

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

At 7:02 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, Tony Millek Trustee, Paul Tomlinson Supervisor, Larry Chase Trustee and Harold Schuitmaker Attorney.

Sheriff's Department: Deputy Robert DeLoof introduced himself and reported the following; The police report dated 2/1/09 – 2/28/09 recorded: Dispatches 46, Assaults 7, Breaking & Entering 6, Larceny 2, M.D.O.P. 2, Family Offense 1, Cruelty/Neglect 1, Traffic violation 2, Health & Safety 3, Invasion of Privacy 1, Accidents 6, Aband/Hazard 2, Alarm activation 2, General Assistance 6, Be on the Lookout 5.

Dave Van Doren, President of Lake Brownwood Association presented to the Board and audience members a circulated petition that was signed by Lake Brownwood property owners to create a Special Assessment District (SAD) for weed control. In Waverly Township, 9 of 13 reparian property owners signed this petition and in Paw Paw Township, 34 of 58 property owners signed this.

Dave Clark, Sexton for Waverly Township Cemeteries, spoke to the Board about issues to address: ordinances have contradicting issues and language, township might want to consider selling lots to defer costs, outdated maps, adopt new maps. Clark will check with Paw Paw Township on maps and ordinances to help Clerk with better organization of the Township Records. Supervisor states that money will be budgeted for Clark and Township Clerk to work on cemetery project. He will also check with the Boy Scouts to see if they would like to help with project to earn Scout badges.

Minutes 2/5/09: Motion by Dorr to approve the minutes of February 5, 2009 as presented. Second by Chase. Voice vote, all yes. Motion carried.

Motion by Dorr to approve the Agenda for March 5, 2009. Second by Chase. Voice vote, all yes. Motion carried.

Presentation of Bills: Clerk Tomlinson moved to approve the payment of bills. Second by Chase. General Fund vendor check # 10117 to #10138 for \$ 11,588.14. Sewer vendor check # 539 for \$ 359.72; sewer payroll checks #1028 and #1029 for \$ 42.52 to equal \$ 402.24. General Fund Payroll Checks #10425 thru #10435 plus FICA for \$ 5,329.96. Credit Card Statement for February 28, 2009 for \$ 1,021.44 for a grand total of \$ 18,341.79. Roll call vote: L.Tomlinson yes, Dorr yes, Millek yes, P.Tomlinson yes, Chase yes. Motion carried.

SUPERVISOR REPORT:

Motion by Millek to accept the bid of \$12.00 per hour for Steve Danger to clean-up and mow Austin Cemetery for the year 2009. Second by P.Tomlinson. Chase yes, P.Tomlinson yes, Millek yes, Dorr yes, L.Tomlinson yes. Motion carried.

Motion by Dorr to approve two Special Meetings Minutes from January and February meetings. Second by L.Tomlinson. Voice vote, all yes. Motion carried.

CLERK REPORT:

Clerk reported that we had a Bangor School Election on February 24, 2009. There were 143 registered voters in Waverly Township. Five (5) came to the Hall to vote, one (1) absentee vote – total of six (6) voters. Bond for School did not pass.

TREASURER REPORT:

Winter Tax Collection to Township ended Monday, March 2, 2009. Taxes must now be settled with the County. Dorr informed Board that as of March 5, 2009, CD rates are going for the following, Chemical Bank is 3.5 percent, Bank of America is 2.08 percent, 5th/3rd Bank is 1.08 percent and National City is 1.06 percent. At Chemical Bank, a minimum of \$100 could open a CD. Suggestion from Board Members to buy several smaller amounts so that we wouldn't lose much interested earned in case we were to cash one in before CD matures. **Motion** by Millek to buy six (6) \$ 5,000 CDs (60 month term) out of Sewer Account. Second by P.Tomlinson. Roll call: L.Tomlinson yes, Dorr yes, Millek yes, P.Tomlinson yes, Chase yes. Motion carried.

TRUSTEE REPORT: None

PLANNING COMMISSION: Moved to after Attorney's Report

UNFINISHED BUSINESS AND ATTORNEY REPORT:

Front yard – Amend definitions – Planning Commission to consider.

