

JAMESTOWN CHARTER TOWNSHIP BOARD

JAMESTOWN TOWNSHIP HALL
SEPTEMBER 30, 2013

UNAPPROVED
MINUTES

1. CALL TO ORDER -

Ken Bergwerff, Township Supervisor, called the meeting to order at 7:05 pm.

Gail Altman, Scott Brouwer, Ken Bergwerff, Janet Oskin, Dan Jensen, and Tim Tacoma were present. Ruth Pruis was absent, with notice.

2. OPENING PRAYER -

Janet Oskin gave the invocation.

3. APPROVAL OF THE SEPTEMBER 30, 2013 AGENDA -

Oskin moved and Altman supported that the September 30, 2013 Meeting Agenda be approved.

MOTION CARRIED – UNANIMOUSLY.

4. PUBLIC COMMENT FOR ITEMS ON THE AGENDA -

Mark Pater, of 3700 24th Avenue, requested information regarding the status of city water on the property being discussed for sale on the corner of Greenly and 24th Avenue.

Altman replied that it was her understanding there was hook-up for one. Other Members agreed.

Chris Pater, of 2213 Riley Street, questioned whether the assessment had been paid and, if so, asked for information regarding a stub being on record.

Bergwerff replied that the assessment had, indeed, been paid, and if there was no stub, there needed to be one.

5. ITEMS FOR DISCUSSION/ACTION -

a) Grand Valley Metropolitan Council Resolution (GVMC) -

Bergwerff briefly explained the need for a motion to approve Amendment No. 37 (Addition of the Village of Sand Lake) in the Articles of Incorporation of the Grand Valley Metropolitan Council. This amendment had been submitted for approval by the GVMC to the legislative bodies of the local governmental units that are members of the Grand Valley Metropolitan Council.

Oskin moved and Altman supported that Amendment No. 37 (Addition of the Village of Sand Lake) be approved by the Jamestown Charter Township Board.

MOTION CARRIED – UNANIMOUSLY.

b) Purchase Agreement for Property at Greenly and 24th Avenue -

Bergwerff opened this discussion by explaining the fact that there was not time to go into the complete package put together by both attorneys. However, he pointed out to Board Members the handouts he had given each one, with handwritten notes, cross-outs, etc., touching on concerns he wanted to highlight in the document and felt needed the Board's attention.

Bergwerff then outlined the primary items involved in the buy-sell agreement regarding the land at Greenly and 24th Avenue:

1. Exchange of Township land for Pater land (approximately 13 acres to be exchanged).
2. Purchase of the balance of their land (approximately 51 acres).
3. Township to pay \$765,000 (approximately \$15,000 per acre).
4. Payments to be made in 3 equal installments, (\$255,000 each) at one year intervals,

commencing at closing.

5. Sale of land conditional on Township approval of contract rezoning (referring to handouts explaining this in the August Board Packet).

6. Interest rate is 3%.

7. Easement for bike path along 24th & along Greenly shall be granted.

Bergwerff stated that these facts constitute the most important information and that the rest of the document involved legal terminology.

Bergwerff also mentioned communicating with the Township Surveyor, Nederveld. He explained his assumption that there will be more input from the surveyor in the future. Supervisor Bergwerff then stated that if further surveys are needed, the cost should be equally shared by the Township and the Paters. He then outlined the importance of accurate wording in the Real Estate Purchase Agreement for property owned by Diane and Mary Pater, grant easement for future bike paths, and the need for rezoning being done before the sale of the property, as mentioned in the handouts at the August 4, 2013 Jamestown Township Board Meeting.

Supervisor Bergwerff then passed on the Township Attorney's recommendation that the Township Board approve the Real Estate Purchase Agreement, using the following wording:

Motion by _____, supported by _____ to approve the Real Estate Purchase Agreement between the Township and Diane and Mary Pater, and authorize the Township Supervisor and Clerk to execute and deliver the agreement and any other certificates and closing documents necessary to accomplish the purposes set forth in the agreement, and to authorize the Supervisor, in consultation with the Township Attorney, to make changes to the agreement and the closing documents as are deemed necessary and in the best interest of the Township to accomplish the purposes set forth in the agreement.

