

**WAVERLY TOWNSHIP MINUTES
THURSDAY, OCTOBER 5, 2006**

Supervisor Wilfong called the meeting to order at 8:30 p.m. and asked everyone to join him in the Pledge of Allegiance. Supervisor asked for Board members to introduce themselves: Fay Dorr, Treasurer; Tony Millek, Trustee; Bernie Wilfong, Supervisor; John Ruiter, Trustee; Attorney Harold Schuitmaker; and A. Jean Dahms, Clerk was absent. The meeting time was postponed from 7 to 8:30 to allow Board Members to attend the Annual Fire Department Awards Banquet in Paw Paw.

Agenda Approval: MOTION by Wilfong to add Mr. W.T. Little as item A following the approval of the minutes and add Mr. Carl Juk resignation as item C under the Planning and Zoning section. Second by Ruiter. Voice vote, all yes, motion carried.

Minutes Approval: Minutes from 09-07-06 paragraph #3 needs to have the results of the vote added. **MOTION by Wilfong to postpone approval of the minutes until November 2, 2006 meeting to give Clerk time to make the addition. Second Ruiter. Voice vote, all yes, motion carried.**

Payment of Bills: MOTION by Dorr to pay salary checks #969 & #970 Sewer and General Fund checks #10085 to #10094 totaling \$5004.25; Sewer vendor checks # 482 to #483 totaling \$339.98; and General Fund vendor checks # 9461 to #9478 totaling \$7,720.06; for a grand total of \$13,064.29. Second Millek. Roll call vote. Dorr, Millek, Wilfong, Ruiter voted yes. Dahms absent.

Mr. William T. Little: Mr. Little and his attorney thanked the Board for the opportunity to present their complaint of the mishandling of the zoning/permitting process by Michigan Township Services, Patrick Hudson, against Mr. Little's stepson, Andrew Weisman. Weisman wanted to have underground electric service to his 5 acre parcel located north of CR 665. Mr. Little presented information that Hudson's rulings to bar electric to Weisman were improper. With the exception of two 5-acre parcels, Mr. Little donated all of his land holding along 44th Avenue to the Southwest Michigan Land Conservancy.

Under Section 3.02(5) of the Waverly Zoning Ordinance essential services are exempt from application of the Zoning Ordinance. Therefore, the Township Board can approve the electric service both to the Weisman property and the William T. Little gazebo property.

MOTION by Millek for Board to direct Attorney Schuitmaker to write a letter to Midwest Energy to extend underground power to Mr. Weisman's property. Second by Ruiter. Roll call vote: Dorr, Millek, Wilfong, Ruiter, all yes. Dahms absent. Motion carried.

Supervisor Report:

A: Rainbow Beach East and West Court are Act 51 roads of the Van Buren County Road Commission and VBCRC retains all the rights of way.

B: Casey Ziembra: The burned commercial property will be stamped by the same engineer on the original set of plans. State law sets the rules regarding validity of time regarding engineer's stamps.

Trustee Millek:

A: Millek has tried to contact the owner of the property due east of township hall; however, he has not been at home.

B: Millek is very concerned with the customer service skills of Zoning Administrator Hudson. Supervisor has talked to Hudson and will arrange a meeting.

Planning & Zoning Committee:

A: Ruitter did not attend last P&Z meeting, so Dave Foerster gave a report.

B: Two requests for additional commercial property designations have been received for inclusion in the 5-year Master Plan.

C: Need to correct two problems. (1) Minimum lot 6000 sq. ft. is a possible problem with septic tanks. (2) 60 ft. minimum frontage plan for commercial should be 300 ft. or lot splits to allow a combined driveway. Note: The State Highway Dept. permits driveways on M 40 & M43.

D: Supervisor received a letter from Carl Juk stating his resignation from the Planning & Zoning Board effective immediately. **MOTION by Wilfong to accept the resignation of Carl Juk. Second by Millek. Voice vote, all yes, motion carried.**

E: Wilfong moved to appoint Diane Julien to fulfill Carl Juk's term. Millek reminded Board that a previous motion decided to review open positions for 30 days prior to an appointment to give all concerned citizens a chance to serve.

MOTION by Ruitter to advertise the vacancy on the Planning & Zoning Board stating a deadline for applications of October 30, 2006. Second by Dorr. Voice vote, all yes, motion carried.

Attorney Report:

A: Southwest Michigan Committee ordinance regarding homeless in Van Buren County will be in the November packets for Board review.

B: Blight Ordinance. Millek said it should be moved to the November meeting and the Board concurred.

New Business:

A: Valerie Davis and two other Rainbow Beach residents had questions about the sign the Road Commission put on East Court giving 30 days for removal of the tables and other items. Wilfong called the Road Commission and it is a dedicated road. The Township has no legal holding. Attorney Schuitmaker reminded them it is a civil matter and the Township is not involved. VBCRC is the jurisdiction from the McNitt Act in 1931.

B: Millek wants Township Board to research other permit officer options.

C: Ruitter stated that Planning & Zoning Board was only asked to review Assessor Buildings. Millek wants other areas reviewed. November meeting Board members are asked to bring other areas Planning & Zoning should look at.

D: Louie Barkovich needs to have the Assessor Building guidelines changed.

Audience Comments:

A: Citizens wanting to review the Michigan Township Services contract should contact the Clerk.

B: Copies of the proposed Blight Ordinance must be available for the citizens to review before November.

Meeting adjourned at 10:39 p.m.

Respectfully submitted,
Fay A. Dorr, Treasurer

**MINUTES APPROVED AS AMENDED
NOVEMBER 2, 2006 FAY A. DORR**