

Middlebury Township

PO Box 622, Ovid, Michigan 48866

Regular Board Meeting

Middlebury Township Hall

7627 W M21, Ovid Michigan

Wednesday, April 12th, 2017 at 7:00 pm

Call to Order:

Supervisor Herendeen called the meeting to order at 7:00pm with a pledge to the flag and a prayer led by Trustee Richard Semans.

Board Members Present:

Supervisor Michael Herendeen, Clerk Rose Brown, Treasurer Carolyn Stevens (absent), Trustee Gary Kiger and Trustee Richard Semans

Guests Present: Eight guests were present. Among the guest were Michael Bruff (District 1 County Commissioner), Carl Chalker, Karl Heckman, Lynn Givens (Deputy Treasurer), Matt Tribflener, Susan Tomasek-Swan (Deputy Clerk) Bill Kline, Bill Bowers, Jennings West, Ovid Township trustee.

Scheduled Comments:

Matt Tribflener – Stated that the fence at the cemetery is rotted and needs to be taken out and replaced. He would also like to purchase dirt and cement.

Michael Bruff (County Commissioner)- Hazardous Waste collection May 6th Durand City Hall. There will be also an Electronic recycling program. Supervisor Herendeen stated information about the programs will be placed on the township website. This month, the wind turbines will be addressing sound levels. Each month a new topic regarding the wind turbines will be addressed. After all the modification from the findings, then the ordinance will be revamped. No decisions are being made during these fact findings. Mr. Bruff stated that he will represent the majority of his residents' wants in regards to the wind turbines. He stated he is "all ears" in listening to the residents' opinions regarding "being for" or "against" the wind turbines. Supervisor Herendeen feels these will only be around as long as there is government subsidy.

Public Comments: Opened at 7:25 pm Closed at 8:06pm

Bill Bowers from Burns Township introduced himself. He is a new trustee member and wants to see how all the different boards in the county run things.

Corky McCreery asked about the Road Commission would be here at tonight's meeting. Corky stated that he and his wife drove around the roads in Middlebury Township. Neither agreed on graveling

Austin Road since there are no houses on the road. He wants to know why Wilkinson Rd is only being graveled from Meridian to Warren Rd. He doesn't agree with the decision on that graveling. He understands you can't do every road. He feels their road is in horrible condition. They can't understand why it is not being graveled beyond Warren Rd. That portion of Wilkinson Road is heavily traveled in Middlebury Township (based on his opinion) with semi-trucks. He feels they need to have a culvert placed on a certain part of the Wilkinson Rd. Trustee Semans reviewed the past years of the graveling rotations. Corky continued to argue his point. Herendeen stated they won't do the whole road for graveling. Corky feels his portion of the road needs graveled. He wants at least both miles done. Corky feels the road needs to be done. He feels you can't grade if there is no gravel to grade. He feels it is all a money game but if it done properly it would last. Corky feels that the correct way to repair the road is to get the berms down on the road. Corky wants to know if this is a case where the decisions are final for this year's road construction. Herendeen stated, if there is a reason, we can make judgement call. Corky stated that Austin Road doesn't get as much traffic as Wilkinson. Meridian Rd to Carland Road the berms needs to be taking care of it. Herendeen stated we will call and get a price for cutting the berms down from Meridian and Carland.

Bill Kline asked about the speed limit on gravel roads which are 55 mph on unsigned roads.

Trustee Kiger asked if there is any way to stop farmers from farming up to the road area, since it causes road issues. Supervisor Herendeen said as a township we could but there would be no way to enforce the ordinance. This could be a county ordinance and then the code enforcement at the county could enforce it. Supervisor Herendeen can find out if there is an ordinance and see if it will be enforced. Austin Road between Simpson Rd to Krouse Road has the same issue because of farming right up to the road. Several minute discussion regarding how to cut berms.

Paved roads being worked on follows a schedule. There is more money coming in from the increase of registration fee. In 2019, Carland Road will be completed rebuilt mile by mile over the course of 5 years. This will be done by federal money. Carland Road rebuilt could move ahead as more money comes available.

Motion to Approve Agenda:

Trustee Semans made a motion to approve the agenda with the additions of Cemetery fence and lot under business and roads under communication. Clerk Brown seconded the motion.

Yes: All

Nay: None Carried

Motion to Approve Minutes:

Trustee Semans made a motion to approve the minutes from February 2017 as presented. Clerk Brown seconded the motion.

Yes: All

Nay: None Carried

Motion to Approve Minutes:

Trustee Semans made a motion to approve the minutes from March 2017 as presented. Clerk Brown seconded the motion.

