

October 7, 2010

Waverly Township
42114 M-43 Hwy
Paw Paw, Michigan 49079
October 7, 2010

At 7:02 p.m. Supervisor Tomlinson opened the meeting and invited the board members and 8 members of the audience to join in the Pledge of Allegiance. The board members introduced themselves, Larry Chase, Trustee; Marcy Dorr, Treasurer; Paul Tomlinson, Supervisor; Tony Millek, Trustee; Sandra Oakleaf, Clerk; Harold Schuitmaker, Attorney.

Sherriff's Department Report:

Deputy Robert Deloof introduced himself and reported the following 9-01-10 to 09-30-10 Assault 15, Breaking & Entering 2, Larceny 4, M.D.O.P. 3, Flee/Elude/Escape 2, Obstructing Justice 1, Explosive 2, Public Peace 2, Health and Safety 14, Accident 5, Aband/Hazard 1, Alarm Activation 6, Suspicious Situation 3, General Assistance 16, Att Pick up 1, Be On The Lookout 15. Total Dispatched 92.

Agenda:

Additions to New Business Casey Ziemba and Paul Tomlinson. Motion by Tomlinson to approve the October 7, 2010 Agenda with corrections. Second by Millek. Voice vote. All yes. Motion passed.

Minutes:

Motion by Dorr to approve the minutes of September 2, 2010 meeting as presented. Second by Tomlinson. Voice vote. All yes. Motion passed.

Donald Smith Nationwide Safety Services:

Discussion on replacing Exit Lights in Township Hall. Motion by Dorr to purchase three new exits lights with LED lights with back up batteries to meet code at the cost of \$85.00 each for a total of \$255.00. Second by Chase. Roll call vote. Chase, yes; Dorr, yes; Tomlinson, yes; Millek, yes; Oakleaf, yes. Motion passed.

Jennifer Carver Senior Services:

Presented information on the Senior Services Programs available to the seniors in our township. Amend Resolution paragraph WHEREAS, remove "in an exemplary manner" and add in paragraph NOW, THEREFORE BE IT RESOLVED, after the word review add "each December" Motion by Millek to adopt the Waverly Township Senior Services Millage Resolution as amended. Second by Tomlinson. Roll call vote. Chase, yes; Dorr, yes; Tomlinson, yes; Millek, yes Oakleaf, yes. Motion passed. See Attachment #1

Presentation of Bills :

Motion by Oakleaf to amend the buget and move out \$1,500.00 from Fund Balance and put into Elections under Contractual Services from to pay Van Buren County Clerk for Programming fee for Insight Prom. Pack for one Precinct and Programming fee for Auto Mark. Second by Tomlinson. Roll call vote. Chase, yes; Dorr, yes; Tomlinson, yes; Millek, yes; Oakleaf, yes. Motion passed.

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Motion by Oakleaf to amend the budget and move \$500.00 from Fund Balance and put into Assessor under Computer Services for Annual Assessing Systemfee from Fund Balance. Second by Dorr. Roll call vote. Chase, yes; Dorr, yes; Tomlinson, yes; Millek, yes; Oakleaf, yes. Motion passed.

Motion by Oakleaf to amend the budget move \$200.00 Fund Balance and put into Cemetery under Repairs and Maintenance for Grave markers, removal of dead limbs, limbs hanging over Driveway and remove dead tree. Second by Tomlinson. Roll call vote. Chase, yes; Dorr, yes; Tomlinson, yes; Millek, yes; Oakleaf, yes. Motion passed.

Oakleaf will write a letter to Dave Clark to remind him that extra work must be pre-approved per contract.

Motion by Oakleaf to approve the payments of bilss.

\$ 40,989.45 GF vendor checks 10568 to 10594
3,510.25 GF payroll checks 12163 to 12172
926.84 GF FICA & WH
162.82 GF State WH
\$ 45,589.36 Total General Fund

\$ 152.75 Sewer vendor Checks 562
42.56 Sewer Payroll checks 1056 to 1057
6.04 Sewer FICA & WH
1.72 Sewer State WH
\$ 203.07 Total Sewer Fund

\$ 45,792.43 Grand Total

Second by Millek. Roll call vote. Chase, yes; Dorr, yes; Tomlinson, yes; Millek, yes; Oakleaf, yes; . Motion passed.

