

Waverly Township Regular Meeting
Thursday, November 2, 2006
7:00 P.M.
Corrected

Meeting called to order at 7:00 P.M. by Supervisor Wilfong who asked the approximately 27 persons in the audience to join the board in the pledge of allegiance. Board members introduced themselves. Treasurer Fay Dorr, Trustee Tony Millek, Supervisor Bernard Wilfong, Trustee John Ruiter, Clerk Jean Dahms, Attorney Harold Schuitmaker.

The agenda was approved with two additions, Valerie Davis/Lake Brownwood Association & Stump removal behind the hall.

Motion Wilfong to approve the September 7, 2006 minutes as corrected. Sec. Ruiter. Voice vote all yes. Motion Carried.

October 5th. 2006 Minutes. Trustee Millek asked about the wording under Planning & Zoning #E and why weren't his comments written as he had stated them. Treasurer Dorr had taken the minutes in the clerk's absence and had the following statement Wilfong moved to appoint Diana Julien to fulfill Carl Juk's term. "Millek reminded the 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." Treasurer Dorr stated Jean Dahms, clerk had called and suggested she was 'pitting' one board member against another and this was not appropriate. Trustee Millek wanted his remarks put into the minutes and Treasurer will re-work the minutes to include his remarks. **Wording to be re-instated into the minutes is as follows:" 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 Wilfong to approve the minutes with correction. Sec. Ruiter. Voice vote all yes Motion Carried.**

Sheriff's Department Representative: There were 61 calls in October with 6 Larcenies. Deputy answered questions and left the meeting at 7:20. P.M.

Deb Knobbier reviewed the Southwest Michigan Committee Ordinance regarding the homeless in Van Buren County. Every County in Michigan has a plan to prevent homelessness. Won't cost Township's anything at this time Mista and Hud don't fund this program. Need support of all entities. Question to Atty. Schuitmaker. If in five years this organization asked for a contribution, could the township spend taxpayers money on this project. Answer no. Deb Nieboer suggested the board do a resolution in support of the project, and finished her presentation at 7:47. Board will make a decision at a later date.

Valerie Davis-Lake Brownwood Association: Ms. Davis and several other residents of Lake Brownwood questioned how and why the sign was put up on the public access site saying it was under the authority of the road Commission, now the sign has been taken down, and who was going to pay for the instillation and removal of the sign? Township has not been billed for any

signs at this point in time.

Payment of Bills: Questions? None. Motion Dahms General Fund Payroll + FICA Ck. # 10095 to 10102 for \$5506.50. General Fund Vendor Ck. #'s 9479 to 9496 for \$11,211.01, Sewer Payroll Ck. #'s 971 & 972 for \$42.52, Sewer Vendor ck's # 484 & 485 for \$502.98 for a grand total of \$17,263.01 Sec. Ruiter. Voice vote all yes. Motion Carried.

Clerk's Comments: Motion Dahms the following persons be appointed election inspectors for the November 7 primary election. Annet M. Shannon-Chair, Erika Mutz, Anjanette Winner, Paula Shannon, Myra Capone and Jean Dahms only as an alternate in case one of the workers is unavailable. Sec. Dorr. Voice vote all yes. Motion Carried.

There are sample ballots on the table by the door, there are two different ones. One if you live in the Bangor School district and one for all others in the township. Please take one and study it before election day, lines will probably be long. Absent voter numbers are high, this is usually an indication of the turnout on election day.

Motion Dahms to allow the clerk and treasurer to pay any bills that have not gotten to the hall due to the early date of the meeting and allow the payment of election workers prior to the December meeting. Second Ruiter. Discussion included board already has a policy to allow for payment of bills that doesn't arrive before board meets and there is a penalty if not paid by a certain date. Voice Vote. All yes. Motion Carried.

Copy of Audit Report for year ending March 2006 is on the desk in front of all board members and Atty. Schuitmaker. There are copies on the table by the door for individuals to take.

Supervisor Report: Supervisor Wilfong had met with the Road Commission and requested estimates for Extra Hot Mix \$2,500.00, Boom Moving \$2,500.00 Misc. Ditching \$2,500.00, Gravel resurfacing for 1500 yards no \$ figure at this time. Estimate for Bituminous Surfacing of 44th. St. beginning at M-43 and ending at 28th. Ave. Estimates on Project. Grade, Drainage structures, aggregate surface construction and /or construction of 36 ½ St. from 39th Ave to Bridge on 38th. Ave. 39 Ave from 37 ½ St. to 36 ½ St. Discussed speed limit on 36 ½ St. by Austin Cemetery. Ck 40th. St. for wedge and seal coating on road tour in spring.

