

DRAFT

Thursday September 14, 2006 at 7:00 p.m. the regular meeting of the Middlebury Township board met at the Ovid Municipal Building at 114 East Front St. Ovid, Michigan. The meeting was called to order by Supervisor Anthony Sinicropi with the pledge to the flag. Prayer was given by Clerk Audrey Sovis. Board members also present were Treasurer Carolyn Stevens, Trustees Charles Simpson and Paul Dutton. There were 12 visitors present.

**Scheduled Comments:** Deputy Steve Loomis of the Shiawassee County Sheriff's Department brought Middlebury's 911 report for the month of August. George Zmitko, Chairman of the Agriculture Preservation Board for Shiawassee County, brought sample wording for a resolution that would make Middlebury Township inclusive; and therefore qualified, to allow any farmers or landowners the right to participate in the Purchasing Land Development Rights (PDR) Program. By participating in this program, the landowner would sign a contract to sell his development rights. The landowner in return, will be paid the fair market price of the development value of the land. The landowner can continue to use their land as always, but it can never be developed; not even by future owners of the land. This is a permanent contract with no revocations. Only land owners who want to participate may do so. **Resolution 2006-10:** A motion was made by Sinicropi, seconded by Simpson to agree to sign the resolution in order to participate in the county PDR program; and allow Middlebury Township landowners the option to enroll in this program, if they so wish. Roll call vote: Sinicropi aye, Simpson aye, Stevens aye, Sovis aye, Dutton aye; no nays; none absent; carried.

Two bid for the 1989 Kubota Tractor were submitted and opened at the meeting. The first bid was \$37.50 and the second bid was for \$250.00 from Roger Jones. A motion was made by Sinicropi, seconded by Sovis to accept the bid from Mr. Jones; roll call vote: Sinicropi aye, Sovis aye, Stevens aye, Simpson aye, Dutton aye, no nays, carried. There was one bid submitted for the property located at the SW corner of Warren road and M-21. The bid was submitted by Gabe Swender for the amount of \$1,050.00. A motion was made by Sinicropi, seconded by Sovis to accept this bid; roll call vote: Stevens aye, Dutton aye, Simpson aye, Sinicropi aye, Sovis aye, no nays, carried.

**Public Comments:** Brenda and Scott Bates approached the board about helping them get a small business started at what was once an old fruit market on M-21 west of Warren road on the south side. Mrs. Bates has been trying to get help and information regarding the zoning of this land from the County Zoning office; but feels she has not been sufficiently assisted. The board recommended that she approach Justin Horvath of the Shiawassee Economic Development Program and see if he can give her some assistance in this area. Commissioner Capitan will also try to assist her.

**General Business:** A motion was made by Simpson, seconded by Dutton to approve the agenda as presented; all ayes, no nays, carried. A motion to approve the minutes of the July 13, 2006 regular board meeting was made by Dutton, seconded by Simpson; all ayes, no nays, carried. A motion to accept the Treasurer's report was made by Sovis, seconded by Dutton; all ayes, no nays, carried. A motion was made by Simpson, seconded by Dutton to pay the September bills in the amount of \$15,034.03 (ck #'s 1738-1769); all ayes, no nays, carried by signature vote.

**Communications:** County Commissioner, James Capitan stated that the county is currently under budget. He also reported that the Rails to Trails project will be taken over by the DNR, which he feels will save the county a lot of money for completing the deed searches. Part of the Meijer gift will be put into an escrow account, possibly for maintenance purposes.

A motion was made by Sovis, seconded by Stevens to send Sinicropi and Givens to an MTA 2-part EMS seminar October 25 and November 30 in Mt. Pleasant at a total cost of \$320.00; all ayes, no nays, carried. Sinicropi reported that the new bulletin board is now up at the town hall. The cemetery bulletin board will be put up in the spring.

**Unfinished Business:** None.

**New Business:** A motion was made by Sovis, seconded by Stevens to approve the tax rate request for Middlebury Township and the Fire/Ambulance; roll call vote: Sovis aye, Stevens aye, Sinicropi aye, Simpson aye, Dutton aye, no nays, carried.

Planning Chairman, Dennis Smalec reported that the planning commission will be conducting a survey that will be used to help make any changes, if necessary to the Land Use Plan for Middlebury. The survey will be inserted in the Meridian Weekly on September 17, 2006 at a cost of approximately \$85.00. It can also be filled out online at the township's website, [www.middleburytownship.org](http://www.middleburytownship.org).

After reviewing the current costs at the Middlebury Township cemetery and comparing them to other cemeteries in the surrounding area, a motion was made by Stevens and seconded by Sinicropi that the April 1-October 31 opening and closing costs be raised to \$400.00, the opening and closing costs for November 1-March 31 be raised to \$550.00, that cremation burials be increased to \$150.00 and foundation prices per square inch be raised to .50 cents; roll call vote: Stevens aye, Sinicropi aye, Dutton aye, Simpson aye, Sovis aye, no nays, carried.

Planning Chairman, Dennis Smalec reported that the planning commission signed off on a land split for Mary Oviatt of Carland road. The split was signed by Sovis in keeping with resolution 2005-01 which states that the supervisor is given the authority to sign off on county-approved land splits and in the supervisor's absence, the clerk shall have this authority. **Resolution 2006-11** After some discussion and comparison to the process conducted by surrounding townships, a motion was made by Sovis, seconded by Sinicropi to give the Planning Commissioner authority to sign off on county approved land splits and in his absence the Secretary of the planning commission may do so; in addition, a \$40.00 fee will be collected, payable to Middlebury Township and will then be paid to the party who signed the split. Roll call vote: Dutton aye, Simpson aye, Sinicropi aye, Sovis aye, Stevens aye, no nays, carried. Resolution 2005-01 is, now, no longer valid.

**Resolution 2006-12** A motion was made by Sovis, seconded by Dutton to sign a resolution that states that this board is in opposition of the SOS (Stop OverSpending) proposal, that may or may not make it on the November ballot; roll call vote: Sinicropi aye, Simpson aye, Dutton aye, Sovis aye, Stevens aye, no nays, carried.

**Resolution 2006-13** A motion was made by Dutton, seconded by Sovis to sign a resolution that states that this board is in opposition to the K-16 spending mandate proposal that will be on the November ballot as Proposal 5; roll call vote: Sovis aye, Stevens aye, Sinicropi aye, Dutton aye, Simpson aye, no nays, carried.

**Resolution 2006-14** After some discussion, a motion was made by Dutton, seconded by Sovis to pass a resolution stating that this board is in opposition to the Cable Bill that is being pushed by AT&T, as the township will lose approximately \$3,000 a year in cable fees; roll call vote: Sovis aye, Stevens aye, Sinicropi aye, Dutton aye, Simpson aye, no nays, carried.

**Reports:** The issue of moving headstones that families feel are not positioned correctly was brought up. After some discussion, it was felt that it would be best handled to have a disclaimer in the cemetery rules regarding placement of headstones.

At 9:24 p.m. a motion was made by Sovis, seconded by Dutton to adjourn; all ayes, no nays, carried.