

CHARTER TOWNSHIP OF MONITOR
REGULAR TOWNSHIP BOARD MEETING
AUGUST 22, 2011

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

Members present: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller
Members absent: None

The Pledge of Allegiance was recited by all present.

Public Input opened at 7:01 p.m. No public present wished to speak and public input was closed.

Motion by Kowalski supported by Kochany to adopt the agenda as presented
Motion carried.

Motion by Miller supported by Kochany to approve the minutes of the August 8, 2011 regular meeting as presented.
Motion carried.

Motion by Kowalski supported by Pike to pay the bills in the amount of \$6,095.04 from General Fund.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

Motion by Kowalski supported by Miller to receive the Treasurer's Report for July 2011.
Motion carried.

Public Hearing - Kawkawlin River Weed Special Assessment Roll

The public hearing of the Kawkawlin River Weed Special Assessment Roll opened at 7:05 p.m. C. Seifferly, 214 Spring St., spoke regarding the special assessment district and asked if the district still represented 76% of the property owners.

Kowalski responded the initial petition in 2003 represented 76% of the property owners. The last two requests to extend the term of the special assessment originated from the Kawkawlin River Watershed Property Owners Association. Notices of the township's intent to re-create the assessment district were mailed to property owners in the district and two public hearings were held prior to the board's adopting the resolution to create the special assessment district at our last meeting. No property owners were present at either public hearing to oppose the special assessment.

Seifferly asked if the township had an estimate of cost for the assessment.

Kowalski responded the township received a five-year estimate of treatment costs. If the estimates hold, the cost should be \$111.43 per lot for the first year (2012), and \$99.65 per lot for the second year and thereafter.

Seifferly asked if the township received water treatment reports.
Kowalski stated the township only receives a copy of the notices prior to each treatment.
Pike stated she could contact Aquatic Nuisance and mail Ms. Seifferly a copy.
The public hearing closed at 7:25 p.m.

R-2011-012 Resolution Adopting Kawkawlin River Weed SA Roll

Motion by Pike supported by Malkin to adopt Resolution R-2011-012, as follows:

**RESOLUTION CONFIRMING AND REAFFIRMING
SPECIAL ASSESSMENT ROLL FOR THE TREATMENT OF
AQUATIC WEEDS IN THE KAWKAWLIN RIVER**

WHEREAS, on May 12, 2011, the Township Board received a new request by the Kawkawlin River Watershed Property Owners Association to extend the special assessment within the district previously created an additional five (5) year period; and

WHEREAS, on July 25, 2011, the Township Board held a public hearing inviting interested parties to submit comments regarding the proposed re-creation of the district, and, no negative comments were received, and,

WHEREAS, pursuant to the notice provisions contained in Section 4(a) of Act 188 of 1954 the Clerk notified all property owners within the special assessment district of a public hearing to be held on the 8th day of August, 2011, at 7:00 p.m.

WHEREAS, on August 8, 2011, subsequent to the closing of public hearing, the Township Board did adopt a Resolution Creating and Reaffirming the Prior Creation Of A Special Assessment District To Finance The Treatment of Aquatic Weeds In The Kawkawlin River (R-2011-011), which Resolution extended the existence of the district previously created by an additional five (5) year period commencing the year 2012 and continuing through the year 2016.

WHEREAS, the Supervisor has prepared a revised special assessment roll of all parcels to be included in the special assessment district and filed said roll with the Clerk; and

WHEREAS, pursuant to proper notice as provided in Section 4(a) of Act 188 of 1954, a public hearing was held at a regular meeting of the Township Board held on the 22nd day of August, 2011, at 7:00 p.m. to review the roll and to hear any objections to said roll; and

WHEREAS, no written objections to the roll having been filed with the Clerk;

NOW THEREFORE BE IT RESOLVED, that the special assessment roll as prepared by the Supervisor as it relates to the treatment of aquatic weeds in the Kawkawlin River, for the additional five (5) year period, is hereby confirmed.

NOW THEREFORE BE IT RESOLVED that the Township shall recoup its out-of-pocket expenses including professional fees, publication and recordation expenses associated with, and directly attributable to, the creation and the confirmation of the creation, of the special assessment district.

NOW THEREFORE BE IT RESOLVED that the total assessment be set at \$3,454.33 or \$111.43 per lot for the first year, and \$3,089.15 or \$99.65 per lot for the second year and thereafter until modified by this Board and that this assessment shall be spread on a per lot basis over land specifically benefited by such improvements, and which land is described as parcels of land located adjacent to the Kawkawlin River in the Township of Monitor, Bay County, Michigan as follows:

09-100-001-100-045-00, 09-100-001-100-075-00, 09-100-001-100-130-00,
09-100-001-100-135-00, 09-100-001-100-150-00, 09-100-001-100-165-00,
09-100-001-200-020-00, 09-100-001-200-025-00, 09-100-001-200-030-00,
09-100-001-200-035-00, 09-100-001-200-040-00, 09-100-001-200-045-00,
09-100-001-200-050-00, 09-100-001-200-055-02, 09-100-001-200-058-00,
09-100-001-200-065-00, 09-100-K10-009-001-00, 09-100-K10-009-003-00,
09-100-K10-009-006-00, 09-100-W15-000-006-00, 09-100-W15-000-007-00,
09-100-W15-000-008-00, 09-100-W15-000-009-00, 09-100-W15-000-010-00,
09-100-W15-000-011-00, 09-100-W15-000-012-00, 09-100-W15-000-013-00,
09-100-W15-000-014-00, 09-100-W15-000-015-00, 09-100-W15-000-016-00,
09-100-W15-000-017-00

IT IS FURTHER RESOLVED that the Clerk shall endorse the assessment roll with the date of the confirmation.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

Refund Request ó Mechanical Permit #2131

Haertel Heating submitted a request on August 4, 2011, for the refund of mechanical permit #2131 that was issued on July 15, 2011. Their customer cancelled the installation of a new furnace and the permit is no longer needed.