Dan Poll owner of Michigan Township Service asked for a closed meeting to discuss grievances against Patrick Hudson, our Zoning administrator. Board asked Atty. Schuitmaker for determination of who could ask for a closed meeting. Lengthy discussion as to whether MTS is a vendor or an employee. If they are an employee they can request a closed meeting. Copy of a 1990 agreement with MTS was provided by Atty. Schuitmaker employing MTS to enforce the Townships Building, Electrical, Mechanical and Plumbing codes. Nothing was said about hiring a Zoning Administrator. Clerk & Atty. Schuitmaker will check for when Walter Chase resigned as Zoning Administrator.

Treasurer Dorr: Suggested the cost of building permits were extremely high and should be compared with other providers. Veterans Day is next week and everyone should take the time to

thank a veteran for the services they had given to this Country and for the freedom we have. **Tax Inserts** need to be to the County Treasurer by November 10th. Treasurer Dorr had written a portion of the information for the letter and asked for help from the rest of the Board for more material. Asked what to say as to how people can get on the agenda. Agreed that the clerk should be notified 10 days before the meeting date, if people call after that they should be advised to come to the meeting and the board will put them on the agenda if time permits. Road work for 2006 will also be published in the news letter. Treasurer also asked for help to type up the newsletter.

Taxes are legally due by February 15, but the board can extend the date to the 28th of February, without penalty to taxpayers. **Motion Dorr to set February 28th as the date to pay property taxes without a penalty. Sec. Millek. Voice Vote all yes. M.C.**

Trustee Millek: Suggested minutes should be written as they actually occur. Don't synopsis & should be published.

Trustee Ruiter: Planning Commission Report: Did not have a quorum -Meeting was canceled Next meeting Monday November 13 at 7:00.

Applicants for Planning Commission: Six people had sent in resumes asking to be appointed to the Planning Commission. Discussion followed as to whether we should interview each candidate or use the information off the application. **Motion Dorr that we not hold interviews, but we go with the applications. Sec. Ruiter. Discussion included board members should stop by each candidate's home and visit with them. Voice vote four (4) yes. One (1) no. Motion Carried.**

Motion Wilfong the Township Board hold the Special Meeting Thursday November 9th. 2006 at 9:00 A.M. to nominate a person for the Planning Commission Position, Review the Land Use Plan, and work on the township's news letter. Sec. Millek. Voice vote all yes. Motion Carried.

Unfinished Business: Atty. Schuitmaker: Garcia Property. Discussion. **Motion Dahms to have Atty. Schuitmaker proceed to court with the Garcia property. Sec. Ruiter. Roll Call. Dorr no, Millek no, Wilfong yes, Ruiter yes, Dahms yes. Motion Carried.**

Blight Ordinance: Tabled to December Meeting.

Ted Little / Weisman: Atty. was to find out how MTS got involved. What happened was the power company called MTS in November 2005 and asked if an electrical inspection was done.

Antonowitsch/Quality Builders/Scott Lake Campground-Letter sent to Mr. Antonowitsch to set up an inspection with Michigan Township Services. MTS indicates that they have not

received a request for a final inspection.

Blight: Luke Gernatt. Copy of letter sent to Luke Gernatt 4th. St. Kalamazoo and Daniel Foster 41st St., Bloomingdale was included in his report.

County-Wide Brownfield Redevelopment Authority. Tabled to December Mtg.

New Business: Removal, by grinding, of stumps on Township Property behind the hall. Clerk asked if board wanted to advertise or go with the estimate from DJ'S Professional Tree Service at 43664 CR 665, in Waverly Township **to grind twenty four (24) average sized stumps and five (5) large Stumps at a cost of \$1,075.00.** Discussion included how the chips were going to be removed. Jim Guencer volunteered to remove the stumps with a backhoe thus eliminating the removal of the chips. Atty. Schuitmaker asked if he had Workman's Comp. Insurance and he said no. He will provide the board with an estimate. Tabled until the December mtg.

Motion Millek to purchase a video camera to record township meetings. Motion died for lack of a second. Motion Millek to purchase some sort of a recording device to record meetings. Sec. Dorr. Discussion. Atty. Schuitmaker said minutes are the official minutes of meetings, nothing else counts. Roll Call: Dorr yes. Millek yes, Wilfong no, Ruiter no, Dahms no. motion failed. Millek withdrew his motion. Dorr withdrew her second. A person in the audience suggested Trustee Millek should check with ISD (Intermediate School District) as they are always purchasing new equipment and might have something they aren't using anymore and might even donate.

Audience Comments: There are two people working at the hall, they should do the news letter. Mechanical fees are too expensive, twice as much as in Kalamazoo. With all the complaints about MTS what are we going to do about them? This should not be a closed meeting. Complete record of all business should be in the hall. Board should move their meeting to the second Thursday so that we can meet after the Planning Commission meets. Steve Moorlag purchased a house in Waverly Township and has had a problem with Patrick Couch over winter taxes. His address is 45571 37 ½ St. Treasurer Dorr volunteered to discuss problem with Mr. Moorlag after the meeting was closed.

Meeting adjourned at 10:17 P.M.

Respectfully submitted:

A. Jean Dahms

