

**CHARTER TOWNSHIP OF WILLIAMS
BOARD OF TRUSTEES
REGULAR MEETING – April 13, 2010**

The Board of Trustees of the Charter Township of Williams held a regular meeting on Tuesday April 13, 2010 at the Township Hall. The agenda is attached Exhibit A.

I. Call to Order & Roll Call

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

Others present are indicated on the sign in sheet, attached Exhibit B.

II. Pledge of Allegiance

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

III. Open to the Public

No other persons were present.

IV. Changes to Agenda

A. Charney stated that Jackie VanGuilder, Deputy Treasurer and Pam Reinhardt, Deputy Clerk worked on Saturday March 27th from 10 a.m. until 3:00 p.m. as part of National Passport Day. 42 applications were processed; they were extremely busy from around noon until closing. Over \$1000 in revenue was generated from the township's processing fee of \$25 per application. All fees are determined by the U.S. Department of State.

T. Paige commented on the great job Traci Herek did as the Auburn Williams Recreation Association Summer Program Director. P. Wasek will write a letter thanking her for her many years of exemplary service.

T. Putt asked for updates on the Michigan State Police Post and the property located next door to the fire station. Both will be discussed after the regular agenda items.

V. Consent Agenda

1. Approve the March 9, 2010 Board of Trustee Minutes as presented.
2. Approve the payment of bills as submitted.
3. Receive the March 2010 Financial (cash) Report as presented.
4. Receive the March 2010 Revenue Report and March 2010 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.
8. Receive the Miscellaneous Correspondence and Communication List, attached Exhibits E and F, respectively.

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

7 Ayes 0 Nays Motion carried.

VI. Regular Agenda

1. Ordinance No. 169

Ordinance No. 169 amends Williams Township Ordinance 33, as amended, the Township Zoning Ordinance, by providing definitions and regulations of various types of signs and reader boards.

The proposed ordinance permits static displays with transitions limited to dissolve, fade, scroll, and travel. Animated, flashing, and strobe signs are specifically prohibited.

The ordinance was introduced at the March township board meeting and was published in The Bay City Democrat.

04-10-016-O/S

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A motion was made by Paige and seconded by Putt to waive reading, adopt, and authorize publication of Ordinance No. 169, an ordinance to amend Williams Township Ordinance No. 33, as amended, the Township Zoning Ordinance.

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

Nays: None.

Motion carried.

2. Qualified Voter File Laptop Procurement Program

The Department of State's Bureau of Elections has agreed to provide laptop computers to city and township clerks who wish to use the QVF's (Qualified Voter File) Electronic Poll Book (E Poll Book). It is a voluntary program and no jurisdiction is required to participate.

Many clerks have piloted the E Poll Book either alone or in tandem with a paper system and comments have been very favorable. The Department of State will purchase one laptop computer for each precinct in the jurisdiction, which in our case is three. The program is funded by the Help America Vote Act and will require no township funding. Two purchase periods are being offered by the Bureau of Elections, one in 2010 and another in early 2011. For the 2010 purchase period, cities and townships that wish to use the E Poll Book for the August and November 2010 Elections were required to complete the Grant Agreement and Shipping Information form prior to April 2, 2010.

The Grant Agreement, which also serves as a user agreement, requires our township to:

1. Use the E Poll Book in all precincts for all elections.
2. Permit the laptops to be used for school and other consolidated elections.
3. Attend an E Poll Book Training class provided by Bureau of Elections staff.
4. Use the laptops only for E Poll Book or similar election related purposes.

5. Establish receiving boards or use alternative processes prescribed by the Bureau of Elections.

A. Charney stated that the paperwork was completed and sent to Lansing in order for Williams Township to participate in the 2010 election cycle. The Bureau of Elections will be providing the following for each of our three precincts:

- One HP LBL laptop with AMD processor with 14 inch monitor, 160 GB hard drive, 1 GB RAM, Windows 7 operating system; carrying case; four year warranty.
- One encrypted flash drive.
- One standard mouse.
- One magnetic card reader.

The laptops and accessories become the property of the township upon receipt and acceptance. All maintenance outside of warranty work is the responsibility of the township.

Clerks must place HAVA stickers on each laptop and maintain inventory control. The stickers will be provided by the Bureau of Elections.

04-10-017-E/H/S A motion was made by Plant and seconded by Putt to accept the
===== HAVA funding administered by the State of Michigan Bureau of Elections for the purchase of three laptop computers and accessories to be used in the townships three voting precincts on Election Days. No matching township funding is required.

7 Ayes 0 Nays Motion carried.

3. FEMA Ordinance

In order to maintain eligibility to participate in the National Flood Insurance Program (NFIP), it is necessary to adopt an ordinance and a resolution (after the ordinance has been adopted). The ordinance, drafted by Jim Hammond, Township Attorney, contains the following significant provisions:

- Designates the Supervisor, Zoning Administrator, Building Inspector, Electrical Inspector, Plumbing Inspector, and Mechanical Inspector as the enforcing agency to enforce the state construction code, including flood hazard provisions;
- Adopts by reference the Flood Insurance Study entitled, "Bay County Michigan (All Jurisdictions)" and panels of the Flood Insurance Rate Map applicable to the township, both documents dated September 17 2010; and,
- Repeals Ordinance No. 149, an earlier ordinance designating the same enforcing agents as the enforcing agency, but which did not mention flood hazard provisions.

