

**CHARTER TOWNSHIP OF WILLIAMS  
BOARD OF TRUSTEES  
REGULAR MEETING – March 11, 2008**

The Board of Trustees of the Charter Township of Williams held a regular meeting on Tuesday March 11, 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 Schrott (Trustee).

Excused: Wasek (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**

There was no public comment.

**IV. Changes to Agenda**

T. Paige asked to add additional items at the end of the regular agenda.

**V. Consent Agenda**

1. Approve the February 12, 2008 Board of Trustee Minutes as presented.
2. Approve the payment of bills as submitted.
3. Receive the February 2008 Financial (cash) Report as presented.
4. Receive the February 2008 Revenue Report and February 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 Putt to approve all items as listed on the Consent Agenda.

6 Ayes 0 Nays Excused: Wasek. Motion carried.

**VI. Regular Agenda**

**1. Dow Corning IFT**

Dow Corning Corporation has submitted an application for an Industrial Facilities Exemption Certificate for their Advanced Engineering Materials site on Eleven Mile Road in Section 28 of the township.

The total project cost of the application is for \$1,915,000.00 of production equipment (personal property) and a twelve-year exemption is being applied for.

A Reimbursement Agreement has been signed for the application.

The public hearing for the IFT application began at 7:05 p.m.

Kevin Willis, Machel George, and Barbara Herman were present from Dow Corning to explain the project, the applications, and answer questions from members of the board.

K. Willis gave a brief overview of the equipment that has been installed to sustain employment at the Eleven Mile site.

- A 10,000 gallon tank was added for offloading materials that were previously received in totes (\$435,000).
- A precise grinder has been installed (\$250,000).
- Process Control System (\$130,000).

No members of the public had questions or comments about the equipment or the requested IFT Certificates.

The public hearing concluded at 7:11 p.m.

**03-08-018-D/I/P/T** A motion was made by Plant and seconded by Putt to approve  
===== the application of Dow Corning Corporation for an Industrial Facilities Exemption Certificate (IFT) for the total project cost of \$1,915,000.00 for 12 years, effective December 31, 2008 for the 2009 tax year on part of tax parcel 09-140-028-200-050-02, and to authorize the Clerk to sign the resolution, attached Exhibit C.

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

Nays: None.

Excused: Wasek. Motion carried.

## **2. Ordinance No. 163**

The proposed ordinance amends the zoning map to rezone a 40 acre parcel in Section 32 of the township. The parcel is located on the southeast corner of Flajole Road and Salzburg Road and is currently zoned AG, Agricultural District. The ordinance, when adopted, changes the land use designation to IND, Industrial District.

The ordinance was introduced on February 12, 2008 and subsequently published in The Bay City Democrat.

**03-08-019-O/Z** A motion was made by Charney and seconded by Plant to waive  
===== reading, adopt, and authorize publication of Ordinance No. 163, an ordinance that rezones a 40 acre parcel in Section 32 from AG to IND.

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

Nays: None. Excused: Wasek. Motion carried.

**3. American Red Cross Agreements**

The American Red Cross is seeking to update its agreement with Williams Township for use of the township hall as a temporary shelter, if required, due to a community disaster. The township hall has had an agreement in place for a number of years. A copy of the newly proposed agreement was forwarded to Norm Bamberger, the township's Par Plan Insurance Agent, for review and comments. He had no adverse comments.

**03-08-020-A/A/H** A motion was made by Plant and seconded by Schrott to renew the  
===== Agreement with the American Red Cross, East Shoreline Chapter, for use of the township hall as a disaster center, and authorize the Supervisor to execute the Agreement.

6 Ayes 0 Nays Excused: Wasek. Motion carried.

**4. Local Roads Discussion**

General Fund dollars have been allocated for special road projects to partner with the Bay County Road Commission (BCRC) for local road improvement projects for many years.

The township has maximized the use of Building Better Local Roads (BBLR) matching and discretionary funds from the BCRC with these general fund allocations.

In recent years, the budgeted amount has gradually been increased from the original historical allocation of about 1 mill of tax levy (about \$175,000 in 2007) to stay on schedule with the township's five year road improvement plan. The township paid \$274,901.11 for special road projects in 2007. This has decreased the township's fund balance.

T. Paige indicated that the township's fund balance is in good shape at this time, however funding for road projects can not continue at 2007 levels which is why special road projects are budgeted at \$200,000 for 2008. As a result of increased costs, the five year road improvement plan needs to be completely reworked.

In addition, the townships are now responsible for the cost of seal blend material if more than 10% of the roadway surface in a given mile needs seal blend applied. The BCRC will be responsible for equipment and labor costs for applying seal blend.

Jim Lillo, PE, Engineer-Manager, Bay County Road Commission was present to discuss the condition of the township's local roads, options for future projects, and funding available through the BBLR Program for 2008.

The road commission is totally funded by the gasoline tax, registration fees, and license plate fees. They contract with the MI Department of Transportation to maintain the M routes, I highways and 340 miles of primary roads throughout Bay County. Over the past few years, their funding has been decreased by \$600,000 to \$700,000.

The BCRC now estimates the cost of chip sealing a road at \$106,000 per mile. This includes crushing and shaping, adding 3 inches of aggregate, dust control, a double seal, and a final third seal. This is essentially the process used the last few years. Of course costs will vary due to various factors such as the amount of aggregate needed.

