

**CHARTER TOWNSHIP OF WILLIAMS
BOARD OF TRUSTEES
REGULAR MEETING – September 12, 2006**

The Board of Trustees of the Charter Township of Williams held a regular meeting on Tuesday September 12, 2006 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: Robert Klemish, Williams Township Zoning Administrator, and Norm Adams.

II. Pledge of Allegiance

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

III. Open to the Public

N. Adams inquired about consent agenda items and asked if it would be possible to receive a copy of the paperwork.

A brief discussion followed regarding an almost daily occurrence of excessive noise at Elmer's Concrete, often very early in the morning. An Elmer's spokesperson indicated to Mr. Adams that they are planning to noise insulate the building in order to remediate the problem.

IV. Changes to Agenda

There are two added agenda items; agenda item no. 2 will be removed since the ballot initiative failed, due to the lack of qualified petition signatures.

V. Consent Agenda

1. Approve the August 1, 2006 Board of Trustee Minutes as presented.
2. Approve the payment of bills as submitted.
3. Receive the July 2006 Financial (cash) Report as presented.
4. Receive the July 2006 Revenue Report and July 2006 Expense Report as presented.
5. Receive the August 2006 Financial (cash) Report as presented.
6. Receive the August 2006 Revenue Report and August 2006 Expense Report as presented.
7. Receive the Supervisor's Update of Projects and Issues as presented.
8. Receive the List of Committee Reports, attached Exhibit E.
9. Approve the payment of expenses for appropriate township personnel to attend workshops within Michigan, listed in attached Exhibit F.
10. Receive the Miscellaneous Correspondence and Communication List, attached Exhibits G and H, 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. PA 116 Enrollment

Five applications were received from Jack and Marilyn Frank for enrollment of five separate parcels of land into PA 116, the State of Michigan's Farmland and Open Space Preservation Program. The parcels are located in the following sections of the township:

52 acres in Section 4 on Eleven Mile Road

75 acres in Section 9 on the corner of Eleven Mile Road and Wheeler Road

54 acres in Section 10 on the corner of Wheeler Road and Eleven Mile Road

39.34 acres in Section 11 on the corner of Wheeler Road and Nine Mile Road

57.4 acres in Section 26 on Garfield Road

Approval letters have been received from the city of Auburn, Bay County Soil Conservation District and Bay County Planning Department.

09-06-064-F/P

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A motion was made by Putt and seconded by Schrott to accept the recommendation of the Bay County Planning Department, the Bay County Soil Conservation District, and the city of Auburn to approve the PA 116 applications of Jack and Marilyn Frank for enrollment of five separate parcels of land into the State of Michigan's Farmland and Open Space Preservation Program. The resolution is attached Exhibit C.

7 Ayes 0 Nays Motion carried.

2. Proposed Ordinance No. 157

The proposed ordinance has been discussed at length by the township planning commission and amends Williams Township Ordinance No. 33, as amended, the Township Zoning Ordinance; mainly to conform to P.A. 110 of 2006, the Michigan Zoning Enabling Act. The major provisions include:

- It streamlines notice requirements by stating in every instance where a hearing is required that notice must be given at least 15 days prior to the public hearing to all owners/occupants within 300 feet of the subject property, plus there must be one publication in the *Bay City Democrat*.
- It provides for a five member ZBA as opposed to an earlier draft which provided for a three member ZBA with two alternate members.

09-06-065-O/P/Z A motion was made by Plant and seconded by Wasek to accept
===== the recommendation of the Township Planning Commission to
waive reading, introduce, and authorize publication of proposed Ordinance No. 157, an
ordinance to amend the Township Zoning Ordinance, Williams Township Ordinance No.
33.

Ayes: Paige, Plant, Hoverman, Charney, Wasek, Putt and Schrott.

Nays: None.

Motion carried.

3. Proposed Ordinance No. 158

The proposed ordinance is a civil infraction ordinance and establishes a system for enforcement of municipal civil infractions. It provides definitions and procedures relating to municipal civil infractions and provides penalties for violations, including assessment of costs.

It is also necessary because the township adopted a sewer connection ordinance which provides that violations of some provisions are civil infractions. Currently, this ordinance will only apply to the Sewer Use Ordinance and can only be used for minor violations since the maximum penalty is a \$500.00 fine/90 days maximum in jail, or both.