Comments Report Supervisor, Paul Tomlinson:

Consultant for the Regulation of Medical Marihuana Greg Millikes will keep the Township informed of any changes.

We sent out a Questionnaire to the people 47th Ave. about getting their road paved.

Tomlinson appointed Bernard Wilcox to Planning and Zoning. Motion by Millek we except Bernard Wilcox to the Planning and Zoning Commission. Second by Tomlinson. Voice vote. All yes. Motion passed.

Brenda Pillar/Corneluis Farms tabled to November 4, 2010 meeting for Building Permit and Special Use Permit. Tomlinson will have Tasha write a letter of what they need.

Motion by Millek to approve the Special Use Permit for I-2K for Tower at 45811 24th Avenue subject to conditions set forth by the Planning and Zoning Commission. Second by Oakleaf. Yes vote. All yes.

Motion passed.

Motion by Millek to approve the Special Use Permit I-2K for Tower at 34305 M-43 subject to conditions set forth by Planning and Zoning Commission. Second by Oakleaf. Yes vote. All yes. Motion passed.

Comments Report Clerk, Sandra Oakleaf:

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Shredding of Ballots was completed and the cost was \$9.00 instead of \$15.00. We can have a container left here and when it is full they will come and pick it up. The board agreed to have the container here and it will help us to go green.

Motion by Oakleaf for the board to except the following Election Inspectors for the November 2, 2010 election Myra Capone, Jenna Bowers, Lois Towne, Janet Hamay, Mary Ann Koneike, and Eleanor Dunlop. Second by Millek. Voice vote. All yes.

Senior Services Millage was all ready voted on and Attorney Schuitmaker take care of the paper work.

Comments Report Marcy Dorr, Treasurer

Summer Taxes last day was September 14, 2010 but they can still pay late.

CD was going to put in Chemical Bank but Keystone Bank had 2 times we could get a change if the interest should go up. Now with Keystone for \$109,390.99 2% for 36 months with 2 times we can change if the interest goes up.

Motion by Dorr to put the Irwin's past due on Sewer Account on the Winter Tax Bill for 2010 for parcel 80-18-060-180-00 in the amount of \$1,240.00. Second by Chase. Roll call vote. Chase, yes; Dorr, yes; Tomlinson, yes; Millek, no; Oakleaf, yes. Motion passed.

Motion by Dorr to put the Special Assessment for Lake Brownwood for weed control on the 2010 Winter Tax Bills for \$180.31 for 13 parcels. Second Oakleaf. Roll call vote. Chase, yes; Dorr, yes; Tomlinson; Millek, yes; Oakleaf, yes. Motion passed.

Comments Reports Larry Chase, Trustee:

None

Comments Reports Tony Millek:,Trustee:

None

Planning Commission, Tony Millek

Planning Commission is having Tasha review the last three years on Special Use Permits.

Temporary Dwelling Ordinance is not clear. We would like to take away the need for a Special Use Permit. We have not reached a decision as of yet.

Southwest Michigan Commission, Mike Toth, Commissioner Rep:

The county is not going to have short fall in their budget as predicted, because the State Legislature agreed to revenue sharing. We should not rely on the State in the future. Tax Base is declining and so is the Register of Deeds.

The Country Operates the 911 system and South Haven is operating another 911 system. South Haven cost is 10 times that of the County. Within the next 3 to 4 years South Haven will be phased out.

Discussion of Fair Board and who they answer to, Toth will find out.

