

**CHARTER TOWNSHIP OF WILLIAMS  
BOARD OF TRUSTEES  
REGULAR MEETING – September 14, 2010**

The Board of Trustees of the Charter Township of Williams held a regular meeting on Tuesday September 14, 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**

Dow Corning Representatives chose not to comment on the IFT Applications at this time.

**IV. Changes to Agenda**

Proposed Ordinance No. 172 will be discussed as agenda item no. 7.

**V. Consent Agenda**

1. Approve the August 10, 2010 Board of Trustee Minutes as presented.
2. Approve the payment of bills as submitted.
3. Receive the August 2010 Financial (cash) Report as presented.
4. Receive the August 2010 Revenue Report and August 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 E.
7. Approve the payment of expenses for appropriate township personnel to attend workshops within Michigan, listed in attached Exhibit F.
8. 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. Dow Corning IFT Application, Corporate Site, Case No. 10-01**

An application for an Industrial Facilities Exemption Certificate was received from Dow Corning Corporation for upgrades to its DC3, DC4, and DC40 labs, security upgrades to its Center site, and office upgrades to its DC1 and DC2 facilities, all at the corporate site, 2200 W. Salzburg Road in Section 29 of the township.

The property is located within an industrial development district created on September 10, 1979.

The total project cost is \$4,692,800.00; \$747,000.00 of real property costs and \$3,945,800.00 of personal property costs. A twelve-year exemption is being applied for.

The application states that the current investment will add capabilities to allow for research and development of new chemistries and applications using silicon and silicones. The changes not only allow new research, they improve the safety of the employees and reduce the energy needs of the site.

The public hearing began at 7:10 p.m.

Jeff Foisel was present from Dow Corning to answer questions and provide information on this application.

No members of the public were present to ask questions or comment on the requested IFT Certificate.

The public hearing concluded at 7:16 p.m.

**09-10-034-D/I/P/T** A motion was made by Plant and seconded by Paige to approve  
===== the application of Dow Corning Corporation for an Industrial Facilities Exemption Certificate (IFT) for their corporate site, Case No. 10-01 with a total project cost of \$4,692,800.00 for 12 years, effective December 31, 2010 for the 2011 tax year on part of tax parcel 09-140-029-200-010-00, and to authorize the Clerk to sign the resolution, attached Exhibit C. The parties are in agreement that all costs incurred by the township to process the Industrial Facilities Exemption Certificate shall be reimbursed by Dow Corning.

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

Nays: None. Motion carried.

**2. Dow Corning IFT Application, AEM Site, Case No. 10-02**

An application for an Industrial Facilities Exemption Certificate was received from Dow Corning Corporation for improvements to their Advanced Engineering Materials Site on Eleven Mile Road in Section 28 of the township. The total project cost is \$5,525,000.00; \$150,000.00 of real property improvements and \$5,375,000.00 of personal property, and a twelve-year exemption is being applied for.

The public hearing began at 7:20 p.m.

Brian Money, Auburn Site Manager, gave a brief synopsis of the project and answered questions from members of the board.

He provided information on some of the personal property that includes equipment to grind large diameter wafers, ancillary equipment for manufacturing larger diameter wafers, installation of a Solar Gel tote mixer, installation of an Epitaxial Reactor to process large diameter wafers, and production equipment to improve safety and efficiency for the product line. Approximately 40% of their products are shipped overseas.

No members of the public were present to ask questions or comment on the requested IFT Certificate.

The public hearing concluded at 7:28 p.m.

**09-10-035-D/I/P/T** A motion was made by Putt and seconded by Plant to approve  
===== the application of Dow Corning Corporation for an Industrial Facilities Exemption Certificate (IFT) for their Advanced Engineering Materials site, Case No. 10-02 with a total project cost of \$5,525,000.00 for 12 years, effective December 31, 2010 for the 2011 tax year on part of tax parcel 09-140-028-200-050-00 and 09-140-028-200-050-02, and to authorize the Clerk to sign the resolution, attached Exhibit D. The parties are in agreement that all costs incurred by the township to process the Industrial Facilities Exemption Certificate shall be reimbursed by Dow Corning.  
Ayes: Plant, Hoverman, Charney, Paige, Putt, Gower, and Wasek.  
Nays: None. Motion carried.

### **3. Ordinance No. 36-P**

Proposed Ordinance 36-P increases the township water rates from \$2.83/CCF to \$3.13/CCF to cover the \$.24/CCF cost increase imposed by Bay City and to provide funding for a rate study and water source study being completed in 2010 by the Saginaw Midland Municipal Water Supply Corporation with a “common to all allocation” of \$.06/CCF. The total effect is a \$.30/CCF increase from the current year wholesale water rate. It is recommended that the rate increase take effect with the 4th quarter 2010 billing.

T. Paige briefly explained the need for the Ordinance change and the rate increase. When water consumption decreases as it has done over the past couple years, less revenue is generated, so the costs increase to run the water treatment plant.

Saginaw Midland water comes from Whitestone Point near AuGres and appears to be the best choice for a future water supply.

**09-10-036-B/F/O/W** A motion was made by Charney and seconded by Plant to accept  
===== the recommendation of Bay County DWS to waive reading, introduce, and authorize publication of Ordinance No. 36-P, an Ordinance to amend the township water rates.  
Ayes: Hoverman, Charney, Paige, Putt, Wasek, and Plant.  
Nays: Gower.  
Motion carried.

