

Waverly Township Regular Minutes
Thursday September 6, 2007
7:00 P.M.

Meeting called to order by Supervisor Wilfong who asked the 14 assembled electors to join the board in the Pledge of Allegiance. Board members introduced themselves. Fay Dorr Treasurer, Tony Millek Trustee, Bernard Wilfong Supervisor, John Ruiter Trustee, Jean Dahms Clerk, Harold Schuitmaker Atty.

Agenda: Motion Dorr to accept the agenda as prepared with the addition of, a Wild Blue proposal and setting a date for a special meeting. Sec. Ruiter. Voice Vote, all yes. M.C.

Approval of Minutes: Motion Ruiter to approve the minutes with one correction to add: - and to stop working on changes in the Commercial District in the Zoning Ordinance- to the Sixth line under Planning Commission. Sec. Millek. Voice Vote, all yes. M.C.

Sheriff's Department Representative was not present. No report.

Payment of Bills. Dahms: Before bills were paid clerk asked to have contract with EMS that had expired July 1, 2007 reviewed, and if the board chose to approve, the bill would be paid with tonight's bills. Discussion. **Motion Ruiter to approve the agreement as presented with Quick Response for \$3,000.00.** Sec. Dorr. Voice vote all yes. Motion Carried.

Questions on bills? None. **Motion Dahms General Fund Payroll #'s10214 to 10226 plus FICA for \$5,713.69, General Fund Vendor # 9688 to 9716 for \$96,246.65, Sewer Payroll ck's # 991-992 for \$42.52 Sewer Vendor for \$419.51 for a grand total of \$102,427.37. Sec. Ruiter. Discussion. Voice Vote, all yes. Motion Carried.**

Supervisor Wilfong: Supervisor explained the rules for removal of a Planning Commission member. Supervisor has to call the meeting and make the motion for removal. Dave Foerster requested a closed meeting with the Planning Commission and the Township Board in attendance. Discussion of a date and time followed. **Motion Wilfong to hold a special meeting Sunday September 9, 2007 at 8:00 a.m. Sec. Millek. Voice Vote, all yes. Motion Carried.** More discussion. Dave suggested waiving the 18 hour notice and wanted the discussion/decision tonight. **Motion Millek to amend the agenda by placing the hearing of a member of the Planning Commission Sec. Wilfong. Discussion. Voice vote All yes, Motion Carried. Motion Wilfong to withdraw his previous motion to meet Sunday Sept.9th. at 8:00 a.m. Sec. Millek. Discussion.Voice vote all yes. Motion Carried.**

Drinking Fountain in hall. Supervisor had obtained two bids for replacement. Rapid Residential Repair \$828.75 and Jim Smith the plumber \$916.50. Clerk stated the water fountain worked every day all month, needs to be used every day. There is no need for a new drinking fountain at this time.

Dust Control-second application. Supervisor and Clerk have had requests for dust control in

the past week. Discussion. One application is approximately \$11,000.00. We usually get a lot of rain in September, if dust control were ordered now, it might take two weeks before it is put down, since roads need to be graded and graveled with gravel that will bind with the dust control product Road Commission puts down. Road Commission has bags of chloride for dust control.

Motion Wilfong the township will pay for three (3) bags of chloride for persons living on gravel roads until November 1 of 2007. Sec. Millek. Voice vote all yes, Motion Carried.

Clerk's Report: Bloomingdale School Election August 7, 2007. Approximately 270 people were registered to vote. Sixteen registered voters used their privilege, vote count was 9 no 7 yes.

Treasurer Dorr: Summer taxes need to be paid by September 14, after that date there is a penalty that is put on the tax bill by the state. The township does not get any of the penalty money. Treasurer Dorr will begin a community news forum which can be accessed two ways:

1. Send an e mail to get your email address on a non-published list to receive direct e mails regarding Waverly Community news at: waverlynews@btc-bci.com.
2. Go to Waverly Township web site at www.vbc.org/waverly.asp

Rod Smith, reporter from Gazette will cover news from Waverly Township occasionally. He will call Treasurer Dorr and will do an article for Gazette.

Trustee Millek: Once again he went passed the property on 24th. Ave. and no one was at home. It was decided that a contact should be made with Mr. Smiley to see if he needed some volunteer help to finish cleaning up. Treasurer Dorr volunteered to write a letter to Mr. Smiley.

