No report was heard.
13. Fire Chief's report was offered. Deputy Chief Botbyl reported that the department responded to 34 calls last month, including 2 structure fires, 1 car fire, and 18 medicals. The department has responded to 14 calls so far this month. Deputy Chief Botbyl also stated that revisions to the truck specs for the replacement for 521 have been received and the hope is to send it out to bid next week. The department is still reviewing the best time frame for the bid process especially due to Covid-19. Firefighter Jesse Baxter has submitted his resignation from the department.
14. Attorney's report was offered. Attorney Redick informed the Board that the Michigan Department of Health and Human Services (MDHHS) has prohibited municipal in-person meetings through March 29<sup>th</sup>. This however contradicts the Open Meeting Act emergency ruling which only allows virtual meeting to March 1<sup>st</sup>. Attorney Redick expects there will be an extension to the Open Meeting deadline.
15. Committee Chair report was offered. No reports were heard.
16. Board Member report was offered. No reports were heard.
17. Motion by VanBemmelen, seconded by Kelly to accept Jesse Baxter's resignation from the fire department effective immediately. Roll call: VanBemmelen, Buchanan, Suchecki, Erhorn, Kelly. – Yes. Motion carried.
18. Motion by Buchanan, seconded by VanBemmelen to adopt Resolution 2012-01, Poverty Exemption Resolution. Roll call: Erhorn, Kelly, Buchanan, Suchecki, VanBemmelen – Yes. Motion carried.
19. Motion by Suchecki, seconded by Kelly to adopt Ordinance 2021-02, An Ordinance To Amend The Zoning Ordinance Of The Township Of Crockery {Application of Meekhof Trucking, LLC; rezoning to I-2 District; 16861120<sup>th</sup> Ave.; Parcel Nos. 70-04-16-100-006 (40.41 acres), 70-04-16-200-006 (39.99 acres), 70-04-16-200-021 (8.35 acres), 70-04-16-400-24 (32.96 acres), and 70-04-16-400-26 (27.16 acres)]. Roll call: Buchanan, Erhorn, VanBemmelen, Kelly, Suchecki – Yes. Motion carried.
20. Motion by Buchanan, seconded by Suchecki to adopt Resolution 2021-02, Resolution Authorizing The Transfer of Fees from Building Fund To General Fund In The Amount of \$20,000 (rent, utilities, supplies). Roll call: VanBemmelen, Suchecki, Erhorn, Kelly, Buchanan – Yes. Motion carried.
21. Discussion was held regarding the Murphy easement abandonment request for his condominium units on the corner of M-104 and 124<sup>th</sup>.
22. Motion by VanBemmelen, seconded by Suchecki to table the request from Mike Murphy to allow the abandonment of the M-104 Corridor Overlay easement on his property. Roll call: Erhorn, VanBemmelen, Buchanan, Suchecki, Kelly – Yes. Motion carried.

23. Discussion was held regarding the easements involved for the next phase of the North Bank Trail out to 96<sup>th</sup> Ave. and a possible alternate route using 104<sup>th</sup> out to Cleveland.
24. Motion by VanBemmelen, seconded by Suchecki to authorize a \$1,500 expenditure to hire Moore and Bruggink to complete a cost estimate for the North Bank Trail route using the 104<sup>th</sup> road out to Cleveland Street. Roll call: Kelly, VanBemmelen, Suchecki, Buchanan, Erhorn – Yes. Motion carried.
25. Discussion was held regarding the easements needed through Hathaway Lakes for the possible sewer line which would connect with Spring Lake Township. Meetings have been held with Mick McGraw and Michael McGraw from Eastbrook, working on reaching an agreement for the necessary easements.
26. Motion by Suchecki, seconded by VanBemmelen to approve the outline of the terms of a proposed amendment to the Sewer, Water and Development Agreement between the Township and Eastbrook Development Company, Eastbrook Homes, Inc. and LSRE Land Investments, dated as of November 6, 2003 and thereafter amended, and authorize and direct the Township Attorney to prepare such an amendment to the Agreement for consideration by the Township Board. Roll call: Suchecki, - Yes, Buchanan – No, Erhorn – Yes, Kelly – Yes, VanBemmelen – Yes. Motion carried.
27. Motion by Kelly, seconded by Suchecki to approve authorizing an additional \$50,000 for engineering costs related to the proposed sewer line. Roll call: VanBemmelen, Suchecki, Buchanan, Erhorn, Kelly – Yes. Motion carried.
28. Discussion was held regarding the AZKO Manufacturing zoning issue. Attorney Redick is still waiting for the FOIA information to come from Muskegon Heights.
29. Motion by VanBemmelen, seconded by Kelly to table any further action at this time regarding the AZKO zoning issue. Roll call: Kelly, Erhorn, VanBemmelen, Buchanan, Suchecki, - Yes. Motion carried.
30. Treasurer VanBemmelen reviewed a letter the Township received regarding the David Kooi Trust. Crockery Township was notified a few years ago that it was named as a beneficiary in the David Kooi Trust, with any proceeds received to be used only for the Nunica Cemetery. A relative is asking for a copy of the trust agreement. It would require all beneficiaries of the trust to give their consent before the details of the trust could be released. Attorney Redick answered Board member questions.
31. Motion by Buchanan, seconded by VanBemmelen to not consent to signing the David Kooi Trust/Will document. Roll call: Buchanan, VanBemmelen, Suchecki, Kelly, Erhorn – Yes. Motion carried.
32. Motion by VanBemmelen, seconded by Kelly to adjourn the meeting. Roll call: Suchecki, Kelly, Erhorn, VanBemmelen, Buchanan. – Yes. Motion carried. Meeting was adjourned at 9:15 p.m.

Submitted by  
Kathy Buchanan  
Crockery Township Clerk