Zoning Ordinance – Memorandum provided to Board and Planning Commission.

Cemetery Ordinance – The current Ordinance has been provided to the Board. Review and discuss changes proposed by Dave Clark.

Ernie Brown – A Resolution to execute a proposed motion to vacate the Judgment against Ernie Brown. **Motion** by Millek to authorize the Supervisor, Paul Tomlinson, to execute a Motion to Vacate Judgement in the matter of Waverly Township vs. Ernie Brown. Second by P.Tomlinson. Ayes 5. Nays 0. Motion carried.

NEW BUSINESS:

Supervisor spoke with the Board Members and audience regarding Township's Propane Contract. Township is currently paying \$ 2.39 with local vendor. Supervisor will check with other companies about proposed contracts and prices. He will get yearly quotes for next Board Meeting.

PLANNING COMMISSION:

Fay Dorr informed Board Members that the Planning Commission held a Public Hearing on February 9, 2009 regarding Agribusiness on farm located on 34448 44th Ave. Mr. Fritz, owner of Agribusiness, gave an overview and presentation of commercial kitchen on blueberry farm selling very limited number of items. The Planning Commission will also look into Home Occupation in Ordinance. On Monday, March 9th, a Public Hearing will be held for the Zoning Board of Appeals regarding the Internet, 2000 tower at the Township Hall. Dorr also reminded audience of Planning and Zoning Meetings at the Hall every 2nd Monday of each month at 7:00 p.m.

NEW BUSINESS:

Dave Foerster made comment that the minutes of February 5th should have a correction on it. Under the Planning Commission comments, *the Paw Paw River Coalition will speak about the Paw Paw Watershed* should be corrected as Southwest Michigan Planning Commission will speak about Low Impact Development.

Close Regular Meeting: 7:58 p.m.

Open Budget Meeting: 7:59 p.m.

Fiscal Year April 1, 2009 – March 31, 2010

Fay Dorr presented the proposed budget to the board and audience with discussion by department and line item.

Closed Budget Meeting: 8:18 p.m.

Opened Regular Meeting: 8:18 p.m.

Motion to approve and adopt the budgets for Waverly Township General Fund with revenue funds of \$ 278,655 and expenses of \$ 278,655. Road Fund revenues of \$ 214,895 and expenses of \$ 214,895. Fire Fund Revenues of \$ 92,215, expenses of \$ 56,513, Liquor Control revenues of \$ 720 and expenses of \$ 720, Sewer Fund Revenue of \$ 8,940 and expenses of \$ 7,858 for the fiscal year in summary form as prepared for each of the funds. Furthermore, I move that these budget figures be compared to the actual expenditures on a periodical basis throughout the budget year and that the budget be amended to prevent the expenditure of funds in excess of the budgeted amounts. And finally I move this motion

be considered the appropriations act of the Township of Waverly for the fiscal year ending March 31, 2010. Motion by Millek. Second by Chase. Roll call: L.Tomlinson yes, Dorr yes, Millek yes, P.Tomlinson yes, Chase yes. Motion carried. No questions from audience.

Fay Dorr asked Planning and Zoning Committee about attending a 1-day training for P& Z members on March 26, 2009. Members declined except for Dorr. **Motion** from P.Tomlinson to grant Dorr to attend meeting. Second by Millek. Voice Vote: all yes. Motion carried.

Motion by Chase to adjust the current year budget by \$ 30,717 from fund balance and into the various departments line item expense codes as listed and to adjust the revenue budget by a positive variance of \$ 36,294.93. Second by Dorr. Discussion by Millek as not sure whats in budget, should we wait to do final adjustment? Dorr responded that once we receive bills from Drains@Large, then we will make amendment to increase \$ 1,500 at next meeting. Roll call: Chase yes, P.Tomlinson yes, Millek yes, Dorr yes, L.Tomlinson yes. Motion carried.

No additional comments. Meeting adjourned at 9:29 p.m.

Respectfully submitted,
Linda Tomlinson, Clerk