09-06-066-O/S A motion was made by Schrott and seconded by Charney to waive
===== reading, introduce, and authorize publication of proposed
Ordinance No. 158, a civil infraction ordinance.

Ayes: Plant, Hoverman, Charney, Wasek, Putt, Schrott, and Paige.

Nays: None.

Motion carried.

4. WHS Bonfire Request

Received correspondence from Alysia Hogan and Eric Braman, Western High School Student Council, requesting use of the township park and a softball diamond from 6:30 p.m. until 10:30 p.m. on Thursday September 28, 2006 for their homecoming bonfire. This year they are also asking for use of the park for a second bonfire, on Thursday October 19, 2006, prior to the Central/Western football game. A current certificate of insurance from the Bay City Public Schools naming the township as additional insured must be provided by the School District in advance.

09-06-067-P/W A motion was made by Plant and seconded by Wasek to allow
===== Western High School use of the township park and a softball
diamond on Thursday September 28, 2006 for their homecoming bonfire. They can also
use the park and a softball diamond on Thursday October 19, 2006 for a bonfire prior to
the Western/Central football game. Adult supervision shall be provided, and a current
certificate of insurance from the Bay City Public Schools naming the township as
additional insured must be received from the school district prior to September 28th.

The fire must be completely extinguished immediately following both events and no vehicles shall be allowed in the park. The school district shall be charged if the park and/or restrooms are not left in satisfactory condition.

7 Ayes 0 Nays Motion carried.

5. Various Job Descriptions

Job descriptions were provided for review and approval for the following positions:

- Township Gardener (Sandy Krieger)
- Township DPW Foreman (Jim Carlin)
- Township DPW Assistant (Dale Dzurka)
- Township Custodian, including weekend/evening Custodian (Dan Dell)
- Township Custodian (description for stand alone position)
- Weekend/Evening Custodian (description for stand alone position)

The gardener position is new and was created with the hiring of Sandy Krieger to maintain the flowerbeds and plantings in the park and around the hall.

All other positions have existed for several years and the proposed descriptions are updates. A combined job description is included for Dan Dell who currently fills the positions of township custodian and weekend/evening custodian. The separate descriptions for the custodian as well as the weekend/evening custodian are included to be used at a later date in the event that the positions would need to be filled by two individuals rather than one.

09-06-068-P A motion was made by Schrott and seconded by Putt to approve the
===== job descriptions, with suggested modifications, for the township Gardener, DPW Foreman, DPW Assistant, and the three separate descriptions for the Custodial position.

7 Ayes 0 Nays Motion carried.

6. Veteran's Day Observance

Since Veteran's Day falls on Saturday November 11th this year, observance of the holiday was not included on the list of holiday and office closings previously approved by the Board of Trustees. Bay County offices and Federal Governmental offices are scheduled to be closed on Friday November 10th.

09-06-069-H A motion was made by Plant and seconded by Hoverman to close
===== the township offices on Friday November 10, 2006 in observance of Veteran's Day.

7 Ayes 0 Nays Motion carried.

7. Proposed Consent Judgment

A Consent Judgment has been agreed to by Adam Lesh, owner of Ashley Automotive Restoration, Inc. T. Paige attended a pre trial conference meeting earlier on this date with James Hammond, Township Attorney, and R. Thomas Whittaker, Attorney for Adam Lesh. All terms of the Judgment have been agreed to and J. Hammond is recommending signature by the Supervisor. After the Judgment is signed by all parties, the document will be recorded.

09-06-070-A/A/J A motion was made by Wasek and seconded by Putt to approve
===== the Consent Judgment for Williams Charter Township vs. Ashley
Automotive Restoration, Inc., and to authorize the Supervisor to sign, as recommended by
the Township Attorney. The Judgment is attached Exhibit D.
7 Ayes 0 Nays Motion carried.

VII. Unfinished Business

There was no unfinished business.

VIII. New Business

There was no new business.

IX. Adjournment

A motion was made by Hoverman and seconded by Plant to adjourn the meeting at 8:40 p.m.

7 Ayes 0 Nays Motion carried.

Williams Charter Township

Amy Charney, Clerk

Tom Paige, Supervisor