

CHARTER TOWNSHIP OF MONITOR
REGULAR TOWNSHIP BOARD MEETING
FEBRUARY 13, 2012

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.

County Commissioner V. Begick reported he received a call from a township resident regarding the dead end sign that was removed from Christina during M-84 reconstruction and not replaced.

Brandt stated he is aware of this and has spoken to the Bay County Road Commission to have the sign replaced.

Begick also stated the County Commission is scheduled to vote on the DDA amendment at their meeting tomorrow afternoon.

Public Input closed at 7:06 p.m.

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

Motion by Miller supported by Pike to approve the minutes of the January 23, 2012 regular meeting as presented.
Motion carried.

Motion by Pike supported by Kowalski to pay the bills in the amount of \$82,395.10 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 January 2012.
Motion carried.

Cost Recovery Appeal of Beechum

An appeal letter was received from A. Beechum regarding cost recovery charges for an incident on 10/31/2011. In her letter Ms. Beechum requests the fee be waived because she only had PLPD coverage on her vehicle, lost her vehicle, paid \$300 for towing, incurred medical expenses, and missed two days of work. Ms. Beechum is a college student and works at a minimum wage job.

Motion by Arnold supported by Miller to grant the appeal submitted by A. Beechum to waive cost recovery charges in the amount of \$175.72.

Roll call vote:

Yes: Pike, Arnold, Malkin, Miller

No: Brandt, Kowalski, Kochany

Absent: None

Motion carried.

R-2012-001 Resolution Relinquishing Public Right-of-Way ó Portion of Straits Dr.

Motion by Malkin supported by Miller to adopt Resolution R-2012-001, a resolution relinquishing a portion of the Straits Dr. public right-of-way as follows:

**RESOLUTION - RELINQUISHMENT OF PUBLIC RIGHT-OF-WAY
A PORTION OF STRAITS DRIVE AND CONVEYANCE TO ADJACENT LAND OWNERS**

WHEREAS, A petition has been filed requesting relinquishment of the following - described portion of a county road:

PORTION OF STRAITS DRIVE TO BE VACATED:

A parcel of land In part of the Northeast 1/4 of Section 28, T.14N,R4E., Monitor Township, Bay County, Michigan being part of Straits Drive In the recorded plat of Valley Center Technology Park, recorded in Liber 11 of Plats on Page 47, Bay County records. To fix the point of beginning commence at the Northeast corner of said Section 28; thence S.00°52'10"W, on the East line of said Section, 1096.31 feet to the Easterly extension of the South line of Straits Drive, as platted; thence N.89°07'50"W, on said Easterly extension, 50.00 feet to the point of beginning of this description; thence continuing N.89°07'50"W, on said South line, 154.28 feet to a point on a 267.00 foot radius curve to the right; thence Northwesterly on the arc of said curve, 210.20 feet, said curve being subtended by a chord bearing N.66°04'50"W, and distance of 204.82 feet; thence N44°07'50"W, 90.53 feet to the Northerly line of Straits Drive, as platted, also being the Southerly line of Lot 2 of said Valley Center Technology Park; thence Southeasterly on said Southerly line and on the arc of a 267.00 foot radius curve to the left, 209.71 feet, said arc being subtended by a chord bearing S66°37'55"E, and distance of 204.35 feet; thence continuing on said Southerly line S89°07'50"E, 217.95 feet to the Southeast corner of said Lot 2; thence S00°52'10"W, parallel with said East Section line, 66.00 feet to the point of beginning, containing 0.448 acre of land.

WHEREAS, The Board has viewed that portion of Straits Drive for which relinquishment is requested and determined that it is not used by the public for travel,

WHEREAS, The portion of Straits Drive for which relinquishment request is part of the Valley Center Technology Park plat and the Monitor Township can only relinquish the right-of-way and cannot absolutely abandon said right-of-way.

