

**CHARTER TOWNSHIP OF WILLIAMS  
BOARD OF TRUSTEES  
Regular Meeting – January 10, 2012**

The Board of Trustees of the Charter Township of Williams held a regular meeting on Tuesday January 10, 2012 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**

Vaughn Begick, 3<sup>rd</sup> District County Commissioner, was present to answer questions and provide information on recent County Commission meetings. Proposed State Legislation was also briefly discussed.

**IV. Changes to Agenda**

There are three additions to the agenda.

**V. Consent Agenda**

1. Approve the December 27, 2011 Board of Trustee Minutes as presented.
2. Approve the payment of bills as submitted and the February 2012 Health Insurance bill.
3. Receive the List of Committee Reports, attached Exhibit E.
4. Approve the payment of expenses for appropriate township personnel to attend workshops within Michigan, listed in attached Exhibit F.
5. Receive the Miscellaneous Correspondence and Communication List, attached Exhibits G and H, 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. PA116 Application, Section 21, Case 12-01-F**

Two applications for enrollment of farmland into the State of Michigan Farmland and Open Space Preservation Program, PA116, were received from Chris and Debra Schmidt. The first parcel is located in Section 21 of the township and is 20.13 acres. The current General Development Plan designates the parcel as Agricultural.

The applicant is applying for the agreement to run the maximum allowable time period of 90 years.

Positive comments were received from the Bay County Soil Conservation District. The parcel is located within three miles of Auburn so paperwork was forwarded to them for comments. None have been received.

The application cannot be forwarded to Bay County for comments until after discussed by the township.

**01-12-001-F** A motion was made by Putt and seconded by Paige to accept the ===== recommendation of the Bay County Soil Conservation District to approve the PA116 application of Chris and Debra Schmidt for enrollment of 20.13 acres of land in Section 21 into the State of Michigan's Farmland and Open Space Preservation Program, attached Exhibit C.

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

Nays: None. Motion carried.

**2. PA116 Application, Section 22, Case No. 12-02-F**

The second application for enrollment of farmland into the State of Michigan Farmland and Open Space Preservation Program, PA116, also received from Chris and Debra Schmidt, is located in Section 22 of the township and is 8.59 acres. The applicant is applying for the agreement to run the maximum allowable time period of 90 years.

Positive comments were received from the Bay County Soil Conservation District. The parcel is located within three miles of Auburn so paperwork was forwarded to them for comments. None have been received.

Discussion followed as the current township General Development designates the parcel as low density residential. The parcel is zoned R-1, Low Density Single Family District and RE, Rural Estate and is located on the north side of Midland Road between Garfield Road and Eleven Mile Road and is served with public water, sanitary sewer, and cable TV.

Trustee Putt stated that he feels the parcel will not continue to be farmed for the next 90 years as it is surrounded by residentially used parcels.

Trustee Paige referenced the following paragraph contained in the current General Development Plan, page 44, goal number 2.

IT IS THE GOAL OF THE TOWNSHIP TO DIRECT MORE INTENSIVE TYPES OF LAND USE THAT REQUIRE PUBLIC UTILITIES AND OTHER PUBLIC SERVICES INTO AREAS WHERE THOSE SERVICES ARE ALREADY AVAILABLE OR CAN ECONOMICALLY BE MADE AVAILABLE.

He further indicated that Midland Road is a primary road and that the Township Zoning Ordinance No. 33, as amended, does not allow or permit farming in R-1 zoning, but since the parcel has been continuously farmed, it is a legal non-conforming use. He then referenced page 44 of the township General Development Plan where Low Density Residential is discussed.

These land areas are reserved exclusively for single-family residential development and complimentary support facilities (schools, parks, community center, churches, etc).

He then referenced the Township Zoning Ordinance, Chapter XI, Nonconforming Uses, Buildings, Structures or Parcels. The ordinance states that “it is the intent of this Ordinance to permit these nonconformities to continue until they are removed, but not to encourage their survival.”

For numerous reasons and those reasons listed above, Trustee Paige stated that he feels enrollment into PA116 of this parcel is inconsistent with the goals and objectives of the township General Development Plan.

Trustee Putt reiterated that our township has always and will continue to show strong support for farmland preservation.

**01-12-002-F** A motion was made by Gower and seconded by Plant to accept the ===== recommendation of the Bay County Soil Conservation District to approve the PA116 application of Chris and Debra Schmidt for enrollment of 8.59 acres of land in Section 22 into the State of Michigan’s Farmland and Open Space Preservation Program, attached Exhibit D.

Ayes: Plant, Hoverman, and Gower.

Nays: Charney, Paige, Putt, and Wasek. Motion defeated.

**3. 2012/2013 Health Insurance Renewal Rates**

The rates for group health insurance were received from Michigan Municipal League for the year beginning March 1, 2012 and ending February 28, 2013. The Plan is a Blue Cross/Blue Shield PPO #3.

An additional charge of approximately \$60.00 began appearing on the January 1, 2012 monthly billing statement. It is a Michigan Claims Tax Assessment, and is imposed by legislation enacted by the Michigan legislature during 2011. The tax will be 1% of the total premium and assists with Medicaid funding which is currently underfunded. All insurance plan billings will now reflect this charge in some form; some may increase rates rather than include a separate line item for the charge. Blue Cross has chosen to add a line item on their monthly billing statements.