Unfinished Business, Attorney Schuitmaker:

Ordinance Adopting Construction Codes and Designation Enforcement Agency. Motion by Millek we except the Building Code 36. Second by Oakleaf. Voice Vote. All yes. See Attachment #2

Millage Report See Attachment #3

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Casey Ziemba reconstruction to his garage. He is to take his plans to MTA and they will go over them and if there is not any changes to be made and they meet all the codes they will except the original building plans. Tomlinson talked to MTS and there will be no cost they will only ask for you to make the changes.

New Business:

Paul Tomlinson; Motion by Oakleaf to amend the budget and transfer \$400.00 from Fund Balance to Supervisors Training Class. Second by Chase. Roll call vote. Chase, yes; Dorr, yes; Tomlinson, yes; Millek, yes; Oakleaf, yes.

Motion by Millek for Steve Danger to do fall clean up at Austin Cemetary at his hourly rate. Second by Oakleaf. Voice vote. All yes. Motion passed.

Board Comments:

None

Audience Comments:

Ernie Brown wants the board to check into the Noxious Weeds for the November 4, 2010 meeting. The Tomlinson will check and see if anything can be done.

Adjourn;

Supervisor adjourned the meeting at 9:35 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Sandra Oakleaf".

Sandra Oakleaf, clerk

Attachments

1

Waverly Township
SENIOR SERVICES MILLAGE

Motion by Millek Supported by Tomlinson

WHEREAS, Public Act 39, of 1976, authorizes, and if the voters approve, Waverly Township to appropriate funds for activities or services for older citizens; and,

WHEREAS, activities or services under said Act mean identifiable actions directed toward the improvement of social, legal, health, housing, educational, nutritional, recreational, or mobility status of older persons, being persons 60 years and older; and,

NOW, THEREFORE BE IT RESOLVED the voters of Waverly Township approved the following ballot proposition:

“Shall the tax limitation imposed under Article IX, Section 6 of the Michigan Constitution on general ad valorem taxes within the Township of Waverly be increased by .25 (one quarter) mill (\$.25 per \$1,000 of taxable value) for the 4 year period of 2010 through 2013 inclusive for the purpose of appropriating funds for activities and/or services for older persons, meaning individuals over the age of 60 years through the Senior Services of Van Buren County in accordance with Public Act 39 of 1976; and shall the Township levy such millage for said purpose, thereby raising in the first year an estimated \$16,120.”

WHEREAS, Senior Services of Van Buren County (South Haven Area Senior Services) has provided , since 1995, for older/senior citizens area services such as social, health, housing assistance, educational, nutritional, recreational and special medical transportation including senior commodity distributions, counseling services, Care Management, prescription drug assistance, Medicare/Medicaid Assistance and the Township Board determines it, based on ballot language, it is in the best interest of its older/senior citizens to have the opportunity to avail themselves of these services and programs.

NOW, THEREFORE BE IT RESOLVED, the Board of Waverly Township, Van Buren County, Michigan, contracts with Senior Services of Van Buren County as the agency of choice to provide services for older citizens pursuant to PA. 39 of 1976 and receive reimbursement from the revenue raised from the Senior Services Millage subject to annual review each December by the Township Board.

ROLL CALL:

AYES: Chase, yes; Doss, yes; Tomlinson, yes; Mullik, yes; Oakleaf, yes.

NAYS: _____

ABSENT: _____

Resolution declared adopted/denied this Thursday (7) day of October, 2010.

Sandra Oakleaf, Clerk
Waverly Township Clerk

CERTIFICATION

I, Sandra Oakleaf, the duly appointed Clerk of the Township, do hereby certify that the above is a true and exact copy of a Resolution, passed by the Waverly Township Board, on 10-7, 2010, the original of which is on file at the Township Hall.

Date: 10-12, 2010

Sandra Oakleaf
Sandra Oakleaf, Clerk

Attachments

2

ORDINANCE NO. 36

TOWNSHIP OF WAVERLY
COUNTY OF VAN BUREN, STATE OF MICHIGAN

AN ORDINANCE TO ADOPT THE MICHIGAN CONSTRUCTION CODES AS AMENDED AND TO DESIGNATE AN ENFORCING AGENCY TO DISCHARGE THE RESPONSIBILITIES OF THE TOWNSHIP OF WAVERLY UNDER THE PROVISIONS OF THE MICHIGAN CONSTRUCTION CODES AS AMENDED.