Jensen agreed, but felt it would be prudent not to give carte blanche, although he fully trusts the Supervisor and Attorney. He stated that it would be wise to limit the motion to certain non-negotiable terms, those being: sale price, payment terms, and interest rate.

Brouwer asked when the anticipated closing date would be.

Bergwerff replied that in an ideal world the closing date would be in December of this year but that it may very likely be as late as January or even February of 2014.

Brouwer pointed out that December 1 is tax day and wondered if it would be possible to close before that date.

Bergwerff asked if there was any chance of closing before December 1, 2013.

Mark Pater replied that he was doing all he could to facilitate matters.

Brouwer voiced concern about the location of the closing and the title company that would be in charge.

Bergwerff stated that the closing was designed to take place at a title company with the Township Office used as a default location.

Brouwer recommended using Transmission Title Company because of their considerable experience.

Chris Pater agreed.

Supervisor Bergwerff then asked the Board for any further questions.

Tacoma requested information on the terms of this agreement being run past the Planning Commission before completion of the sale.

Bergwerff confirmed that the Planning Commission would see the Purchase Agreement.

Bergwerff then moved that the Jamestown Charter Township Board approve the Real Estate Purchase Agreement between the Township and Diane and Mary Pater, and authorize the Township Supervisor and Clerk to execute and deliver the agreement and any other certificates and closing

documents necessary to accomplish the purposes set forth in the agreement, and to authorize the Supervisor, in consultation with the Township Attorney, to make changes to the agreement and the closing documents as are deemed necessary and in the best interest of the Township to accomplish the purposes set forth in the agreement, with the exception of: sale price, payment terms, and interest rate – these are non-negotiable. Transmission Title Company is to do the closing work.

Jensen supported this motion.

MOTION CARRIED – UNANIMOUSLY.

c) Approve Janet Oskin to represent Jamestown Charter Township on the GVMC Technical Committee.

Bergwerff asked for a consensus of the Board members regarding this opportunity for one of the Board Members.

Oskin mentioned that every third Wednesday may present a problem regarding her ability to attend this committee meeting.

Tacoma and Altman gave their opinion that this was a definite concern.

Altman pointed out that the position the Board was addressing was actually the GVMC Policy Committee, not the Technical Committee.

Bergwerff stated his appreciation and affirmation of this fact observed by Altman, and that it is, indeed, the Policy Committee, being considered.

Oskin asked if Planner Greg Ransford would be better qualified for this position.

Bergwerff replied that Ransford would certainly be qualified, but that perhaps a better use of Ransford would be for a reference, as needed.

Discussion ensued as to the pros and cons of having a member of the Board sitting on the GVMC Policy Committee vs. Planner Ransford.

Altman stated that she planned on attending this committee regularly because of a desire to stay informed.

Brouwer pointed out that he had no problem with either Oskin or Altman going and thought the Board should give them a shot.

Bergwerff asked Tacoma for his opinion.

Tacoma stated that Altman may be the best choice, in this case, as there was no schedule conflict for Altman, as there was for Oskin.

Bergwerff requested a friendly motion.

Tacoma moved and Bergwerff supported that Gail Altman be approved to be a member of the GVMC Policy Committee.

MOTION CARRIED – UNANIMOUSLY.

6. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA -

Fire Chief Tom Saladino reminded everyone to come to the Pancake Breakfast on October 12, 2013, from 7:00 a.m. to 11:00 a.m., at the Forest Grove Fire Station.

7. ADJOURNMENT -

Supervisor Bergwerff adjourned the meeting at 7:40 pm.

He then reminded the Board Members that it was past time to work on the wording of the Township's Master Plan.

Minutes submitted by -

Sandy VanAntwerp, October 1, 2013.