

**CHARTER TOWNSHIP OF WILLIAMS
BOARD OF TRUSTEES
REGULAR MEETING – July 10, 2007**

The Board of Trustees of the Charter Township of Williams held a regular meeting on Tuesday July 10, 2007 at the Township Hall. The agenda is attached Exhibit A.

I. Call to Order & Roll Call

The meeting was called to order by Tom Paige, Supervisor at 7:00 p.m. Present: Paige (Supervisor), Hoverman (Treasurer), Charney (Clerk), Plant (Trustee), Putt (Trustee), Schrott (Trustee) and Wasek (Trustee).

Also present: Jim Hammond, Township Attorney and Bob Klemish, Williams Township Zoning Administrator.

II. Pledge of Allegiance

The Pledge of Allegiance to the flag was said in unison.

III. Open to the Public

There was no public comment.

IV. Changes to Agenda

There were several questions on items of correspondence.

V. Consent Agenda

1. Approve the June 12, 2007 Board of Trustee Minutes as presented.
2. Approve the payment of bills as submitted.
3. Receive the June 2007 Financial (cash) Report as presented.
4. Receive the June 2007 Revenue Report and June 2007 Expense Report as presented.
5. Receive the Supervisor's Update of Projects and Issues as presented.
6. Receive the List of Committee Reports, attached Exhibit C.
7. Approve the payment of expenses for appropriate township personnel to attend workshops within Michigan, listed in attached Exhibit D.
 - A. B.C.T.O.A. Picnic, July 18, 2007
8. Receive the Miscellaneous Correspondence and Communication List, attached Exhibits E and F, respectively.

A motion was made by Plant and seconded by Wasek to approve all items as listed on the Consent Agenda.

7 Ayes 0 Nays Motion carried.

VI. Regular Agenda

1. Noxious Vegetation Ordinance

Jim Hammond, Township Attorney, was present (as requested) to discuss the current and proposed draft of the noxious vegetation ordinance. The original ordinance, No. 104, was adopted in January, 1992 and was worded to apply only to residentially zoned property.

The draft is written as a civil violation ordinance under the authority of the township and provides that violations are punishable by a fine schedule rather than the township cutting, as provided for in the current ordinance. Significant provisions are as follows:

- Defines “noxious vegetation” to include all grasses, plants and other vegetation in excess of 10” in height or in spread while excluding crops, planted flowers, garden plants (including decorative grasses), trees, and shrubs;
- Distinguishing between platted and unplatted lands, specifies the duties of property owners to control, or eradicate noxious vegetation; and,
- Provides graduated, civil sanctions for violations.

Discussion followed with regards to the distinction between platted and unplatted land and J. Hammond suggested adding language to clarify the definition of noxious weeds.

By unanimous consent, it was agreed that suggested changes will be made by J. Hammond and the ordinance will be referred to the township planning commission for comments prior to introduction.

Agenda item no. 5 was next discussed as the Zoning Administrator and Township Attorney were still in attendance.

2. Zoning Ordinance Violation

A storage building was added to the Mieske Market property located at 2509 W. Midland Road without the owner obtaining amended site plan approval, and was constructed without a building permit. The storage building was not constructed with a foundation, is detached, and is within 10 feet of the principal business. Two letters have been sent to Scott Kennedy, the current owner of the property, by Bob Klemish notifying him that the situation needs to be corrected. As of this date, the owner has not contacted the office to remedy the ordinance/building code violation.

07-07-038-A/O/Z A motion was made by Wasek and seconded by Plant to authorize
===== the township attorney to notify the property owner of Mieske’s
Market in writing that the detached accessory building must be removed from the
premises.

7 Ayes 0 Nays Motion carried.

3. Sanitary Sewer & Water Debt Fees

The sanitary sewer and water service to the former Auburn Diecast facility at 1632 W. Midland Road has been disconnected due to the removal of failed portions of the building, including the front office section. Currently, sanitary sewer debt is billed at \$96.00 per quarter, and water debt is billed at \$62.69 per quarter.

Bay County Department of Water and Sewer (BCDWS) is requesting that the Williams Township Board approve to discontinue billing sanitary sewer and water debt charges to this address.

07-07-039-B/S/W A motion was made by Plant and seconded by Wasek to authorize
===== Bay County Department of Water and Sewer to discontinue billing
sanitary sewer and water debt charges to 1632 W. Midland Road, effective May 11, 2007.
7 Ayes 0 Nays Motion carried.