04-10-018-C/F/O A motion was made by Plant and seconded by Hoverman to waive
===== reading, introduce, and authorize publication of proposed
Ordinance No. 170, the Williams Township Construction Code Ordinance.

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

Nays: None.

Motion carried.

4. Local Roadside Mowing Agreement

Williams Township contracts for mowing local township roadsides and ditch banks two times per year. An agreement was signed in 2003 with William Meylan, Inc. after proposals were requested from contractors. The agreement has been extended since the initial three year agreement.

The fee was frozen in 2009 at \$3,770 per cutting, the same rate as 2008. He further indicated that he would negotiate a mutually agreeable cost in 2010 and 2011 using the Consumer Price Index as a guide in determining the per cutting fee. The current agreement lasts through 2011 and states that the township and contractor shall mutually agree on a cost by April 15th of each year, utilizing the Consumer Price Index as a guide in determining the per cutting cost. The agreement will be automatically terminated if no agreement to extend is reached by April 15th of any year.

P Wasek contacted Bill Meylan regarding the fee for 2010. He agreed to a per cutting fee of \$3,770, the same rate as 2008 and 2009.

04-10-019-A/R A motion was made by Plant and seconded by Putt to contract with
===== William Meylan, Meylan Farms, Inc. for mowing the local roadside
ditch banks two times during 2010 for the same per cutting fee as 2009. Copies of liability insurance and proof of workers compensation insurance shall be submitted to the township prior to beginning work.

7 Ayes 0 Nays Motion carried.

5. Bay County Road Commission Agreement

Agreement number 14-2010-01 has been obtained from the Bay County Road Commission (BCRC) to provide the necessary drainage repairs on Flajole Road between Salzburg Road and Hotchkiss Road. The one mile of road was ground in the fall of 2009 and scheduled for a double chip seal this year. The projected cost is \$30,000 and includes replacement of a minimum of three driveway culverts in addition to 6300 lineal feet of ditching, 4400 on the east side of the road and 1900 on the west side. The Road Commission has agreed to absorb the cost of replacing a 24 inch culvert under Flajole Road on the corner of Hotchkiss Road.

04-10-020-A/B/R A motion was made by Plant and seconded by Gower to approve
===== and authorize the Supervisor and Clerk to sign Agreement No. 14-
2010-01 with the Bay County Road Commission for drainage improvements to Flajole Road between Salzburg Road and Hotchkiss Road. 7 Ayes 0 Nays Motion carried.

6. Consumers Energy Rate Increase Request

P. Wasek received an email from Larry Merrill, Michigan Townships Association (MTA) stating that Consumers Energy has filed for yet another rate increase that will impact the local government cost of electricity for their operations. The case is currently before the Michigan Public Service Commission and increases would range between 5% and 13%.

A coalition of 80+ local governments and the Municipal League and Townships Association have challenged the two previous rate increases and have achieved significant savings.

On March 24th, representatives of Grand Rapids, Wyoming, Muskegon, Plainfield Charter Township, Ludington, Kalamazoo, the Townships Association and the Municipal League met to discuss the most recent Consumers Energy rate request with the attorney, Rick Coy of Clark Hill.

It was agreed that intervention is needed, and the cost will again be substantial. To proceed with the case, commitments are needed by April 15th with the following fee to be paid by participants in the case: .00368 times the Consumers Energy electric costs for 2009, or \$37 for each \$10,000 of electric costs. Our cost to participate is calculated at \$118.

The goals of the Coalition remain as

- containing utility rate increases now
- pursuing a longer term strategy to lower municipal utility rates in the future
- continuing efforts to salvage the municipal pumping credit which is being phased out
- try and secure a separate rate class for municipal rates, and
- secure good cost of service data regarding municipal rates.

A brief discussion followed.

04-10-020-C/F/M A motion was made by Plant and seconded by Gower to authorize a
===== one time contribution of \$118 to the Municipal Coalition to assist with their intervention against the Consumers Energy proposed rate increase before the Michigan Public Service Commission.

7 Ayes 0 Nays Motion carried.

VII. Unfinished Business

T. Putt inquired earlier in the meeting about the parcel next door to the fire station. Three offers have been refused to this point. It was agreed that the township should obtain the services of another real estate agent in order to attempt to facilitate the purchase.

Newsletter articles are due the second week in May for June publication.

VIII. New Business

P. Wasek asked Civil Engineering Consultants to provide an estimate to construct sidewalks from Garfield Road west to the township park on the north side of Midland Road.

Their estimate is \$24,000. P. Wasek will contact the branch manager of Independent Bank to see if some monetary assistance can be obtained. It was also suggested that he contact the Bay Area Community Foundation as they have a separate fund set up for the Auburn area.

There is nothing new to report on the Michigan State Police Post construction. Paperwork is moving slowly as a land division has not yet been completed. The project engineers are Wigen Tincknell Meyer & Associates Inc., Saginaw.

MTA on the road will be held at Valley Plaza on May 12th.

Trustee Plant commended the efforts of Jackie VanGuilder and Pam Reinhardt for working on National Passport Day.

IX. Other Committee Reports

No April Planning Commission meeting was held.

The Auburn Williams Recreation Board and the Intergovernmental Committee both have meetings on Wednesday April 14th.

A Fire District Board meeting is scheduled for Thursday April 22nd.

X. Adjournment

A motion was made by Hoverman and seconded by Paige to adjourn the meeting at 8:05 p.m.

7 Ayes 0 Nays Motion carried.

Williams Charter Township

Amy Charney, Clerk

Paul Wasek, Supervisor