

**CHARTER TOWNSHIP OF WILLIAMS  
BOARD OF TRUSTEES  
REGULAR MEETING – January 13, 2009**

The Board of Trustees of the Charter Township of Williams held a regular meeting on Tuesday January 13, 2009 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), Gower (Trustee), Plant (Trustee), and Putt (Trustee).

Excused: Wasek (Trustee).

Trustee Wasek arrived at 7:55 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**

John Billette, Civil Engineering Consultants, was asked to attend the meeting to discuss possible water and sanitary sewer extensions. Discussion will take place after the other agenda items have been taken care of.

**IV. Changes to Agenda**

There were no other changes to the agenda.

**V. Consent Agenda**

1. Approve the December 23, 2009 Board of Trustee Minutes as presented.
2. Approve the payment of bills as submitted.
3. Receive the December 2008 Financial (cash) Report as presented.
4. Receive the December 2008 Revenue Report and December 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 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.

6 Ayes 0 Nays Excused: Wasek.

Motion carried.

**VI. Regular Agenda**

**1. Authorization for Change in Streetlighting Contract**

Received from Consumers Energy, an Authorization for Change in Standard Streetlighting Contract, to provide for the installation of 1 HPS street light in Fisherville Farms Subdivision. The light will be installed on Wheat Ridge Court. Toby Bridges, developer of Fisherville Farms, will be responsible for installation costs of the light. Maintenance costs will be covered by special assessments on the winter tax billing on properties located within the subdivision. Yearly maintenance is calculated to be \$106.80.

**01-09-001-F/C/S**

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A motion was made by Plant and seconded by Gower to authorize the Supervisor and Clerk to complete and sign the authorization for Change in Standard Streetlighting Contract with Consumers Energy originally dated September 20, 1951, for installation of one HPS streetlight in Fisherville Farms Subdivision. The developer shall be responsible for the installation costs of \$100.00.

Ayes: Paige, Plant, Hoverman, Charney, Putt, and Gower.  
 Nays: None.  
 Excused: Wasek.  
 Motion carried.

**2. 2009/2010 Health Insurance Renewal Rates**

The rates for group health insurance were received from Michigan Municipal League for the year beginning March 1, 2009 and ending February 28, 2010. This is the first time that rates have actually decreased.

**Blue Cross/Blue Shield PPO #3**

<b>PLAN TYPE</b>	<b>2007/2008</b>	<b>2008/2009</b>	<b>2009/2010</b>	<b>CHG IN RATE</b>
ONE PERSON	\$471.32	\$540.03	\$538.21	<b>-\$1.82</b>
TWO PERSON	\$1060.47	\$1215.06	\$1210.99	<b>-\$4.07</b>
FAMILY	\$1272.54	\$1458.01	\$1453.18	<b>-\$4.83</b>
FAMILY CONTIN		\$269.96	\$269.11	<b>-\$.85</b>

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

**01-09-002-I/P**

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A motion was made by Putt and seconded by Plant to adopt the 2009/2010 Blue Cross Renewal Rates as provided by Michigan Municipal League.

6 Ayes 0 Nays Excused: Wasek. Motion carried.

**3. Snow Thrower Purchase**

Information was received from T. Paige regarding the purchase of an Ariens 927LE, 9HP, walk behind snow thrower from Bader & Sons in Crump.

Dan Dell, hall custodian, usually brings his own personal snow thrower to clean the sidewalks around the township hall, offices, DPW building, and fire department, especially with the heavy snowfalls received last winter and so far this winter. The township does own an older model John Deere 400 that has a snow blower attachment for winter use, but it is not very handy in tight spaces, and often times gets stuck. The snow blower is rather heavy on the front of the small tractor.

The purchase price of the proposed snow thrower is \$920.00.

**01-09-003-E/P**            A motion was made by Putt and seconded by Plant to purchase an  
=====            Ariens 927LE snow thrower from Bader & Sons in Crump.  
6 Ayes 0 Nays    Excused: Wasek.    Motion carried.

**4. Bay County Recreation Plan**

The Bay County Recreation Plan, a multi-jurisdictional five year recreation plan, is nearly finalized. Eleven townships, three cities, and Bay County are all represented in the Recreation Plan. Public input opportunities were held at various locations throughout Bay County prior to a public hearing held by the Bay County Board of Commissioners on December 16, 2008. Each local unit must now approve a resolution adopting the Plan. The Auburn Williams Recreation Association approved a resolution to recommend adoption of the Recreation Plan on January 7, 2009.

A Resolution of Adoption was included in the board packet for members to review prior to the meeting. The city of Auburn will likely approve a similar resolution at their next meeting, scheduled on Monday January 19<sup>th</sup>.

**01-09-004-B/R**            A motion was made by Gower and seconded by Plant to adopt the  
=====            Resolution of Adoption for the Bay County five year  
multijurisdictional Recreation Plan.  
Ayes:            Plant, Hoverman, Charney, Putt, Gower, and Paige.  
Nays:            None.  
Excused:        Wasek.  
Motion carried.

**5. Poverty Exemption Policy Discussion**

Section 7u of the General Property Tax Act, MCL 211.7u, allows a property tax exemption for the homestead of persons who, in the judgment of the supervisor and board of review, by reason of poverty, are unable to contribute toward the public charges. The township board must adopt poverty exemption income guidelines and an asset level test.