Trustee Ruiter: Asked to be replaced on the Planning Commission effective immediately. Discussion. **Motion Wilfong to accept the resignation of John Ruiter as of tonight, Sec. Millek. Discussion. Voice Vote, all yes M.C. Motion Ruiter to appoint Treasurer Dorr to the Planning Commission to replace Trustee Ruiter effective tonight. Sec. Millek. Voice vote, all yes. M.C.**

Planning Commission: Trustee Ruiter was absent from the meeting. Dave Foerster gave the report, and welcomed Treasurer Dorr to the Planning Commission. Highway Access: Dave had talked with Steve Langley and Brit Arrens from MDT, who both agreed that the MDT did not have the resources to do access management on state highways. They are obligated by law to allow access to any request for a driveway, but could impose a 45 mile an hour speed limit in the area. Planning Commission had a request to change all of Casey Zimba's property to commercial. Planning Commission voted to change the Zimba property to commercial and not change the property across from 40th. St. on M-43 to commercial. Motion failed.. Lengthy discussion on conditional zoning followed.

Unfinished Business: Atty. Schuitmaker: Hearing on the Township's Petition and Order to Show Cause against Olga Garcia for failure to comply with court order is scheduled for September 17 at 3:00 p.m. According to the family members the power needs to be turned off to

the house before demolition can begin.

Robert Roe: Tasha will do another inspection in the next week.

Theresa Shay 42038 M-40 MTS has issued a partial demolition permit to Tony Millek to remove the portion that was burned.

Requests for proposals for virus protection and vandalism for computers at the hall.
Treasurer Dorr will have bids at the October meeting.

New Business: Clerk Dahms: Use of parking lot for auction at the Donora Property adjoining the hall. TerAvest Auction has asked permission to use the hall parking lot on the two days the auction is being held. October 6 and October 13. They will have contents of building on tables in the parking lot of the business and would use our parking only for vehicle parking. Board had no problem with the request.

Antique Chair from old Township Hall: Due to lack of storage space at the hall clerk asked what board wanted to do with the chair, either try to sell or donate. County Museum in Hartford and Museum in the park in Paw Paw were discussed. The Museum in Hartford has a sale when they have an extra amount of donations or sometimes it's just a fund raiser for the museum with donations from the public. Board decided to see if the museum in Hartford would accept the chair as a loan, if not we would advertise and try to sell.

Problems with Wild Blue: Two weeks ago today the area had a huge wind storm. When Clerk came to work Monday Morning the security system had problems that were corrected with a call to Dave's Security in Kalamazoo. Internet and e-mail also were not working. Bloomingdale Telephone had to come and check. A part in the dish had failed and 6 month warranty had expired and Township did not buy the \$9.95 per month service contract. Cost of repair was \$250.00 for part on the dish, trip charge \$50.00 Hourly Fee \$75.00 total bill \$375.00. Bloomingdale had offered to forgive the \$375.00 total charge if the Township would purchase the monthly protection plan. Discussion. **Motion Wilfong to purchase the extended Service Contract for \$9.95 per month. Sec. Dorr. Discussion. Voice vote, all yes, Motion Carried.**

Audience Comments:

Paul-Why land should be changed now, couldn't it be done at a later time? It could.

Diane-Does the Planning Commission have to follow the public input from the survey sent last year. No.

Joe Pardon-Why is Mr. Foerster being removed from the Planning Commission? At this time Dave Foerster suggested he is willing to have an open meeting and to do it right now, tonight.

Board took a five minute break at 9:10.

Meeting called to order at 9:15 P.M. by Supervisor Wilfong with 10 audience members remaining.

Supervisor Wilfong asked Dave Foerster is he was sure he wanted it to be an open meeting tonight and Dave Foerster said yes. Supervisor Wilfong explained he did not have to give a specific reason to remove Foerster from the Planning Commission; that as the Supervisor he had the authority to make such a request which triggers a hearing being held. Board members comments were as follows: Trustee Ruiter and former Planning Commission member stated he thought Dave Foerster had done a good job as chair of the Planning Commission , putting in a lot of his personal time working to get projects completed. Clerk Dahms stated she had worked with many Planning Commission chairs and Dave Foerster had put in more personal time than any other Chair Person.

Treasurer Dorr expressed her reasons to support removal.

1. Lack of progress on Commercial portion of Land Use Plan as requested by the Township Board.
2. Grant proposal sent without permission of Township Board.
3. Work on zoning ordinance changes without first finishing Land Use Plan.
4. Control-setting forth what Planning Commission is to be doing without input from other Members of the Township Board.
5. Supervisor Wilfong: Control-setting forth what Planning Commission is to be doing without input from members of Township Board.
6. Trustee Millek: Misrepresentation of law to the Township Board concerning buffers in Agriculture, Horticultural, and Residential Zoning districts.

Dave Foerster responded to these reasons.

Motion Wilfong to ask the board for approval of the removal of Planning Commission member Dave Foerster effective today's date. Sec. Dorr. Discussion. Roll call vote, Dorr yes, Millek yes, Wilfong yes, Ruiter no, Dahms yes. Motion Carried.

The meeting was adjourned at 10:51.

Respectfully Submitted:

Jean Dahms, Clerk