<b>PLAN TYPE</b>	<b>CURRENT RATE</b>	<b>2012/2013 RATE</b>
TWO PERSON	\$1310.14	\$1335.64
2 PER/MEDICARE	\$1036.38	\$1103.56
FAMILY	\$1637.68	\$1669.55

Plan includes \$20.00 office visit co-pay  
 Plan includes \$10.00 generic, \$40.00 formulary brand, \$80.00 non-formulary prescription drug card  
 \$250/\$500 yearly deductible  
 Plan includes \$500 of wellness examinations  
 Employee pays 15% of monthly premium

Approximate 2% increase for the 2 person plan  
 Approximate 6% increase for the 2 person medicare plan  
 Approximate 2% increase for the family plan

**01-12-003-I/P** A motion was made by Plant and seconded by Paige to adopt the  
 ===== 2012/2013 Blue Cross Renewal Rates as provided by Michigan  
 Municipal League.  
 7 Ayes 0 Nays Motion carried.

**4. City of Auburn Inspection Fees**

Williams Township and the city of Auburn have an Agreement in place that provides for the township to write all building, plumbing, mechanical, and electrical permits for the city. The township also provides all the inspection services and in turn remits 7% of the total amount generated by the building permit fees back to the city on a quarterly basis.

Our building department uses BS&A permitting software with a recently purchased computer that includes a Windows 7 operating system. Our computer is not compatible with the ancient Black Bear software (no recent updates or support) used for generating Auburn permits.

The cost for Auburn to purchase BS&A software is \$2750.00. The city will agree to purchase the permitting software if we amend the agreement for a maximum three year time period. We will reimburse them 20% instead of 7% per quarter to assist them with paying 50% of the purchase price.

**01-12-004-A/A/B/F** A motion was made by Plant and seconded by Paige to accept the  
 ===== recommendation of the Supervisor to authorize the township attorney to prepare an amendment to the Agreement between Williams Township and the city of Auburn for building department services. The township shall remit to Auburn 20% of the total amount received during each calendar quarter for building permit related services within the city of Auburn for a maximum of 3 years or until 50% of the purchase price for Auburn to obtain BS&A permitting software is remitted. The Amendment shall become effective January 1, 2012 and will expire December 31, 2015, or sooner if one half of the purchase price of the software has been remitted to the City.  
 7 Ayes 0 Nays Motion carried.

**5. Township Park Sign Replacement**

On December 1, 2011, a driver traveling east on Midland Road lost control of the vehicle, veered off the road, demolished the fire department sign, three sections of chain link fence that separates the township and fire department property, and our township park treated lumber sign. Deputy Kleinert witnessed the accident as he was parked adjacent to the township offices completing paperwork at the time the accident occurred.

After A. Charney contacted the driver's insurance company to file a claim, it was determined that the driver did not have a valid insurance policy. The Fire Department Insurance Company will cover the cost to replace their sign and repair the chain link fence.

Deputy Kleinert will be contacted by P. Wasek to see if the Bay County Prosecutor's Office intends to prosecute the driver. J. Gower suggested that perhaps the township can recover the cost to purchase a new sign by sending a copy of the police report to the Prosecutor and ask for restitution from the at fault driver.

P. Wasek contacted Applied Graphics and KJP Sales for estimates to replace the four foot wide sign. The proposal from KJP Sales is for exact replacement of the previous sign. Their estimate is \$480.00. The estimate from Applied Graphics is \$969.96, and is for a different style sign.

No decision was made on the type of replacement sign.

**6. Salzburg Road Water Line Extension**

In February 2011 the Bay County Road Commission approved a professional service agreement with Civil Engineering Consultants for preparation of design engineering, permitting, and bid phase documents for a 12 inch water main extension on Salzburg Road from Eleven Mile Road west under M-47 to the existing 12 inch water main. The project is 8,400 lineal feet and includes boring under M-47, with six fire hydrants, numerous culverts, design engineering, construction engineering, and final restoration. The total estimate at the time was \$430,000.00 and also included project contingencies of \$34,000.00. The design engineering, permitting and bidding phase to be provided by Civil Engineering Consultants was \$24,500.00. The construction engineering, inspection, and stake-out phase is \$34,000.00.

Due to financial considerations, the project was not bid during 2011. All design engineering was completed during 2011 and J. Billette now estimates the project to cost \$337,500.00. The invitation for bids paperwork is complete and he is ready to ask the Bay County Road Commission to bid the project with bids to be opened on February 8, 2012.

If bids come back higher than anticipated, discussion will take place to decide whether or not to move forward with construction.

**01-12-005-B/B/C/W** A motion was made by Putt and seconded by Plant to accept the  
===== recommendation of Civil Engineering Consultants and recommend  
that the Bay County Road Commission bid the 12 inch water line extension project on  
Salzburg Road from Eleven Mile Road west under M-47 to the State Police Post in order  
to loop the system.

