

**CHARTER TOWNSHIP OF WILLIAMS
BOARD OF TRUSTEES
REGULAR MEETING – December 9, 2008**

The Board of Trustees of the Charter Township of Williams held a regular meeting on Tuesday December 9, 2008 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), and Wasek (Trustee).

Absent: Gower (Trustee).

Trustee Gower arrived at 7:22 p.m.

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

Dan Derdowski and Gordon Schroeder were present to provide information on agenda item number three, the 2009 Auburn Area Relay for Life. It was agreed to move the item to number one under Regular Agenda.

IV. Changes to Agenda

P. Wasek asked that the Board consider the Carter Road water line again in the spring rather than a year from now.

The location of Culver Creek was provided. It crosses into Saginaw County along Hotchkiss Road near Nine Mile Road.

V. Consent Agenda

1. Approve the November 12, 2008 Board of Trustee Minutes as presented.
2. Approve the payment of bills as submitted.
3. Receive the November 2008 Financial (cash) Report as presented.
4. Receive the November 2008 Revenue Report and November 2008 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 D.
7. Approve the payment of expenses for appropriate township personnel to attend workshops within Michigan, listed in attached Exhibit E.
8. Receive the Miscellaneous Correspondence and Communication List, attached Exhibits F and G, respectively.

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

6 Ayes 0 Nays Absent: Gower. Motion carried.

V. Regular Agenda

1. 2009 Auburn Area Relay for Life

The Auburn Area Relay for Life Committee is requesting use of the township park on June 27 and June 28, 2009 to host the American Cancer Society "Relay for Life" fundraiser. They would like to be exempt from the park drawing reservation policy.

Dan Derdowski, a resident of Williams Township and Gordon Schroeder, a resident of the city of Auburn, are members of the 2009 Auburn Area Relay for Life Committee. Both were present to provide information about the American Cancer Society's 24 hour fundraising event and to explain their need for the use of the township park all day Saturday June 27, 2009 and Sunday June 28, 2009 until noon.

The fundraiser was held in the Auburn Park in 2008 and took place the third weekend of August. They feel our park better suits their needs and would like to schedule the event annually on the same weekend, preferably the last weekend in June.

Businesses located in the Valley Tech Park on Mackinaw Road in Monitor Township along with Auburn Area businesses have been contacted for sponsorships.

J. Gower arrived at 7:22 p.m.

A lengthy discussion followed after C. Hoverman reminded those present about the park reservation lottery type drawing policy. The drawing takes place on the second Wednesday in January at 10:00 a.m.

D. Derdowski and G. Schroeder reiterated that they would like to have an answer on this date in order to facilitate planning of the event.

12-08-079-P/R

===== A motion was made by Putt and seconded by Wasek to rent the township park to the Auburn Area Relay for Life Committee on Saturday June 27 and Sunday June 28, 2009 until noon for a rental fee of \$75.00. A park rental contract must be signed prior to the second Wednesday in January.

7 Ayes 0 Nays Motion carried.

2. Ordinance No. 165

Ordinance No. 165 amends Williams Township Ordinance No. 33, as amended, the Township Zoning Ordinance.

- It adds the definitions of "Wind Farm" and "Wind Turbine";
- Allows "Wind Turbines" as a special use in the AG and RE zoned districts;
- Allows "Wind Farms" as a special use in the AG zoned district;

- Provides approval standards for “Wind Farms and Wind Turbines”;
- Allows “Asphalt Plants, Concrete Plants, Asphalt Recycling Plants and Concrete Recycling Plants” as special uses in the IND zoned district;
- Provides approval standards for “Asphalt Plants, Concrete Plants, Asphalt Recycling Plants, and Concrete Recycling Plants”; and,
- Creates a Planning Commission under the new *Planning Enabling Act*, which was adopted by the State Legislature earlier this year.

Planning Commissioners conducted a public hearing to consider adoption of the proposed ordinance at their November 3, 2008 regular meeting, and passed a resolution recommending that the township Board of Trustees proceed with adoption of the ordinance.

The ordinance was introduced on November 12th and subsequently published in The Bay City Democrat.

P. Wasek provided information on how the determination was made to require a 2 acre minimum parcel size for one wind turbine that generates residential production of electric power.

As smaller sized wind turbines become more common for residential uses, the ordinance can be reviewed and amended as necessary.

12-08-080-O/Z A motion was made by Wasek and seconded by Putt to waive
===== reading, adopt, and authorize publication of Ordinance No. 165, an
amendment to Williams Township Ordinance No. 33, as amended.

