

Danby Township Regular Meeting
July 25, 2013

The regular meeting was called to order at 7:01 p.m. at the Danby Township Hall, 13122 Charlotte Hwy.
The meeting was opened with the Pledge of Allegiance.

Roll Call Board Members: Supervisor Pohl, Trustee Reisbig, Trustee McCormack, Treasurer Kolarik

Roll Call Board Members Absent: Clerk Platte

Treasurer Kolarik was asked to take minutes in absence of Clerk Platte.

Approval of Minutes Regular Meeting June 27, 2013

Motion by Reisbig Seconded by McCormack CARRIED
 Approve the minutes of June 27, 2013 as presented.

Approval of Agenda: Under New Business add # 2 Advertise clerk position vacancy; under Old Business add # 6 Recycling Survey

Motion by Reisbig Seconded by McCormack CARRIED
 Approve agenda as amended.

Communications: Questions on fire runs: need to bill for illegal burn? Supervisor Pohl will check with Asst. Chief Logel

Motion by Reisbig Seconded by McCormack CARRIED
 Place communications on file.

Public Comment: Arlo Seybold questioned need to hire a new assessor so quickly.

Unfinished Business:

1. **Fire Authority Update:** Chief Baker's fire-year plan not as drastic as first thought. Has plan to phase out old trucks and replace over five years

2. **FEMA National Flood Insurance Program**

Motion by Pohl Seconded by Reisbig CARRIED

 Adopt Michigan Community Resolution and Intergovernmental Agreement to Manage Floodplain Development for the National Flood Insurance Program

Roll Call: Pohl YES, McCormack YES, Reisbig YES, Kolarik YES, Platte ABSENT

MICHIGAN COMMUNITY RESOLUTION AND INTERGOVERNMENTAL

AGREEMENT TO MANAGE FLOODPLAIN DEVELOPMENT

FOR THE NATIONAL FLOOD INSURANCE PROGRAM

Community A: Danby Township **Community/Entity B:** Ionia County

WHEREAS, Community A (check the appropriate statement) currently participates desires to participate in the Federal Emergency Management Agency's (FEMA) National Flood Insurance Program (NFIP) by complying with the program's applicable statutory and regulatory requirements for the purposes of significantly reducing flood hazards to persons, reducing property damage, reducing public expenditures, and providing for the availability of flood insurance and federal funds or loans within its community; and

WHEREAS, the NFIP requires that floodplain management regulations must be present and enforced in participating communities, and utilize the following definitions which also apply for the purposes of this resolution:

1. Flood or Flooding means:
 - a. A general and temporary condition of partial or complete inundation of normally dry land areas from: 1) the overflow of inland or tidal waters, 2) the unusual and rapid accumulation or runoff of surface waters from any source, 3) mudflows, and
 - b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding, as defined in paragraph (a)(1) of this definition.
2. Flood Hazard Boundary Map (FHBM) means an official map of a community, as may have been issued by the FEMA, where the boundaries of the areas of flood, mudslide (i.e., mudflow) related erosion areas having special hazards have been designated as Zone A, M, and/or E.
3. Floodplain means any land area susceptible to being inundated by water from any source (see definition of flooding).
4. Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.
5. Floodplain management regulations means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power that provide standards for the purpose of flood damage prevention and reduction.
6. Structure means a walled and roofed building that is principally above ground, gas or liquid storage facility, as well as a mobile home or manufactured unit.

WHEREAS, the Stille-Derossett-Hale Single State Construction Code Act", Act No. 230 of the Public Acts of 1972, as amended, (construction code act), along with its authorization of

the state construction code composed of the Michigan Residential Code and the Michigan Building Code [and its Appendices (specifically Appendix G)] contains floodplain development and management regulations that comply with the FEMA NFIP minimum floodplain management criteria for flood prone areas as detailed in Title 44 of the Code of Federal Regulations (44 CFR), Section 60.3, and

WHEREAS, by the action dates of this document or an existing historical agreement na, Community/Entity B affirms/agrees on behalf of Community A to function as the designated enforcing agency to discharge the responsibility of administering, applying, and enforcing the construction code act and the state construction code, specifically the Michigan Residential Code and the Michigan Building Code, to all development within Community A's political boundaries, and

WHEREAS, Community A and Community/Entity B enforce floodplain regulations of the construction code act, and Community A wishes to ensure that the administration of that code complies with requirements of the NFIP, and

