

CHARTER TOWNSHIP OF MONITOR
REGULAR TOWNSHIP BOARD MEETING
AUGUST 12, 2013

The Supervisor called the meeting to order at 7:00 p.m.

Members present: Brandt, Kowalski, Arnold, Kochany, Malkin
Members absent: Pike, Miller

The Pledge of Allegiance was recited by all present.

Public Input opened at 7:01 p.m.

Mr. R. Falkenhasen 5188 S. 7 Mile, Mr. Jim Drzewicki 5183 S. 7 Mile and Mr. W. Hair 5183 7 Mile Rd., addressed the board concerning the ongoing rummage sale in their neighborhood. The group reported 5208 S. 7 Mile Rd., has had an ongoing rummage/yard/estate and moving sale since May; specifically May 16-19, June 6-9, June 13-15, July 5-7, July 10-14, and August 1-11. This individual is reported to sell goods at the sales he has brought in from outside locations. Mr. Falkenhasen would like the township to adopt an ordinance prohibiting these ongoing sales. Mr. Drzewicki stated the problem is also the traffic and parked vehicles blocking thru traffic. Mr. Hair stated this person is using Craig's List to advertize his sales. Mr. Hair stated he estimates 300 cars come to these sales each day they are run and there have been incidents of two cars that have gone into the ditch while trying to park on the side of the road.

The board concurred that this issue should be referred to the planning commission. Fire Chief Kramer stated the sheriff deputy can be directed to enforce the no-parking in a public ROW as provided in Michigan Public Act 300 of 1949. Kramer feels that if this is enforced, it should put the word out that tickets will be issued and curtail the parking issue. Brandt stated he would speak to the deputies assigned to the township.

Public Input closed at 7:25 p.m.

Motion by Malkin supported by Kochany to adopt the agenda with the addition of rummage sales.

Motion carried.

Motion by Arnold supported by Malkin to approve the minutes of the July 22, 2013 regular meeting as presented.

Motion carried.

Motion by Kowalski supported by Kochany to pay the bills in the amount of \$15,496.32 from General Fund.

Roll call vote:

Yes: Brandt, Kowalski, Arnold, Kochany, Malkin

No: None

Absent: Pike, Miller

Motion carried.

Wolverine Pipeline Presentation

Ms. Katherine Becsey & Bill Connors the area supervisor from Wolverine Pipeline gave a short presentation regarding the company and the pipeline.

Fire Chief Recommendation to hire On-Call Probationary Firefighters ó

M. Villereal, J Sawatzke, B. Murphy, J. LaFray, M. Killey and S. Killey

Motion by Kowalski supported by Malkin to hire M. Villereal, J Sawatzke, B. Murphy, J. LaFray, M. Killey and S. Killey as probationary on-call firefighters as recommended by the Fire Chief in his memo to the board dated July 18, 2013.

Roll call vote:

Yes: Brandt, Kowalski, Arnold, Kochany, Malkin

No: None

Absent: Pike, Miller

Motion carried.

R-2013-006 Second Resolution Approving Financial Contract - BAWTP Agreement

There have been revisions to the BAWTP Financial Contract since the last meeting board meeting. For this reason, it has been recommended the board adopt a new resolution to adopt the amended financial contract.

At a regular meeting of the governing body of the Charter Township of Monitor, Bay County, Michigan (the "Municipality"), held on the 12th day of August, 2013.

PRESENT: Brandt, Kowalski, Arnold, Kochany, Malkin

ABSENT: Pike, Miller

The Clerk presented to the governing body of the Municipality a form of contract between the County of Bay (the "County") and the Charter Township of Bangor, the City of Bay City, the Township of Beaver, the City of Essexville, the Township of Frankenlust, the Township of Fraser, the Charter Township of Hampton, the Township of Kawkawlin, the Township of Merritt, the Charter Township of Monitor, the City of Pinconning, the Charter Township of Portsmouth, and the Charter Township of Williams (the Charter Township of Bangor, the City of Bay City, the Township of Beaver, the City of Essexville, the Township of Frankenlust, the Township of Fraser, the Charter Township of Hampton, the Township of Kawkawlin, the Township of Merritt, the Charter Township of Monitor, the City of Pinconning, the Charter Township of Portsmouth, and the Charter Township of Williams collectively, the "Municipalities") relative to the acquisition, construction and financing of the Bay Area Water Treatment Plant and Raw Water Transmission Mains Project (the "Project"), and the plans and estimates of the cost and period of usefulness thereof.

