

Waverly Township
Regular Meeting
February 5, 2009 7:00 p.m.

At 7:00 p.m., Supervisor Paul Tomlinson invited the Board Members and 14 members of the audience to join in the Pledge of Allegiance. Board members introduced themselves, Linda Tomlinson Clerk, Marcy Dorr Treasurer, Paul Tomlinson Supervisor, Larry Chase Trustee, Harold Schuitmaker Attorney. Tony Millek Trustee was absent.

Sheriff's Department: Deputy Robert DeLoof introduced himself and reported the following; The police report dated 1/1/09 – 1/31/09 recorded: dispatches 64, assaults 2, breaking & entering 3, larceny 3, fraudulent activity 2, cruelty/neglect 1, obstructing justice 1, hit & run accident 1, accidents 4, aband/hazard 9, suspicious situation 5, general assistance 18, be on the lookout 6. Total dispatch calls 29, total dispatched units 36.

Butler Computers: Gene Butler spoke to the Board Members regarding upgrading the Township Hall computers and what would be required if the Board Members decide to purchase the BS &A Software Package to be presented later on in the meeting. Butler stated that the Hall has a computer that will be a single workstation but that it needs a removable hard drive to backup information. This hard drive needs to be exchanged at the end of each week. Butler will get with the Clerk regarding other items needed to get computer up to speed to accommodate the new software and give the Township an estimate of the cost.

Internet 2000, Inc.: Steve Van Wieren presented information to the Board Members regarding installing a tower at the Township Hall. Mr. Van Wieren proposed construction of a 100 ft tower and pay \$ 1.50 toward the monthly electricity for the tower. The tower will be free standing and all lines to the tower would be underground. Base of tower is 36 sq ft. (6 ft X 6 ft) concrete pad. Monthly costs for residents who purchase their own equipment would be \$22.50 per month, \$ 42.50 for commercial use. Equipment and service for basic speed is \$39.95. Company currently has 12,050 customers. Questions brought up were: What happens when lease expires? Company will removed tower but not concrete base. Where would tower be located? Attorney suggested putting tower behind Twp. Hall. What happens if company goes out of business? Company will remove tower. What is cost to buy equipment? \$ 450.00. Mr. Van Wieren will attend the Planning & Zoning Commission Meeting on March 9, 2009, to further discuss this issue along with the Township's Zoning Ordinance 4.08. Mr. Van Wieren informed the Township Board Members that he is a Registered Professional Engineer and asked if he could do a Site Plan for two different locations. Chase asked if we passed a Resolution of Interest, could negotiations follow?

Resolution: Waverly Township Board likes the concept of a Wireless Internet Tower, located at the Township Hall and directed I-2000 to go ahead and submit a Special Use Permit. Moved by Chase, Second by P. Tomlinson. Roll call: Chase yes, P. Tomlinson yes, Dorr yes, L. Tomlinson yes. Motion carried.

Minutes 1/8/09: Motion by Dorr to approve the minutes of 1/8/09 as presented. Second by Chase. Voice vote, all yes. Motion carried.

Election Committee Meeting: Supervisor informed Board Members and audience that Annette Shannon, Myra Capone and Anjanette Winner will be the Inspectors for the Bangor School Election on February 24, 2009.

Presentation of Bills: Clerk Tomlinson moved to approve the payment of bills. Second by P. Tomlinson. General Fund vendor check # 10101 to # 10116 for \$ 6,078.05; Sewer vendor check # 538 for \$ 393.68; Sewer payroll checks # 1026 and #1027 for \$42.52; General Fund payroll checks # 10415 to #10424 plus FICA for \$ 5,349.59 for a Grand Total of \$ 11, 863.84. Roll call vote: L. Tomlinson yes, Dorr yes, P. Tomlinson yes, Chase yes. Motion carried.

SUPERVISOR REPORT:

Motion by Dorr to approve contract for Lawn Maintenance with Dave Clark. Second by P. Tomlinson. Chase yes, P. Tomlinson yes, Dorr yes, L. Tomlinson yes. Motion carried. See attached contract.

