

Waverly Township Regular Meeting  
42114 M-43 Hwy, Paw Paw, MI 49079  
November 5, 2009, 7:00 p.m.

At 7:05 p.m., Supervisor Tomlinson opened the meeting and invited the board members and 42 members of the audience to join in the Pledge of Allegiance. The board members introduced themselves, Marcy Dorr, Treasurer; Tony Millek, Trustee; Paul Tomlinson, Supervisor; Larry Chase, Trustee; Harold Shuitmaker, Attorney.

Sheriff's Department:

Deputy Robert Deloof presented the summary report for 10/1/09 to 10/30/09, which included a total of 63 dispatches. He also supplied the report for 9/1/09 to 9/30/09, which included a total of 61 dispatches.

Agenda:

Add under Supervisor's report

4. clerk appointment
5. accept a resignation from the Planning and Zoning Board
6. Planning and Zoning appointment

Add under new business

A. ball field

B. snowplowing

Motion by Millek to approve the agenda as amended for November 5, 2009. Second by Chase. Voice vote, all yes. Motion carried.

South Haven Insurance:

Presentation by Rick Lange and Jonathan Koets about property and liability insurance for the township. They currently supply coverage to 110 townships and four villages. They would like the township to please consider them when the current policy expires because they are a local company and they can save the township around 25 percent.

Paw Paw Library:

Collier Weise invited the citizens to a public input meeting on November 16, 2009, at 7:00 p.m. at the Paw Paw Library. The topic will be building a new library. They bought the two acres behind the current building for expansion.

Minutes:

Dorr requested removing the resolution attachment from the October 1, 2009, meeting minutes because the hearing was cancelled.

Motion by Dorr to approve the minutes of October 1, 2009, as amended and the minutes of October 26, 2009, and November 3, 2009, as presented. Second by Millek. Voice vote, all yes. Motion carried.

Presentation of Bills:

Motion by Dorr to approve the payment of bills. General fund vendor checks #10307 to #10331 for \$12,559.58, sewer fund check #549 for \$460.38, payroll checks #10518 to

10524 plus FICA for the amount of \$3,422.06, for a grand total of \$16,442.02. Second by Millek. Roll call vote: Dorr, yes; Millek, yes; Tomlinson, yes; Chase, yes. Motion carried.

#### Supervisor Report:

The Waukeena Drive culvert installation has been completed.

I2K Internet - Tomlinson has made three calls to them with no call back. The tower is done, but the electricity has not yet been permanently hooked up. Comment by Dave Foerster that he got a flier in the mail that residents can sign up.

Fire Board – The fire department is going to have training with a house outside of town. The public is invited to observe the burn. Contact the supervisor for the date and time, if you are interested

#### Clerk Appointment:

Motion by Millek to appoint Sandra Oakleaf as the clerk. Second by Tomlinson.

Chase stated that he thinks we should hire the most qualified person, and we can work around the hours. Comment by Bernie Wilfong that there was some interest in evening hours. Discussion of the hours and qualifications. Roll Call Vote: Dorr, no; Millek, yes; Tomlinson, yes; Chase, no. Motion did not pass.

Motion by Chase to accept the application of Veronica Tapper for clerk. Second by Dorr. Discussion. Chase stated that we can't afford another learning curve of a year; we need someone with the experience now. Millek stated that what Oakleaf lacks in experience she can make up and learn. Question by audience member of how many applications were there. There were three but one asked to be removed from consideration.

Discussion of the hours. Roll Call Vote: Dorr, yes; Millek, no; Tomlinson, no; Chase, yes. Motion did not pass.

Discussion of options. The deadline is November 11, 2009, or the state will get involved to make the decision. Discussion of another special meeting.

Motion by Millek to appoint Sandra Oakleaf as the clerk. Second by Tomlinson. Roll Call Vote: Dorr, yes; Millek, yes; Tomlinson, yes; Chase, no. Motion carried.

Dorr stated that she changed her vote because she does believe that Sandra Oakleaf can learn what she needs to know and will be capable of doing a good job.