WHEREAS, Since the portion of Straits Drive is within a certified plat and Monitor Township can only relinquish said right-of-way, the owners of property within the Valley Center Technology Park plat retain rights of use of said right-of-way;

NOW THEREFORE BE IT RESOLVED, That it is in the best interest of the public that the above-described portion of Straits Drive be relinquished, and

BE IT FURTHER RESOLVED, That the above-described portion of Straits Drive is hereby relinquished by the Charter Township of Monitor and quit claimed to the adjacent land owners; that being Central Michigan Railway Company and The Monitor Township Development Authority.

BE IT FURTHER RESOLVED, that easements for public utilizes shall be reserved.

Roll call vote:

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

No: None

Absent: None

Motion carried.

T. Smith, Volunteer Energy ó Change to Township Consumers Energy Gas Provider

Tim Smith from Volunteer Energy gave a presentation to the township board. Volunteer Energy is a natural gas supplier that does business with other municipalities to save fuel costs through the Energy Choice program. Volunteer Energy has been licensed in the state since 2005. They do not have a long-term contract and the agreement may be terminated at any time by providing written 30-day notice. If the township decides to take advantage of their program, Volunteer Energy would be listed, and the fuel cost reflected, on the regular Consumers Energy billing under the heading of gas distribution charge instead of the line item Gas Cost Recovery.

Motion by Arnold supported by Pike to authorize the acceptance form from Volunteer Energy to become the township's gas supplier in lieu of Consumers Energy.

Roll call vote:

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

No: None

Absent: None

Motion carried.

Personnel Committee Recommendation to Hire Part-Time Chief Building Official & Ordinance Enforcement Officer

The Personnel Committee provided minutes of their January 30, 2012 meeting which was recessed and reconvened on February 6, 2012 and February 10, 2012. The purpose of this meeting was to review applications, interview candidates and make a committee

recommendation for the Building Inspector, Plan Reviewer and Zoning Enforcement Officer position.

There was board discussion regarding current building department projects, the temporary building official hired at the January 9, 2012 meeting and the candidate currently recommended for the position.

Motion by Miller supported by Malkin to accept the Personnel Committee recommendation and hire David J. DeGrow as the township's Building Inspector, Plan Reviewer and Zoning Enforcement Officer; that he work a twenty hour week and be compensated at \$25.00 per hour plus mileage; that his office hours consist of eight (8) hours on Tuesdays and Thursdays, and a flexible four (4) hour morning on Wednesdays. Mr. DeGrow's employment is to commence on Wednesday February 15, 2012 with the Personnel Committee to do a 6-month performance review and at that time consider a division of this position into two part-time positions.

Roll call vote:

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

No: Kowalski

Absent: None

Motion carried.

R-2012-002 Resolution/Policy Regarding Township Inspection of Water Lines

Motion by Miller supported by Kochany to adopt Resolution R-2012-002, a resolution/policy requiring that all inspections of connections to the public water supply system occurring within Monitor Township be performed by the Monitor Township Plumbing Inspector.

RESOLUTION REQUIRING THAT ALL INSPECTIONS OF CONNECTIONS TO THE PUBLIC WATER SUPPLY SYSTEM OCCURRING WITHIN MONITOR TOWNSHIP BE PERFORMED BY THE MONITOR TOWNSHIP PLUMBING INSPECTOR

WHEREAS, all connections to the public water service pipe made within the Charter Township of Monitor are ultimately the Township's responsibility, and

WHEREAS, Section 15 of the State Plumbing Act, (Public Act 733 of 2002), provides that an Act 54 Registered Inspector who shall be a licensed plumber shall perform inspections of all connections to the public water service pipe, and

WHEREAS, it has recently come to the attention of the Monitor Township officials that some connections to the public water service pipe are not currently being inspected by properly certified inspectors, and

NOW THEREFORE BE IT RESOLVED that from and after the date of the adoption of this Resolution all inspections of new connections to the public water service pipe within the geographic boundaries of the Charter Township of Monitor shall be performed by the Monitor Township Plumbing Inspector.