Recommendation to Consider Cemetery Ordinance. **Motion** by Chase to table recommendation until March Meeting so that the Clerk and Supervisor can look over Ordinance. Second by P. Tomlinson. L. Tomlinson yes, Dorr yes, P. Tomlinson yes, Chase yes. Motion carried.

Motion by Dorr to accept Van Buren County Road Commission Estimated Cost of \$ 88,147.50 to pave 36 ½ Street and second by P. Tomlinson. Chase yes, P. Tomlinson yes, Dorr yes, L. Tomlinson yes. Motion carried. Authorize the Supervisor to sign the estimate so the Road Commission can seek bids.

Motion by Chase to pay \$ 750.00 for 2009 Household Hazardous Waste Program. Second by P. Tomlinson. Voice vote: L. Tomlinson yes, Dorr yes, P. Tomlinson yes, Chase yes. Motion carried.

Liquor Control Officer: Duties & Appointments Supervisor reported that the Liquor Inspection Report was not presented to the Clerk for January 2009 due to Bruce Dahms being ill.

Motion by Chase to extend Temporary Position for Fay Dorr until the end of March. Second by P. Tomlinson. L. Tomlinson yes, Dorr yes, P. Tomlinson yes, Chase yes. Motion carried.

Township Board was given two options to complete Sound System Installation in Board Room. One option: Hire a person to climb through Utility room attic hole and crawl over beams and insulation to drill holes for wiring or pay for materials at Menards to install wiring along north side of room. Materials would cost roughly \$ 135.00. Chase suggested third option; contract out and use wire mold. Mold could be bought through Kendall Electric. Suggestion to Board to decide on what dollar figure for Nathan Rohr to install wireless microphone. **Motion** by P. Tomlinson to give authorization for Treasurer to spend \$ 250.00 to purchase wire mold that was recommended by Chase. Second by Dorr. Chase yes, P. Tomlinson yes, Dorr yes, L. Tomlinson yes. Motion carried.

CLERK REPORT:

Clerk informed Board Members that according to past records, a family that currently resides at 37945 Lakeshore Dr. has been paying double amounts for their sewer usage account.

This location had, in years past, two sewer hook-ups. Clerk will check with this family on documentation if connections were ever converted to one.

Supervisor proposed to buy a certificate of deposit for the Sewer Fund for \$ 20,000. Treasurer will check current rates and will get back with information.

Motion by P. Tomlinson to have representative from Siegfried Crandall Auditors to come to Township to clean up files and end fiscal year 2008/09. Second by Chase. Voice Vote: L. Tomlinson yes, Dorr yes, P. Tomlinson yes, Chase yes. Motion carried. (The price for a representative to come out would be \$ 125.00 an hour. Possibility of three 8 hour days would amount to 24 hours X \$ 125.00 and equal \$ 3,000.)

TREASURER REPORT:

Current Balances as of February 5, 2009

Super Public Fund: General Fund is \$ 365,656.04; Current Tax Fund is \$ 84,481.52; Sewer Fund is \$ 31,197.65; Total amount is \$ 481,335.21. CDs for \$ 100,000.00 in Keystone mature 9/9/10 and the one in Chemical matures 3/5/11.

TRUSTEE REPORT: None

PLANNING COMMISSION:

Chairperson Fay Dorr informed Board Members that the P&Z Commission had a Public Hearing on January 12, 2009 regarding Ordinance #6 Section 5.04 and 7.02. On Special Use Permits, people can apply once per year, updated Ordinance – Planning & Zoning made motion and passed. Dorr also announced that there is a Public Hearing on February 9, 2009 at 7:00 p.m. regarding a blueberry farm on 44th Ave. William Fritz would like to improve his business by selling blueberry pies and other farm products. Also at the February 9th meeting, the Paw Paw River Coalition will speak about the Paw Paw Watershed and a representative from the Paw Paw Little League will speak .

UNFINISHED BUSINESS AND ATTORNEY REPORT:

Status on Betty Fields? Nothing new at this time due to weather constraints.