Motion by Malkin supported by Kochany to grant the refund in the amount of \$105.00, for mechanical permit #2131 issued to Haertel Heating on July 15, 2011 due to the customer cancelling the furnace installation.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Kochany, Malkin, Miller

No: Arnold

Absent: None

Motion carried.

Hall Request ó Special Days Camps

Motion by Pike supported by Miller to grant the request to waive the hall rental fee for Special Days Camps use of the Township Hall on October 29, 2011; signed contract, clean-up fee and damage deposit required; security deposit required if applicable.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

Fire Chief Recommendation to Accept Resignation of On-call Firefighter B. Mika

Motion by Kowalski supported by Kochany to accept the resignation of on-call firefighter B. Mika effective August 12, 2011, as recommended by the Fire Chief.

Motion carried.

Fire Chief Recommendation to Hire T. Trask & J. Karnath as Probationary On-call Firefighters

Motion by Pike supported by Kowalski to hire T. Trask and J. Karnath as probationary on-call firefighters with a starting date of August 25, 2011, as recommended by the Fire Chief.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

R-2011-013 Resolution Authorizing Columbia, Salzburg-Wenona, Kasemeyer & Kasemeyer Branch Drain Improvements

Motion by Miller supported by Kochany to adopt Resolution R-2011-013, as follows:

RESOLUTION

WHEREAS, The Bay County Drain Commissioner has advised the Supervisor of the Township of Monitor that, pursuant to Section 196 of the Michigan Drain Code (MCL 280.196; MSA 11.1196), an inspection has been made of the Columbia, Salzburg-Wenona, Kasemeyer & Kasemeyer Branch Drains and it has been determined, as a result of the inspection, that certain maintenance must be performed upon the Drains; and,

WHEREAS, The Bay County Drain Commissioner has the authority to expend Five Thousand and no/100 (\$5,000.00) Dollars per mile in any one (1) year for the maintenance of the drain, and where it is estimated that expenditures in excess of Five Thousand and no/100 (\$5,000.00) Dollars per mile are necessary, those amounts may not be expended until approved by Resolution of the governing body of each township, city and village affected by more than twenty (20%) percent of the cost; and,

WHEREAS, Bay County Drain Commissioner has advised the Supervisor for the Township of Monitor, that it will be necessary to expend funds in excess of Five Thousand and no/100 (\$5,000.00) dollars per mile for the maintenance of the Columbia, Salzburg-Wenona, Kasemeyer & Kasemeyer Branch Drains, and that the Township of Monitor is affected by more than twenty (20%) of the cost; and,

WHEREAS, Bay County Drain Commissioner estimates that the cost for the maintenance of the Columbia, Salzburg-Wenona, Kasemeyer & Kasemeyer Branch Drains, will be approximately \$40,000 which constitutes \$20,000.00 per mile in excess of the authorized Five Thousand and no/100 (\$5,000.00) per mile.

NOW THEREFORE, IT IS HEREBY RESOLVED by the Monitor Township Board, that pursuant to Section 196 of the Drain Code, The Bay County Drain Commissioner is authorized to expend money for the maintenance and repair of the Columbia, Salzburg-Wenona, Kasemeyer & Kasemeyer Branch Drains in excess of Five Thousand and no/100 (\$5,000.00) dollars per mile and, to the extent that the drain fund for the Drain contains insufficient funds for the payment of costs incurred for the maintenance or repair of the Drain, then The Bay County Drain Commissioner is authorized to levy a special assessment, as allowed by law.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

SUPERVISOR'S REPORT

Brandt reminded board members of the water quality meeting tomorrow at Bangor Township and requested two board members join him to attend the meeting.

Brandt stated he spoke with the Emergency Management director regarding the sirens. They are currently looking at placing the sirens at the township hall and Mackensen School. More information will be given at our next meeting.

The Loons ground crew has offered to donate their time to do clean up work at the ball fields in the township park as part of a community service program they provide to local communities. It would cost us approximately \$800 for diamond dust and Brandt asked Waste Management to provide a dumpster for the yard waste. Brandt reported there is also a possibility to apply for a \$4,000 non-matching grant offered by the Loons Organization to offset some of the township's cost for the park project. Brandt will keep the board informed as more information becomes available.

Brandt informed the board that a four-inch meter pit has been installed on Chip Rd. at the border of the Kawkawlin Metro water district. He spoke with B. Shaw the supervisor of the district and was told they put the pit in but did not know where the lines were going to be run from it.

Brandt is concerned the waterlines will extend into Monitor's water district and will make further inquiries.

Spicer reported the park improvement project has been put out for bid and they should have a recommendation for the board at the September 12, 2011 meeting.

The meeting adjourned at 8:05 p.m.

Cindy L. Kowalski, Clerk

Gary A. Brandt, Supervisor