

Minutes for Whitney Township Board Meeting
Held on November 14, 2017

Meeting was called to order by Supervisor, Donald Becker at 7pm.

Present: Becker, Gehris, Anderson, Semenick, McAlindon
Absent: None

Minutes:

Moved by McAlindon, Seconded by Gehris, CARRIED to approve the minutes from October 10, 2017, as printed.

Treasurer's Report:

John went over the fund sheets for the General and Water Fund.

General Fund

October 2017

Income	\$20378.40	Disbursements	\$37521.11
Balance on Hand	\$140834.39		
Water Fund- Chemical Bank			
Income	\$11790.95	Disbursements	\$9504.42
Balance on Hand	\$94244.49		
Water Fund- Huron Community Bank			
Income	\$16050.59	Disbursements	\$350.00
Balance on Hand	\$15938.42		

Moved by McAlindon, Seconded by Semenick, CARRIED to receive Treasurer's Report subject to audit.

*John has checked into Michigan Class for investing some of the money the Township has in CD's, because we are not getting a lot of interest on these CD's and we also have too much in the bank that is not going to be covered by the FDIC insurance if something happens to any of the three banks we deal with.

*We would have access to the money with Michigan Class just like a regular banking account, but their interest rate is currently 1.05%. We would be able to access the money same day, if needed. There are no minimum balances or fees on the accounts.

*It was suggested by one of the Board Members to check with the auditor to see what they think, before we start moving money around.

*John is going to see if he can get someone to come and give a presentation on their program.

*John checked with Chemical Bank to see if they had any kind of investment program to earn more money, but their program groups the money and we would not be able to access the money like we would with Michigan Class.

Zoning Report:

Ernie was not present for the meeting.

Assessor's Report:

Jessica was in a meeting that ran way longer than planned and she called to say she wouldn't make it to the meeting.

Fire Authority Report:

Olen didn't have anything to report, but stated that the meeting was Thursday night.

Water Authority Update:

*Evoqua is down at the new plant site checking everything out and getting ready to start running tests.

*Things are a little behind schedule.

*We had a problem with one of the sub-contractor's not reading the plans when they did the bid and we are going to have to pay more money to get the job that they are working on done because of it.

*Spicer has been informed that we will not be paying for any more mistakes that are made by the sub-contractors or Evoqua and if there are they will be paying not the Authority.

*Jeff has a 10-pound weight restriction right now, because of the injury he had at his previous job.

When he has his next doctor's appointment we should find out if the restriction is lifted. He has taken the "F-2" licensing test, we are just waiting for the results. The results take six weeks to come back, because anyone taking the test can dispute a question within thirty days of the test.

*Jeff has no "S" licenses and Keith doesn't have the "F2" license, so they will be splitting the work. Jeff will have to start taking the "S" tests in May and Keith will possibly be taking the "F2" test at the same time.

*Bob London our DEQ representative knows about the situation. We do have a couple of contacts that we can use if Jeff were not to pass the "F2" test and we need to find someone to come in for a short time frame to sign paperwork.

Cemetery/Transfer Station Update:

DEQ was at the Transfer Station to do an inspection and everything went well.

Cemetery will be discussed in detail in New Business.

Public Comment:

*There was a question about short term rentals and is there anything the Township can do about them. The Board informed the resident's in attendance that we are waiting to find out how the House and Senate bills on this topic fare in process before we do anything. If these bills pass the Townships will not be able to regulate short term rentals to any degree, because State law supersedes Township Ordinances. HB 4503 is one of the pieces of legislation that are being debated in Lansing on short term rental issues.

*There was another question about Fireworks and if there was anything that the Township could do about them. The Board informed the resident's in attendance that there is a State law and it trumps anything that the Township would have in place on the issue.

*R. Zimmermann asked what the Pinewood representatives need to bring to their meeting with Don in December? Don told them that they just needed to let him know what the consensus was on what they want done with the roads. Don informed them that he is here on Monday's and that is when they will have to come and have the meeting. Mr. Zimmermann stated that they would come on December 4th.

Mr. Zimmermann also informed Don that the Road Commission still has not fixed the spot in Pinewood that they didn't do when they patched the rest of the subdivision roads.

Old Business:

None

New Business:

December MTA Class- The December training is on Policies that Townships should have in place and how to write new policies that the Township might want to enact. The question was put to the Board who wants to attend, and no one stated that they wanted to go.

ZBA Fee Increase- The current fee is \$300.00 which doesn't cover the cost of having a hearing with all that goes into the process, so we need as a Board to consider raising the fee. It was suggested to raise it to \$400.00.

Moved by McAlindon, Seconded by Semenick, CARREID to increase the ZBA fee to \$400.00 to help to cover the costs of having the meetings.

We also need a ZBA member after the first of the year, because someone has turned in their resignation from the Board. The ZBA meets once a year for organizational purposes and then only when someone applies for a variance.

Vote to take Sims Township to Court over the Cemetery- Sims Township is under the impression that they own the Cemetery, because it is in their Township and that they do not have to consult Whitney Township about any decisions that are made. We have consulted with the Township Attorney about the issue over the last couple of months and it is our belief that they will not comply with our requests without being told to do so by the Court. The Attorney has asked Don to get the Board to vote on whether to proceed or not with legal action.

Currently the Cemetery/Transfer Station Board has no formal agreement like the Water Authority does, but one needs to be put in place and it is the Attorney's opinion that the judge would order this to be done when we go to court.

Whitney Township came into possession of the Cemetery property in 1902 and in 1957 a 50/50 undivided deed was written up to give Sims Township partial ownership of the Cemetery and Transfer Station.

Moved by Semenick, Seconded by Anderson, to move ahead with court proceedings against Sims Township to handle issues that have been previously discussed with the Attorney, there was a roll call vote done on this motion

Semenick- Yes

McAlidnon- Yes

Gehris- Yes

Becker- Yes

Anderson- Yes

It was suggested we have a special meeting with the Attorney to discuss the case and what we want him to do.

Public Comment:

B. Boensch- he stated that he has been to many of the Cemetery/Transfer Station meetings and has seen the struggles that have been going on. He also asked if we had received any of the bid information from the other contractors that bid on the job for the water plant to see if John E. Green had bid as the sub-contractor for any of the other companies that placed a bid.

J. Brown- stated that we shouldn't restrict the attorney in regards, to the Cemetery case.

There was talk about joining the Townships or annexing Sims Township if the City of Au Gres annexes any more of their Township.

Pay the Bills:

Moved by McAlindon, Seconded by Gehris, CARRIED to pay the bills and any that come in later.

Adjournment:

Moved by Semenick, Seconded by Becker, CARRIED to adjourn at 8:20pm.

Kimberly Anderson
Whitney Township Clerk