Veronica Tapper volunteered to help Sandra Oakleaf with the elections. Veronica Tapper also stated that she does not think we will need an office assistant if the clerk will be here holding regular business hours.

#### Resignation/appointment for the Planning and Zoning Board:

Tomlinson accepted the resignation of Fay Dorr from the Planning and Zoning Board.

Voice vote, all yes. Fay Dorr submitted her resignation due to the MTA ruling that deputies are employees of the township and therefore can not sit on other boards.

Tomlinson appointed Ann Giles to the Planning and Zoning Board. Voice vote, all yes.

#### Treasurer report:

Dorr informed the board that anything to be included in the flier that will go out with the tax bills on December 1, 2009, needs to be turned in as soon as possible.

Trustee reports:  
Chase: no report  
Millek: no report

Planning Commission Report:

Monday they will work on home occupation. Millek stated that the citizens concerned with the baseball field should come to the meeting, Monday, November 9, 2009, at 7:00 p.m.

Unfinished Business:

Attorney Shuitmaker wrote the letter to the Irwins about the double sewer. He has not heard anything back yet.

Motion by Dorr to adopt the zoning ordinance as amended and compiled. Second by Tomlinson. Roll Call Vote: Dorr, yes; Millek, yes; Tomlinson, yes; Chase, yes. Motion carried.

New Business:

Ball Field:

Kelly Carr stated that she wrote the letter we received about the ball fields. She sent the letter to 45 residents in the area around the property. She said she did not sign the letter because she did it as a concerned citizen and did not want anyone to think she was representing the Paw Paw Youth Baseball board, of which she is a member.

Discussion on whether or not the property is a wetland.

Comment by Paul DeYoung that he is here with the boy scouts; they will earn a merit badge for attending a local township meeting. Millek stated that most meetings do not allow public comment and question during the meetings, but Waverly Township does, so this meeting will be a good experience for the boy scouts.

Discussion that the Paw Paw Little League is a 501C3, non-profit organization, which will not pay taxes. Comment by an audience member concerned about the lights and traffic. Comments by James Anderson, who wrote the article in the Kalamazoo Gazette. Some of the miss-information was taken from the March 10, 2009, minutes of the Planning and Zoning Board. The minutes actually state that Fay Dorr will write a letter of support they can include with their grants. Steve Thomas of the Paw Paw Little League re-iterated that they wrote a letter of support. The township did not promise money or to write the grants for them. Thomas said the season is from April to July and the last inning for T-ball has to start before 8:00 p.m. and for little league before 11:00 p.m. This shows that there will be limited use of lights. He stated Paw Paw Youth Baseball charges \$65.00 to rent the fields and they can't afford it. He informed the board about the Challenger Division, which is for people with disabilities. The Paw Paw Little League are the only ones that offer this opportunity and the challenger division especially needs better fields because the wheels of the wheel chairs sink in gravel.

Consumers Energy Alliance:

They are holding a forum discussing legislation that could force jobs out of the community. They want to keep the price of electricity down. The public is invited November 19, 2009, from 11:30 a.m. to 1:00 p.m. at the Radisson Hotel in Kalamazoo.

Snowplowing:

The bids received were: Larson \$40, Dundon \$50, Martin \$60, Ziemba \$35, Mattawan Excavating, \$1500 for the season. Motion by Millek to hire Ziemba for snowplowing. Second by Chase. Roll Call Vote: Dorr, yes; Millek, yes; Tomlinson, yes; Chase, yes. Motion carried.

Audience Comments:

County Commission Representative for our area, Mike Toth said that we have two courthouses in Van Buren County, one in Paw Paw and one in South Haven. With the changes in demographics the caseload is now 60% in Paw Paw. The Supreme Court has said to come up with a new plan, because our agreement for 50-50 is obsolete. They expect the judges to come up with a new plan by the first of the year. Question by audience member if there is enough room to have it all in Paw Paw. Toth said no.

Supervisor Tomlinson declared the meeting adjourned at 9:43 p.m.

Respectfully submitted,  
Marcy Dorr, Treasurer

Attachment: Notice of Adoption of Zoning Ordinance as Amended and Compiled