BE IT FURTHER RESOLVED that a certified copy of this Resolution

shall be published one time in a newspaper in general circulation within the Township and mailed by certified mail to every known water district conducting business within the Township.

Roll call vote:

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

No: None

Absent: None

Motion carried.

R-2012-003 Resolution Establishing a Fee for Township Inspection of Water Lines

Motion by Arnold supported by Malkin to adopt Resolution R-2012-003, a resolution establishing a fee for all inspections of connections to the public water supply system occurring within Monitor Township being performed by the Monitor Township Plumbing Inspector.

**RESOLUTION ESTABLISHING A FEE FOR ALL INSPECTIONS
OF CONNECTIONS TO THE PUBLIC WATER SUPPLY SYSTEM
OCCURRING WITHIN MONITOR TOWNSHIP BEING PERFORMED
BY THE MONITOR TOWNSHIP PLUMBING INSPECTOR**

WHEREAS, on February 13, 2012, the Charter Township of Monitor Board adopted Resolution R-2012-002, a resolution requiring all inspections of new connections to the public water service pipe within the geographic boundaries of the Charter Township of Monitor be performed by the Monitor Township Plumbing Inspector.

NOW THEREFORE BE IT RESOLVED that a Water Service & Inspection Plumbing Permit fee of Fifty-Five and 00/100 (\$55.00) Dollars is hereby established for all inspections of new connections to the public water service pipe performed by the Monitor Township Plumbing Inspector.

Roll call vote:

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

No: None

Absent: None

Motion carried.

Consumers Energy Request to Approve the Authorization for Change and Adopt Resolution Covering the Replacement of Streetlights (R-2012-004)

Consumers Energy submitted a request to approve the authorization for change and adopt a resolution covering the replacement of 2 streetlights at 2140 Reppuhn and 4642 David Ct. Board members questioned the rationale behind this request as it appears the lights were changed in June 2011. Board members also questioned why the type of lamp used was changed to high pressure sodium (HPS) and not metal halide when making the change from mercury vapor(MV). The Clerk will contact Amanda Elkins at Consumers Energy to get more information.

Hall Request - Monitor Township Softball League March 3, 2012

Motion by Pike supported by Malkin to grant the Monitor Township Softball League request for use of the township hall lobby for league registration on Saturday, March 3, 2012 from 11:00 am to 1:00 pm; signed contract, damage deposit required.

Roll call vote:

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

No: None

Absent: None

Motion carried.

Hall Request - Monitor Township Softball League April 9, 2012

Motion by Kowalski supported by Kochany to grant the Monitor Township Ball League's request for use of the front lobby of the township hall for the coaches meeting on April 9, 2012; signed contract, all fees waived.

Roll call vote:

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

No: None

Absent: None

Motion carried.

Hall Request - Monitor Township Softball League May 14, 2012

Motion by Kowalski supported by Malkin to grant the Monitor Township Ball League's request for use of the township hall for team pictures on May 14, 2012; rental fee waived, signed contract, damage deposit and clean-up fee required.

Roll call vote:

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

No: None

Absent: None

Motion carried.

Hall Request ó Mackensen Elementary 5th Grade Banquet - May 24, 2012

Motion by Malkin supported by Miller to waive the hall rental fee for the 2012 Mackensen Elementary 5th Grade banquet; signed contract, damage deposit and custodial clean-up fee required.

Roll call vote:

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

No: None

Absent: None

Motion carried.

SUPERVISOR'S REPORT

Brandt attended a recent meeting at Williams Township regarding a possible walking trail to be installed along the pipeline from Midland (City) to 7 Mile Rd. More information will follow.

Brandt also reported that the KME truck was hit last Friday due to the icy/snowy road conditions. The insurance company has been notified.

The meeting adjourned at 8:45 p.m.

Cindy L. Kowalski, Clerk

Gary A. Brandt, Supervisor