The following resolution was offered by Kowalski and seconded by Malkin:

BE IT RESOLVED by the governing body of the Municipality, that:

The governing body of the Municipality hereby approves the contract between the County and the Municipalities relating to the acquisition and construction of the Bay Area Water Treatment Plant and Raw Water Transmission Mains Project (the "Contract") as part of the Bay Area Water Treatment Plant and Raw Water Transmission Mains System (the "System"); providing for the payment of the Municipality's share of the services provided by the Project and the System; providing for the financing of all or part of the cost by the issuance of County revenue bonds in several series secured by revenues of the System including payments made by the Municipalities for the services provided by the Project and the System; and providing for other matters relating to the Project and the acquisition, construction, financing and operation thereof, all under and pursuant to Act No. 342, Public Acts of Michigan, 1939, as amended, and Act No. 94, Public Acts of Michigan, 1933, as amended.

The governing body of the Municipality hereby approves the preliminary plans for the Project, and the estimates of the cost and period of usefulness thereof, as contained in Appendices #1 and #2 to the Contract.

The Chief Executive Officer and the Clerk are authorized and directed to execute and deliver the Contract for and on behalf of the Municipality in such number of counterparts as may be desirable.

A copy of the Contract as presented to the governing body of the Municipality and herein approved and authorized to be executed and delivered shall be attached to the minutes of this meeting and made a part thereof and shall be placed on file with the Clerk and made available for examination by any interested person during normal business hours.

Roll call vote:

Yes: Kowalski, Arnold, Kochany, Malkin

No: Brandt

Absent: Pike, Miller

Motion carried.

R-2013-007 Resolution Adopting Water Rate/Fees

A recommendation has been made by DWS to increase the water rate charged to customers in the township to reflect the increase in the wholesale cost of water from the City of Bay City and to generate revenue for the upcoming debt for the new Bay Area Water Treatment Plant.

Motion by Kowalski supported by Malkin to adopt resolution R-2013-007, a resolution adopting the water rate/fees charged to the township's retail water customers as follows:

RESOLUTION ADOPTING WATER FEE/RATE SCHEDULE

WHEREAS, The City of Bay City has notified the Bay County Department of Water and Sewer that the wholesale cost of water will increase \$.03/CCF (from \$2.38/CCF to \$2.41/CCF) effective the fourth quarter billing cycle.

WHEREAS, the Bay County Department of Water and Sewer has reported that the water rate billed to customers no longer meets the actual expenses incurred; and,

WHEREAS, on January 28, 2013, the township adopted Resolution R-2013-002, which authorized the Supervisor and Clerk to sign a Water Supply Agreement to, along with various other municipalities in Bay County, finance and construct the Bay Area Water Treatment Plant which will be used to provide treated water to users of Monitor Township; and,

WHEREAS, the township has been informed by the Department of Water & Sewer, it is necessary to provide starting capital for the Bay Area Water Treatment Plant and Raw Water Transmission Mains and have recommended to increase the customer retail rate \$.50/CCF effective the fourth quarter 2013, to generate revenue for 2014 Debt Service.

NOW THEREFORE BE IT RESOLVED the Monitor Township Board of Trustees of Bay County Michigan, hereby approves an increase for the retail cost of water from the current rate of \$3.34 per CCF to a new rate of \$3.87 per CCF effective the fourth quarter 2013 billing cycle.

Roll call vote:

Yes: Brandt, Kowalski, Arnold, Kochany, Malkin

No: None

Absent: Pike, Miller

Motion carried.

Roof Chimney & Vent Study Recommendation

The Supervisor commissioned MacMillan Associates Consulting Engineers to do a study of the existing masonry chimney and appliance vent for the township hall. The study recommended that the existing boiler system and the water heater system be vented separately and the existing masonry chimney be demolished down to the roof level or raised to the roof level and capped. The existing water heater should be vented with a 6" diameter vent and the boiler shall be vented with a 16" diameter vent with each vent routed up through the roof separately. The vents shall terminate a minimum of 3 feet above the roof and 2 feet above any higher portion of the building within 10 feet. If any mechanical system intakes or building intakes are within 10 feet of the vent piping, then the vents shall terminate a minimum of 3 feet above any forced air inlets.

Motion by Kowalski supported by Malkin to authorize the Supervisor to hire a qualified individual/company to demolish and cap the existing chimney and install a furnace vent and a water heater vent as recommended by Macmillan & Associates.

Roll call vote:

Yes: Brandt, Kowalski, Arnold, Kochany, Malkin

No: None
Absent: Pike, Miller
Motion carried.

Rummage Sales

As a result of the comments received during public input, the following motion was made:

Motion by Malkin supported by Kochany to refer to the Planning Commission for review and preparation of an amendment to Zoning Ordinance 52, to provide regulations regarding rummage/estate/moving/yard sales or any other related sales of this type.

Motion carried.

SUPERVISOR'S REPORT

Brandt reported DWS has finished televising the sewer lines scheduled for this year. As a result it was reported there are manholes that require repair/maintenance or raising to grade. The cost estimate that was received from DWS is \$10,000. The board motion adopted at the June 10, 2013 authorized any manhole work that is needed.

The meeting adjourned at 8:26 p.m.

Cindy L. Kowalski, Clerk

Gary A. Brandt, Supervisor