*In a memo to assessors dated Oct. 25, 2007, the Michigan Department of Treasury directed assessors to remind township boards to review their poverty exemption guidelines and ensure that they have an asset test in place.*

A copy of the Williams Township Poverty Guideline Resolution adopted on February 7, 1995 was attached for reference and discussion. T. Paige recommended that the Township Board review and consider updating this policy; particularly update provisions to better define parameters for the asset test. Information was attached regarding the poverty exemption policies for a few other townships and cities. The following is information from the Michigan Townships Association regarding poverty exemptions.

To be eligible for the poverty exemption, a person must own and occupy the homestead property for which the exemption is required, file a claim (each year the exemption is sought) with the supervisor or board of review on the township's form, along with federal and state income tax returns for all persons residing in the homestead, show proof of ownership, and meet federal poverty income standards annually determined by the U.S. Office of Management and Budget or standards adopted by the township board (if the board's standards are less strict than the federal guidelines).

The township board must adopt poverty exemption income guidelines and an asset level test. The asset test may include a variety of assets that the board believes should be considered in determining the applicant's eligibility. The asset test, however, does not include the homestead. According to the Michigan Tax Tribunal in *Robert Taylor v Shennan Twp.* (MTT Small Claims Division, Docket No. 236230, August 13, 1997):

"The Tribunal views the 'asset test' to be an indication of funds available which might be used to pay one's taxes. If the equity of the homestead is included, it would require the Petitioner to sell his homestead or borrow against the equity to pay the taxes. The Tribunal finds that the inclusion of the value of the equity is inconsistent with the basic intent of the granting of poverty exemptions, that being to enable the petitioning party to maintain their homestead."

The supervisor notifies the board of review whether an applicant is eligible, and the board of review then determines the amount of the property tax exemption, from zero to 100%, for the homestead. Poverty exemption denials may be appealed to the Michigan Tax Tribunal.

Discussion followed. Many guidelines in the Battle Creek policy are similar to conditions that members of the board agreed upon.

T. Paige would like to include language that requires the applicant to apply for a Michigan homestead credit.

J. Gower thought income should be defined.

It was agreed by all that household furnishings should not be included in the non-cash asset limit. One vehicle used for personal transportation shall also be excluded.

T. Paige will prepare a policy for discussion during our February 10<sup>th</sup> meeting with suggested changes made by members of the board.

**6. 2008 Annual Investment Report**

The annual investment report for 2008 was prepared and provided by C. Hoverman.

**01-09-005-I** A motion was made by Plant and seconded by Putt to receive the Williams  
Township 2008 Annual Investment Report.

6 Ayes 0 Nays Excused: Wasek. Motion carried.

First Bank of Alma on Garfield Road is being purchased by United Financial Credit Union. They are State chartered and federally insured.

**7. Proposed 2009 Engineering Projects**

John Billette was present as requested by T. Paige to discuss possible water and sanitary sewer projects should a federal stimulus package become available for infrastructure improvement projects. No process is set up for distributing the possible funding but the emphasis seems to be on having projects “shovel ready”.

P. Wasek arrived at 7:55 p.m.

Depending where the State Police post is built on the Dow Corning parcel, water and sanitary sewer may need to be extended east from Flajole Road on Salzburg Road to M-47.

Also, Flajole Road between Midland Road and Salzburg Road needs to be improved to at least a primary road from the present chip and seal road. A primary, all weather road would be even better.

Water line extensions on Carter Road between N. Union Road and Wilder Road and also between Wilder Road and Wheeler Road have been previously discussed many times. There are several homeowners that may be interested in receiving water but, more importantly, this extension would create an important loop in the water system.

Engineering costs were next discussed. The proposed fee from J. Billette to complete the design engineering for the water and sanitary sewer projects is \$31,500.00.

It was noted that any or all of the projects would not have to be completed if federal stimulus money is not available or if the township is unable to complete the projects for any reason. Once the engineering is complete, the project can be delayed for several years, if necessary without incurring additional engineering expenses.

J. Billette agreed to complete the design engineering for a fee not to exceed \$28,000.00.

**01-09-006-E/F/S/W** A motion was made by Putt and seconded by Gower to authorize  
===== John Billette, Civil Engineering Consultants, to proceed with design engineering for water and sanitary sewer extensions on Salzburg Road from Flajole Road east to M-47 and design engineering for a water line extension on Carter Road to close both loops between N. Union Road and Wheeler Road, for a fee not to exceed \$28,000.00.  
7 Ayes 0 Nays Motion carried.

**VII. Unfinished Business**

There was no unfinished business.

**VIII. New Business**

There was no new business.

**IX. Other Committee Reports**

The Auburn Williams Recreation Association and the summer program were briefly discussed. J. Plant was asked to make sure the committee is aware of the great job that Traci Herek does with the summer program.

The Auburn Williams Fire District Board meeting has been changed from January to February 19<sup>th</sup>.

Residential wind mills were briefly discussed. P. Wasek indicated that an ordinance amendment can be introduced at a later date if adjustments to the ordinance need to be made.

**X. 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