THE TOWNSHIP OF WAVERLY HEREBY ORDAINS:

Section 1.

The Township of Waverly adopts the Michigan Construction Codes as amended.

Section 2. Agency Designated

The Township of Waverly hereby assumes responsibility for the administration and enforcement of said Act throughout its corporate limits. Pursuant to the provisions of Section 9 of Act 230 of the Public Acts of 1972 as amended, the Building Official, **MICHIGAN TOWNSHIP BUILDING SERVICES**, is hereby designated as the enforcing agency to discharge the responsibilities of the Township of Waverly under Act 230 of the Public Acts of 1972, State of Michigan, as amended.


Section 3.

All ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

Section 4.

This Ordinance shall become effective immediately after legal publication and in accordance with provisions of the Act governing same.

Date: October 7, 2010


Sandra Oakleaf
Waverly Township Clerk

Attachments

3

**2010 TAX RATE REQUEST
MILLAGE REQUEST REPORT TO COUNTY BOARD OF COMMISSIONERS**

County	VAN BUREN	Taxable Value	62,728,082
Local Government Unit	WAVERLY TOWNSHIP		

You must complete this form for each unit of government for which a property tax is levied. Penalty for non-filing is provided under MCL Sec. 211.119. The following tax rates have been authorized for levy on the 2010 tax roll.

PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE CAREFULLY.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Source	Purpose of Millage	Date of Election	Millage Authorized by Election, Charter, etc	2009 Millage Rate	2010 Current Year Millage	2010 Millage Rate	Sec 211.34 Millage Rollback Fraction	Maximum Allowable Millage Rate*	Millage Requested to be Levied July 1	Millage to be Levied Dec. 1	Expiration Date of Millage Authorized
ALLOCATED	OPERATING	Nov-87	1.0000	0.8762	1.0000	0.8762	1.0000	0.8762	0.6762	0.6762	unlimited
EXTRA VOTED	ROADS	Aug-08	2.0000	1.8304	1.0000	1.8304	1.0000	1.8304	1.8304	1.8304	12/31/2012
EXTRA VOTED	SENIORS	Aug-10	0.2500	0.2500	1.0000	0.2500	1.0000	0.2500	0.2500	0.2500	12/31/2013
SPECIAL	FIRE DISTRICT*	6/3/04	1.5000	N/A	N/A	N/A	N/A	1.5000	1.5000	1.5000	unlimited

***FIRE DISTRICT IS SPREAD ON TAXABLE REAL PROPERTY ONLY**

Prepared by **Edward VanderVries** Title **Director of Land Services** Date **6/3/2010**

As the representatives for the local government unit named above, we certify that these requested tax levy rates have been reduced, if necessary, to comply with the state constitution (Article 9, Section 31), and that the requested levy rates have also been reduced, if necessary, to comply with MCL Sections 211.24c, 211.34, and for LOCAL school districts which levy a Supplemental (Hold Harmless) Millage, MCL 330.421(3).

<input checked="" type="checkbox"/> Clerk	Signature <i>Sandra Oakleaf</i>	Type Name Sandra Oakleaf	Date 9-29-2010
<input type="checkbox"/> Secretary	Signature	Type Name	Date
<input type="checkbox"/> Chairperson	Signature <i>Paul Tomlinson</i>	Type Name Paul Tomlinson	Date 9-29-2010
<input checked="" type="checkbox"/> Supervisor	Signature	Type Name	Date

*Under Truth in Taxation, MCL Section 211.24a, the governing body may decide to levy a rate which will not exceed the maximum authorized rate allowed in column 9. A public hearing and information is required for an operating levy which is larger than the base tax rate but not larger than the rate in column 9.

**** IMPORTANT: See instructions on the reverse side for the correct method of calculating the millage rate in column (5).**