Motion by Dorr to adopt amendment on Section 5.04 and 7.02 of Zoning Ordinance. Second by Chase. Voice Vote. All in favor, motion carried.

Motion by Chase to accept resolution to Adopt Identity Theft Prevention Program. Second by P. Tomlinson. Roll call: L. Tomlinson yes, Dorr yes, P. Tomlinson yes, Chase yes, Motion carried.

Motion by Chase to have Attorney Schuitmaker to send a letter to Mary Johnson/Great Lakes Skydivers. Second by P. Tomlinson. All in favor, motion carried. See attached draft letter.

Motion by Chase to change a late charge for Sewer Accounts to be effective June 30, 2009. Second by Dorr. L. Tomlinson yes, Dorr yes, P. Tomlinson yes, Chase yes. Motion carried.

Section 4 of the Waverly Township Rate and Mandatory Connection Ordinance (Ordinance No. 14), as it pertains to Billing, is hereby amended and added respectively to read as follows: Bills will be rendered monthly on the 15th of each month, payable without penalty within fifteen (15) days after the date thereon. Payments received after such period shall bear a penalty of five dollars (\$ 5.00) per month until the amount of the bill and accrued late charges have been paid in full. Effective June 30, 2009.

Recommendation to Planning Commission to review memorandum on Waverly Township Zoning Ordinance No. 6, change Ordinance to reflect “front yard” of lake and river property.

NEW BUSINESS:

Clerk presented Board Members with several proposals to purchase BS&A Software, Equalizer Software Systems. BS & A Software for Fund Accounting Systems to include General Ledger, Accounts Payable, Cash Receipting, On-site Training, First year Service & Support. BS & A Software also for Equalizer Cemetery Management System to include On-site training/Implementation & Program Installation.

Motion by Dorr to amend budget to allocate \$14,500 from Fund Balance to Clerk’s expenses. (BS &A Software, \$ 9680, ForFund, \$ 3,000, Computer, \$ 1,500, Hardware, \$ 320) Second by P. Tomlinson. Roll call vote: Chase yes, P. Tomlinson yes, Dorr yes, L. Tomlinson yes, Motion carried.

Motion by P. Tomlinson to approve BS&A Software Purchase of \$ 9,680.00. Second by Dorr. Voice vote: L. Tomlinson yes, Dorr yes, P. Tomlinson yes, Chase yes. Motion carried.

Motion by P. Tomlinson to Authorize Trustee Chase and Clerk to spend up to \$ 1,500.00 for computer upgrades. Second by Chase. L. Tomlinson yes, Dorr yes, P. Tomlinson yes, Chase yes. Motion carried.

AUDIENCE COMMENTS:

-Bernie Wilcox asked Supervisor to check with Road Commission regarding a remedy with drainage in his ditch.

-Reference to recent newspaper article regarding increase in 911 funding – suggestion was that the State ought to look at this funding as a regional unit.

-Foreclosures on homes: can state make things more lenient? Ease up on penalties?

Meeting Adjourned at 10:33 p.m.

Respectfully submitted
Linda Tomlinson, Clerk

WAVERLY TOWNSHIP

Resolution to Adopt Identity Theft Prevention Program

The purpose of creating a Program is to "detect, prevent, and mitigate identity theft in connection with the opening of a covered account or any existing covered account."

It is the policy of Waverly Township to establish and maintain an Identity Theft Prevention Program consistent with the guidelines set forth in the Fair and Accurate Credit Transaction Act of 2003. The Township Supervisor will appoint a Privacy Officer to administer the Program.

The Privacy Officer is responsible for developing appropriate written procedures and internal controls to assure compliance with the act.

Motion made by: Chase; Supported by: P. Tomlinson

Roll Call Vote:

P. Tomlinson yes

L. Tomlinson yes

T. Millek Absent

L. Chase yes

M. Dorr yes

Adopted: February 5, 2009

Effective: Immediately

Dated: February 5, 2009


Linda Tomlinson, Clerk