**4. Ordinance No. 171**

Proposed Ordinance No. 171 shall be known and cited as the Williams Township Weed Ordinance. Certain species are listed and include vegetation in excess of 10 inches in height or spread. It authorizes the township to cut weeds at the cost of the owner/occupant and permits the township to have a lien for expenses incurred in controlling and eradicating such weeds. It also provides penalties for violation of the ordinance.

The township may publish a notice in a newspaper of general circulation, during the month of March that weeds not cut by May 1 of that year may be cut by the township and the owner of the property charged with the cost. The township may cut weeds as many times as is necessary and charge the cost to the property owner.

The ordinance repeals all ordinances or parts of ordinances in conflict, including Williams Township Ordinance No. 160.

The proposed ordinance was introduced during the August 10, 2010 meeting and subsequently published in The Bay City Democrat.

**09-10-037-N/O**      A motion was made by Hoverman and seconded by Plant to waive  
=====      reading, adopt, and authorize publication of Ordinance No. 171, the  
Williams Township Weed Ordinance.

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

Nays: None.

Motion carried.

**5. Western High School Student Council Bonfire**

Western High School has held their Homecoming Bonfire at the Williams Township Park for the past several years. Paige Bukowski, Student Council Representative, sent correspondence regarding this years Homecoming Bonfire; the Homecoming game is scheduled for Friday, October 1, 2010, and the bonfire will be held on Thursday, September 30, 2010.

The bonfire takes place from 8:00 pm until 11:00 pm. Cleanup is started that evening, and finished on Friday morning by the student council. Western High School will need to provide a Certificate of Insurance to Williams Township, arrange for the Auburn/Williams Fire Department to be on standby, and to assure the bonfire is completely extinguished when done.

**09-10-038-B/P/W**      A motion was made by Putt and seconded Plant to allow  
=====      Western High School use of the township park and a softball  
diamond on Thursday September 30, 2010 for their homecoming bonfire. Adult supervision shall be provided, and a current certificate of insurance from the Bay City Public Schools naming the township as additional insured must be received from the school district prior to September 30<sup>th</sup>. The fire must be completely extinguished immediately following the bonfire and no vehicles shall be allowed in the park.

The school district shall be charged if the park and/or restrooms are not left in satisfactory condition.

7 Ayes 0 Nays Motion carried.

**6. Demolition Proposals, 1100 W. Midland Road**

Requests for Proposals (RFP) were mailed on August 18, 2010 to nine contractors (and also available for pick up) for the demolition and removal of the house, attached deck, breezeway, asphalt/cement pad, cement block garage and wooden corn crib located at 1100 W. Midland Road. After removal, the basement area shall be backfilled with at least six inches of top soil suitable for planting and growing grass.

The bid deadline was September 8, 2010. Seven proposals were received on or before the deadline and were subsequently opened by L. Vanherweg and P. Wasek on September 10, 2010.

After reviewing the bids, P. Wasek determined there was a bit of confusion as to the backfill material for the basement and also as to whether or not a septic tank with or without contents is buried on the property. The three low bidders were then contacted and asked to amend their bid based on the possibility of having to remove the septic tank.

The three low proposals are as follows:

Rohde Bros. Excavating, Inc.	
Saginaw, MI	\$7,898.00
Extra fee for septic tank removal	\$ 650.00
Mead & Sons Contracting, Inc.	
Saginaw, MI	\$8,448.00
Extra fee for septic tank removal	\$ 320.00
Allen Contracting Services, Inc.	
Saginaw, MI	\$8,500.00
Extra fee for septic tank removal	\$ 100.00

P. Wasek recommended that the demolition bid be awarded to Rohde Brothers Excavating, Inc. of Saginaw.

**09-10-043-B/D/T** A motion was made by Plant and seconded by Gower to accept  
===== the bid of Rohde Brothers Excavating, Inc. to demolish the house  
and two outbuildings located at 1100 W. Midland Road. Copies of liability insurance and  
proof of workers compensation insurance shall be submitted to the township prior to the  
start of any work.

7 Ayes 0 Nays Motion carried.

**7. Ordinance No. 172**

Proposed Ordinance No. 172 amends Williams Township Ordinance No. 33 by rezoning the Tri-City Speedway property in Section 12 of the township from RE, Rural Estate and IND, Industrial District to PUD, Planned Unit Development.

The site plan was approved by the township planning commission as a final development plan at its September 13, 2010 regular meeting. The development and use of the subject property shall be regulated by 27 requirements set forth in the ordinance.

T. Paige provided a copy of the final development plan for all to view. He briefly explained the site plan and showed that additional property was obtained adjacent to Wheeler Road that will provide a second entrance and exit to the race track. He then reviewed the conditions set forth in the ordinance

**09-10-044-O/P/T/Z** A motion was made by Paige and seconded by Hoverman to accept ===== the recommendation of the township planning commission to introduce, waive reading, and authorize publication of proposed Ordinance No. 172, that rezones the Tri-City Speedway property in Section 12 of the township from RE, Rural Estate and IND, Industrial District to PUD, Planned Unit Development.

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

Nays: None.

Motion carried.

**VII. Unfinished Business**

There was no unfinished business.

**VIII. New Business**

The B.C.T.O.A. October quarterly dinner meeting will be held at our township on Wednesday October 20<sup>th</sup> and hosted by Garfield Township. Payment and reservations are due October 12<sup>th</sup>.

J. Carlin and D. Dzurka installed the new flag pole in the park. Elmer's donated the concrete for the footings. P. Wasek will write a thank you letter to Elmer's expressing our gratitude for the generous donation.

**IX. Adjournment**

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

7 Ayes 0 Nays Motion carried.

**Williams Charter Township**

Amy Charney, Clerk

Paul Wasek, Supervisor