4. Auburn Cornfest Fireworks Permit

Wolverine Fireworks Display, on behalf of Auburn Improvement & Management, Inc., (A.I.M.) has requested a Fireworks Permit for the annual fireworks display at the Auburn Cornfest on July 12, 2007 (Rain Date July 13, 2007). The township has approved this permit in the past.

The following requirements must be complied with by A.I.M.:

1. Submit a FM51 *Application For Fireworks Display Permit* form (per Michigan State Police Fire Marshall Division)
2. Fireworks activities will comply with NFPA Standards 1123, 1124, and 1126.
3. Provide a valid *Certificate of Insurance* naming the *Charter Township of Williams* and the *Auburn/Williams Fire Department* as Additional Insureds.
4. Arrange for an ambulance and the Auburn/Williams Fire Department to be on site.

A.I.M. and Wolverine Fireworks have complied with all of the above requirements.

07-07-040-A/F A motion was made by Putt and seconded by Hoverman to
===== authorize the Supervisor to sign and issue the Permit for a
Fireworks Display to Auburn Improvement Management, Inc. for the Auburn Cornfest on
July 12, 2007 with a rain date of July 13, 2007.
7 Ayes 0 Nays Motion carried.

5. Draft Environmental Assessment for Garfield Subdivision and Walters Subdivision

A disaster-related, drainage mitigation project with grant funding from the Federal Emergency Management Agency (FEMA) has been proposed for many, many years for the Garfield and Walter Subdivisions and vicinity.

A draft Environmental Assessment (EA) was received by the township on June 25, 2007. Two copies of the complete draft EA are available in the Township Supervisor's office for review through July 25, 2007.

The outcome of the draft EA as drafted is a "Finding of No Significant Impact." This finding will allow the project to move forward pending final FEMA approval. The Bay County Drain Commissioner anticipates that the project will be granted final approval shortly after the EA finding becomes final.

It was proposed that Williams Township submit a letter during the EA public comment period recommending approval of the EA's Finding of No Significant Impact, and stating the Board's desire to see construction of this project.

07-07-041-B/F/G/W A motion was made by Plant and seconded by Hoverman
===== to direct the Supervisor to submit a letter to FEMA
recommending approval of the Environmental Assessment's Finding of No Significant
Impact.
7 Ayes 0 Nays Motion carried.

6. Bay County DWS Rate Study Fund

Correspondence was received from Ken Miller, Director of Bay County Department of Water and Sewer (DWS), regarding three important water system related issues.

The first request is that we increase the township's retail water rate by .20/ccf to \$2.70/ccf to offset the increase in wholesale cost of water from Bay City.

Second, K. Miller is recommending that the \$5.66 quarterly service charge be increased to \$9.89 per quarter to reflect the true cost of service. Both of the above requests require an amendment to the township's Water Rate Ordinance that will be prepared by the township attorney for introduction at the next meeting.

Finally, the out-city customers have filed a Demand for Arbitration regarding the 2005/2006 True-Up. The Demand for Arbitration will be amended, or another demand filed, due to apparent violations in calculating the 2007/2008 Pro-Forma rate for wholesale water (.20/ccf increase above).

A fund was created for previous arbitration and rate study issues, and another allocation to the fund is requested. BCDWS is requesting an allocation to the fund from the out-city customers in a total amount of \$100,000. Williams Township's allocation is \$6,500 for our share of the fund. The funds would be transferred from Williams Township's Operations and Maintenance (O & M) account currently held at the DWS.

07-07-042-B/W A motion was made by Putt and seconded by Plant to authorize the
===== Bay County DWS to transfer \$6,500 from Williams Township's
O & M account into the Water Rate Study Fund.
7 Ayes 0 Nays Motion carried.

VII. Unfinished Business
There was no unfinished business.

VIII. New Business
P. Wasek gave a brief update of the July Planning Commission meeting. He was elected the Vice-Chairperson due to the resignation of Suzette Reed, former Vice-Chairperson.

A brief discussion followed regarding R-2 zoned subdivision lots.

IX. Adjournment
A motion was made by Hoverman and seconded by Plant to adjourn the meeting at 8:35 p.m.
7 Ayes 0 Nays Motion carried.

Williams Charter Township

Amy Charney, Clerk

Tom Paige, Supervisor