They have approved the BBLR Program for 2008 despite their declining PA51 revenues. The funds available to the township through the 2008 BBLR Program include:

- \$20,000 Local Road Program funds (township matches dollars one for one) for local road improvements.
- \$11,500 Discretionary funds (no match required) for ditching, brushing, crack-sealing, tree removal/trimming, mowing, and hydroseeding only.

An amended five year road plan will be provided for the board to review at a future meeting.

### 5. Sanitary Sewer Capital Improvement Plan

The Bay County DWS is reviewing the township's sewer rates, connection fee and other fees in order to update the township's sewer rate ordinance. The same SmartRate methodology as utilized for determining water rates and fees is being utilized. A component of the SmartRate is a Capital Improvement Plan.

T. Paige provided preliminary information and estimates for areas of the township that may want to be considered for future sanitary sewer extensions.

Road	Location	Miles	Estimated Cost	Alternate Option A	Alternate Option B	Alternate Option C
Flajole/Salzburg	South on Flajole from current to Salzburg and East to M-47	1.01	\$ 442,000	\$ 442,000	\$ 442,000	\$ 442,000
Salzburg Rd	West from Flajole 2,450 feet	0.46	\$ 240,000	\$ 240,000	\$ 240,000	\$ 240,000
Fisher Rd	Flajole to Rockwell	1.12	\$ 435,000	\$ 435,000	\$ 435,000	\$ 435,000
North Union Rd	West from Oakside MH Park to Rockwell- includes a pump station	0.47	\$ 334,000	\$ 334,000	Not included	Not Included
Flajole Rd	From existing sewer south of Kiesel to Wilder- Includes a Pump Station	0.65	\$ 515,000	Not Included	Not Included	\$ 515,000
Kiesel Rd	West from Flajole 3,250 feet to Karla	0.62	\$ 360,000	Not Included	Not Included	\$ 360,000
11 Mile Rd	From Columbian Club to North Union	0.29	\$ 186,500	Not Included	Not Included	\$ 185,600
Garfield Rd	from existing south of US-10 to Salzburg	0.66	\$ 350,000	Not Included	Not Included	Not Included
Fisher Rd	From Garfield East 1/2 mile	0.59	\$ 260,000	\$ 260,000	\$ 260,000	\$ 260,000
<b>Total</b>			<b>\$ 3,122,500</b>	<b>\$ 1,711,000</b>	<b>\$ 1,377,000</b>	<b>\$ 2,437,600</b>

Factors considered when requesting estimates included:

- Providing necessary infrastructure in the Salzburg Road/Flajole Road area for future industrial development.
- Fisher Road adjacent to the city of Midland in case of annexation pressure.
- North Union Road, west of Oakside Mobile Home Park for future development and possible annexation pressure from Midland.
- Fisher Road east of Garfield for future development.
- Garfield Road south to Salzburg Road for future development.
- Flajole Road/Keisel Road area and Eleven Mile Road north from the railroad tracks to North Union Road due to housing density and possible septic system failures.
- Current zoning classification and the future land use plan were considered.

Alternate Option B was discussed as was Option A. T. Paige will share the information with Bay County DWS and a capital improvement plan will be formulated and provided for the board to review at a future meeting.

#### **6. Downtown Development Authority Recommendation**

The township carries insurance coverage through the Michigan Township Participating Plan for the Williams Charter Township DDA (Downtown Development Authority). The policy renews annually on May 15<sup>th</sup> each year with the last renewal in 2007 in the amount of \$1,811. The question is should the township formally dissolve the DDA.

The Township Board created the Downtown Development Authority with the adoption of Ordinance No.131 on April 10, 2000. The designated DDA area includes all of sections 28, 29, 30, and 31, and parts of sections 19, 23, and 33. Bay County opted out of the Tax Increment Financing Agreement that was proposed by the township, which essentially negates the financing mechanism for infrastructure improvements that were proposed in the DDA area, in particular the Flajole Road /Salzburg Road area.

Since late 2000 when the county opted out, the DDA has essentially not been functional, has not captured any tax revenue, and the DDA Board has not met. It is Bill Darbee's verbal opinion that the township would need to reconstitute the DDA if it were to become a functional DDA again. This means going through most, if not all of the same steps as required to form a new DDA.

T. Paige recommended that the Township Board dissolve the DDA by having Bill Darbee prepare a resolution and any other documentation necessary to repeal Ordinance No.131.

**03-08-021-A/D/O**      A motion was made by Putt and seconded by Plant to authorize  
=====      B. Darbee to prepare any required paperwork to dissolve the  
Williams Charter Township DDA.

6 Ayes 0 Nays      Excused: Wasek.      Motion carried.

**7. Countywide Recreation Plan**

Williams Township had the opportunity to be included (as did other townships and cities within Bay County) in the Bay County Recreation Plan for a fee of \$250.00. Since our township Recreation Plan is not current, it will update our Plan to a current status.

**8. 2007 Winter Tax Collection**

The delinquent property taxes were taken to the Bay County Treasurer's office on March 3<sup>rd</sup>. All property owners must now pay any remaining taxes due from 2007 at the Bay County Treasurer's office. C. Hoverman reported that the complaints were very minimal, with regards to collecting a penalty between February 15<sup>th</sup> and March 1<sup>st</sup>.

**9. 2010 Census**

A. Charney completed a preliminary review of address listings for all housing units in the township. L. Houck assisted with the map updates. Most addresses in our newer subdivisions were not on lists provided by the government so lots of additions were necessary.

**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 8:45 p.m.

6 Ayes 0 Nays Excused: Wasek. Motion carried.

**Williams Charter Township**

Amy Charney, Clerk

Tom Paige, Supervisor