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

Nays: Gower.

Motion carried.

3. Bay County DWS Annual REU Adjustments

The Bay County Department of Water and Sewer (DWS) has completed the annual analysis of sanitary sewer usage based on actual water meter readings. This analysis is used to calculate the internal REU (Residential Equivalent Unit) charge to Williams Township’s Receiving Fund for processing wastewater at the West Bay County Wastewater Treatment Plant. Customers are charged for sewer usage based on actual water meter readings.

This change will affect the internal charge for the treatment of sewage to Williams Township’s Receiving Account and will not affect the amount a sewer customer is billed. Sewer customers are billed for their sewer usage per the township’s Sewer Rate Ordinance at a rate of \$3.20 per CCF of water usage, therefore customer’s bills take into account increases and decreases in use.

The overall affect of this REU adjustment will be to accurately allocate the cost of sewage treatment at the West Bay County Wastewater Treatment Plant to the individual units that send sewage to the plant. Williams Township's will be increased by 10.61 REU's for 2009. Previous year adjustments were an increase of 32.86 REU's in 2006, a reduction of 66.56 REU's in 2007, and an increase of 42.60 REU's in 2008.

12-08-081-B/F/S A motion was made by Plant and seconded by Wasek to approve
===== the recommendation of the Bay County Department of Water and
Sewer to increase the total REU's charged to Williams Township by 10.61, effective with
the 2nd quarter 2009 billing.
7 Ayes 0 Nays Motion carried.

4. Township Committees

A list of township committee appointments was distributed for review during the November regular meeting, and has been amended to reflect the request of Trustee Plant to be appointed to the township ZBA. There were no other changes.

12-08-082-A/B/C A motion was made by Putt and seconded by Gower to adopt the
===== list of township committee assignments, attached Exhibit C.
7 Ayes 0 Nays Motion carried.

5. ORV Legislation, Public Act 240 of 2008

Correspondence was received from Jim Lillo, P.E., Engineer-Manager of the Bay County Road Commission regarding Public Act 240 of 2008 that provides for access to local roads by Off Road Vehicles (ORV's). Unless a new ordinance is adopted by either the county or township, it will not be legal to drive an ORV on any road or street in Bay County.

Tom Hickner, Bay County Executive, indicates that Bay County does not intend to adopt an ordinance to allow ORV's on local roads and the county will leave the decision to permit ORV use of local roads up to the individual townships.

Williams Township does not currently have an ordinance regulating ORV's, nor are there any designated ORV trails located in the township. Therefore, T. Paige does not believe that the township needs to enact an ORV ordinance at this time as allowed by Public Act 240 of 2008. The earliest date that a township could enact an ORV ordinance is July 17, 2009.

The issue has not been discussed with the township attorney, but it is anticipated that MTA may provide some information and direction to townships as July approaches.

6. MTPP Insurance Review

A letter was received from the Michigan Township Participating Plan (MTPP) regarding a recent onsite review completed by an MTPP Risk Control Representative. This is a periodic review that is done by MTPP and it is not uncommon to receive a few comments.

To follow up, an email was sent from T. Paige to Norm Bamberger, the township's MTPP agent, asking for assistance regarding the Risk Control letter.

A meeting may be facilitated to further discuss issues with the above ground DPW diesel fuel storage tank and pre employment driving record checks.

7. Assessor's Annual Report

Paul Arnold, Williams Township Assessor, was present to provide his annual assessor's report. The Consumers Price Index of 4.4% will be applied to the 2008 taxable values on all classes of property to create the 2009 taxable values.

VII. Unfinished Business

There was no unfinished business.

VIII. New Business

Dow Corning inquired about changing their luncheon to December 17th rather than the 22nd, as many of their executives will be unavailable on the 22nd.

IX. Other Committee Reports

T. Paige asked for a volunteer to attend a Drainage Board meeting of the Culver Creek Intercounty Drain on December 17, 2008 at Monitor Township.

P. Wasek and T. Paige will be attending the first meeting of the Intergovernmental Advisory Committee with the city of Auburn on that date.

P. Wasek provided information about the December Planning Commission meeting. A pre preliminary plat for Eastwood Subdivision South, No. 2 was reviewed and discussed.

X. Adjournment

A motion was made by Plant and seconded by Hoverman to adjourn the meeting at 8:50 p.m.

7 Ayes 0 Nays Motion carried.

Williams Charter Township

Amy Charney, Clerk

Tom Paige, Supervisor