NOW THEREFORE, to maintain eligibility and continued participation in the NFIP,

1. Community A and Community/Entity B agree that Community/Entity B's officially designated enforcing agency for the construction code act, Ionia County Building Inspector. (insert position title), be directed to administer, apply, and enforce on Community A's behalf the floodplain management regulations as contained in the state construction code (including Appendix G) and to be consistent with those regulations, by:
 - a. Obtaining, reviewing, and reasonably utilizing flood elevation data available from federal, state, or other sources pending receipt of data from the FEMA to identify the flood hazard area, and areas with potential flooding, and
 - b. Ensuring that all permits necessary for development in floodplain areas have been issued, including a floodplain permit, approval, or letter of no authority from the Michigan Department of Environmental Quality under the floodplain regulatory provisions of Part 31, "Water Resources Protection," of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and
 - c. Reviewing all permit applications to determine whether the proposed building sites will be reasonably safe from flooding. Where it is determined that a proposed building will be located in a flood hazard area or special flood hazard area, Community/Entity B shall implement the following applicable codes according to their terms:
 - i) Appropriate portions and referenced codes and standards of the current Michigan Residential Code.
 - ii) Appropriate portions and referenced codes and standards of the current Michigan Building Code.
 - iii) Appendix G of the current Michigan Building Code.
 - d. Reviewing all proposed subdivisions to determine whether such proposals are reasonably safe from flooding and to ensure compliance with all applicable floodplain management regulations.
 - e. Assisting in the delineation of flood hazard areas; provide information concerning uses and occupancy of the floodplain or flood-related erosion areas, maintain flood

Signature: _____ Date: _____

YEAS: Kolarik, Pohl, Reisbig, Platte

NAYS: none

MOTION CARRIED RESOLUTION ADOPTED

Motion by Reisbig Seconded by Kolarik CARRIED

Adopt Ordinance Addressing Floodplain Management Provisions of the State Construction Code

3. **Township Playground:** Supervisor Pohl recommended the idea of a playground be dropped due to concerns about amount it would be used.

4. **Deer Crossing Signs:** The county approved installation of signs at each end of the township along Charlotte Hwy.

5. **Township Assessor:**

Motion by Pohl Seconded by Reisbig CARRIED

Hire Cheryl O'Connor as Danby Township assessor from August 1, 2013 through March 31, 2014

6. **Recycling :** Results of survey were overwhelming to keep recycling with the City of Portland.

New Business:

1. Lazy Dayz Getaways:

Motion by Kolarik Seconded by Reisbig CARRIED

Approve Special Use Permit as recommended by the Planning Commission after public hearing.

2. Advertise opening for Clerk Position:

Motion by Reisbig Seconded by Pohl CARRIED

Place ads in Weekender of Sentinel Standard and Portland Review & Observer for three weeks advertising the open clerk's position.

Commission & Committee Reports:

1. **Road Issues:** The gravel roads were brined when really hot and dry resulting in several complaints

2. **Planning Commission:** Next meeting August 21, 2013. Lay, Austin & Brown, whose terms are expiring, have all agreed to stay on the Planning Commission.

Motion by Reisbig Seconded by Kolarik CARRIED

Approve Supervisor Pohl's appointment of Kim Lay, Gary Austin and Bill Brown to Danby Township Planning Commission.

Officer Reports:

Fire Runs: There were two fire runs for June for a total of 9 for 2013.

Bills: Bills were presented with the addition of recycling fee, May - \$325.43 and June \$245.91.

Motion by Reisbig Seconded by Pohl CARRIED

Pay bills as presented with additions to City of Portland check for May and June recycling for 325.23 and \$245.91.

Treasurer's Report: Treasurer Kolarik presented report with an account balance of \$801,974.55.

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Cemetery Business: Sexton McDaniels presented the board with fees charged by neighboring cemeteries for comparison.

Public Comment: Zoning Administrator Jeanne Vandersloot has some suggestions for revision of the township nuisance ordinance and civil infractions ordinance. She will prepare revised ordinances for the consideration of the board. Supervisor Pohl will send another letter to James Stiles about vehicle still on property

Announcement: Next regular meeting scheduled for August 29, 2013

Adjournment: Supervisor Pohl adjourned the meeting at 8:43 p.m..

Elizabeth Kolarik
For Kristina Platte
Danby Township Clerk