Yes: All

Nay: None Carried

Amending the Budget

Trustee Semans made a motion to amend budget \$4,141.26 from 101-941-969.002, Contingency to the following line items:

101-862-715.000 FICA \$1,341.81

101-276-956.000 Cemetery misc \$993.75

101-257-727.000 Supplies \$489.00

101-265-727.000 Supplies \$467.33

101-257-730.000 Assessor Postage \$364.85

101-253-727.000 Supplies \$228.38

101-262-730.000 Election Postage \$82.00

101-101-702.000 Township Board Salaries \$70.00

101-262-900.00 Election Publishing \$46.14

101-336-702.000 Emergency Service-Salary \$40.00

101-101-900.000 Twp Printing and Publishing \$18.00

Motion to Pay Bills:

Clerk Brown made a motion to pay bills in an amount of \$13,847.07 with 1 eft and checks numbered 4163-4183. This was supported by Trustee Semans.

Yes: All

Nay: None Carried

Communications:

Park and Receptions: None.

Library: Some new computers were installed. The board is working on adopting a Personal Policies and bought new books.

MTA Meeting: New county deputy sheriff may be hired. There was some controversy regarding the purchase of the new election equipment. The local clerks have stated that they would accept Dominion Election equipment. The final decision is the county clerk's choice.

OMESA: A new tank was built at \$162,000.00. The board approved and sold the old tank for \$6,000.00, but OMESA voted to purchase a used compressor at \$6,000.00 from Greenbush Township

Assessor: Diane Dowler was absent. But Supervisor Herendeen stated Middlebury had a 100% from the assessing audit.

- 1.) **Roads** Shiawassee has designed prime roads; Warren Rd from M21 to Hibbard Rd. Hibbard Rd. from Clinton Co to Baldwin Rd. Baldwin Rd from M21 to Hibbard Rd. The Shiawassee County Road Commission will be doing them (roads) on a schedule. So money from the state increase of registration fee will be given to the county to decide which roads to receive the funding. Middlebury only has 7 miles of primary roads. Warren Rd from M21 to Hibbard and Baldwin Rd from M21 to Hibbard Rd. are slated for repair in 2021 year. The year 2018 will be Juddville Rd from county line to county line.

Business:

- 2.) **Road Commission Contracts- total proposed 194,715.00... \$25,000.000 contribution from the county so the township will be paying \$169, 715.00 with all the approved project contracts. \$90,000.00 will from General Fund and \$80,000.00 from Road funds. A Motion to approve presented contracts and to allow Supervisor Herendeen to sign contracts made by Trustee Semans and Supported by Clerk Brown.**

Roll Call Vote:

AYE: Kiger, Semans, Brown, Herendeen

NAYS: None Carried

- 3.) **Shiawassee Economic Development 2017 FY appropriations- Trustee Semans made a motion to approve appropriation of \$500.00 to Shiawassee Economic Development Brown seconded the motion.**

Roll Call Vote:

Yes: Kiger, Semans, Brown, Herendeen

Nay: None Carried

- 4.) **Cemetery Fence- Discussion of getting a wrought iron style fence. Trustee Semans made a motion to get some information on pricing for fence.** The fence was placed as a memorial or Eagle badge project (Flag pole) Herendeen stated we can get prices on fencing and maybe we even consider not replacing. He suggested TWA fencing in Durand. Kline mentioned Rich Wirth does fencing in Middlebury Township. **Motion Supported by Trustee Kiger.**

Aye: all

Nay None

5.) **Lot** Trustee Semans paced off our lot with our township hall. Trustee Semans was composing a letter to the owner regarding selling off the front portion. Semans suggested if we traded two acres from the back to the front two acres. 416 feet wide instead of 218 feet and the go back 400ish instead of 800ish. The driveway will probably stay the same because the county is concern about adding a drive and there still stands a possibility of the road going in. Kline suggested widen the driveway.

Trustee Semans asked if we should write a letter. Herendeen cautioned of trading off too much maybe just offer to purchase some land. If the board is ok, he would compose a letter. The set back is 125 ft from M21 and the property line building will be only 15ft building area.

Supervisor Herendeen made a motion to approve Trustee Semans to contact the owners via letter to purchase or exchange land. Supported by Trustee Semans.

Aye: All

Nay: None

Carried

Final Comments: Opened at 9:15 pm Closed at 9:15 pm

None

Motion to adjourn the meeting: Adjourned at 9:15 pm

Without objection the supervisor adjourned the meeting at 9:15 pm.

X

Susan Tomasek Swan
Deputy Clerk