7 Ayes 0 Nays Motion carried.

**7. 2012 Bay County Division on Aging Agreement**

The Bay County Division on Aging rents the bar room and kitchen in the township hall  
for use as a dining center on Monday through Thursday each week.

Correspondence was received from their new director, Tammy Roehrs, indicating that the  
utility reimbursement amount will remain unchanged for 2012, \$395.00 per month. This  
is the third year at the same reimbursement rate. Trustees indicated they would like to see  
an increase in the reimbursement rate.

**01-12-006-B/F/S** A motion was made by Plant and seconded by Putt to authorize the  
===== Supervisor to sign the 2012 senior dining center agreement and  
accept the reimbursement rate as proposed by Bay County Division on Aging.

6 Ayes 1 Nays Motion carried.

**8. Hall Rental Fees, Funeral**

C. Hoverman provided suggested changes to the rental fees associated with renting the  
hall for a funeral meal. After a short discussion, it was agreed to adopt the following rules  
to be distributed with the signed lease when renting the hall for a funeral meal.

- A breakage deposit of \$100.00 shall be collected.
- No alcoholic beverages are permitted.
- The hall may be rented for a maximum of four hours between the hours of 9:00  
a.m. and 8:00 p.m.

**01-12-007-H** A motion was made by Paige and seconded by Putt to amend the hall rental  
===== fee schedule to include rules and regulations as discussed for those renting  
the township hall for a funeral meal, effective immediately.

7 Ayes 0 Nays

**9. Annual Assessor's Report**

Paul Arnold, Township Assessor, distributed his annual Assessor's Report and answered  
questions from board members.

He further explained that that he has visited all agricultural parcels that are occupied. All  
have been revalued and reports have been sent to all owners.

The Consumers Price Index for 2012 is 2.7%.

Ten new homes were constructed in 2011.

**10. Proposed Ordinance No. 178**

The Planning Commission conducted a public hearing on proposed Ordinance No. 178 on January 9, 2012 and then voted to recommend that the Board of Trustees adopt the ordinance.

The ordinance amends Williams Township Ordinance No. 33, as amended, the Township Zoning Ordinance, in the following particulars: by adding Section 2.03.11 to Chapter II “Definitions” to provide a definition of “Approved planting List”; by changing Approval Standard 19 in Table 7 to provide regulations for development projects involving more than one building containing multiple family residential units; by changing Section 6.03 to broaden the scope of C-3 Interchange Business District uses to include other compatible uses; and, by changing Table 8 to increase the number of C-3 permitted and allowed uses.

**01-12-008-O/P/Z** A motion was made by Paige and seconded by Charney to accept  
===== the recommendation of the township planning commission to waive reading, introduce, and authorize publication of proposed Ordinance No. 178, an ordinance to amend Williams Township Ordinance No. 33, as amended.  
Ayes: Hoverman, Charney, Paige, Putt, Gower, Wasek, and Plant.  
Nays: None. Motion carried.

**11. Proposed Ordinance No. 179**

The Planning Commission conducted a public hearing on proposed Ordinance No. 179 on January 9, 2012 and then voted to recommend that the Board of Trustees adopt the ordinance.

The ordinance amends the township zoning map to rezone a parcel in Section 18 from PUD, Planned Unit Development to R-1, Low Density Single Family District. The property was formerly owned by Prodo, Inc. and a final development plan was approved for Nature Trails. The parcel was recently divided into two parcels and subsequently sold to two individuals who wish to construct single family residential dwellings.

**01-12-009-O/P/Z** A motion was made by Paige and seconded by Putt to accept the  
===== recommendation of the township planning commission to waive reading, introduce, and authorize publication of proposed Ordinance No. 179, to rezone a parcel in Section 18 from PUD, Planned Unit Development, to R-1, Low Density Single Family District.  
Ayes: Charney, Paige, Putt, Gower, Wasek, Plant, and Hoverman.  
Nays: None. Motion carried.

**12. Park Rental**

Patrick Sheehan, Relay for Life, has indicated he would like to use the township park once again for their annual Relay for Life event. This year’s event is scheduled for the weekend of June 23 and June 24.

They will be using the park from 9:00 a.m. Saturday until 9:00 a.m. Sunday. No motion was made, but all agreed that the rental rate shall be \$100.00, the same as previous years and the same fee charged for other groups renting the park.

**VII. Unfinished Business**

There was no unfinished business.

**VIII. New Business**

There was no new business.

**IX. Other Committee Reports**

Trustee Plant informed those present about a meeting he scheduled with area governmental personnel to discuss acquisition of pipeline property for use as a non motorized trail. The meeting will be held in our township offices on January 31, 2012 at 2:00 p.m.

Trustee Putt provided information about the Fire District meeting that will take place on January 26, 2012. After many years of service, Cliff Vennix has chosen to resign from the Fire District Board. It is anticipated that the city of Auburn will appoint a new member on January 16, 2012.

**X. Adjournment**

A motion was made by Gower and seconded by Hoverman to adjourn the meeting at 9:10 p.m.

7 Ayes 0 Nays Motion carried.

**Williams Charter Township**

Amy Charney, Clerk

Paul Wasek, Supervisor