

**Webber Township**

2286 W. Springtime St

Baldwin, MI 49304

**Webber Township Monthly Board Meeting**

December 14, 2023

(Revised 1/15/2024)

231-745-3471

**Purpose:** Monthly Board Meeting

**Call to Order:** 6:00PM

**Pledge of Allegiance**

**Attendance:** Dan Cousar-Here, Pat Williams-Here, Deb Hanes-Here, Ernie Wogatzke- present, Kelly McCune-Tardy, arrived 6:14PM

**Agenda Approved:** Meeting Minutes from 11/9/23 were not completed by previous Clerk. Deb to complete for approval at January 2024 meeting.

Per Dan the Public Hearing on 11/27/23 was not closed prior to voting to reschedule. Add need for motion to close Public Hearing of 11/27/23 to today's agenda.

Motion to approve Agenda with revisions made by Deb Hanes with support by Pat. All in favor. Motion carried.

**Approval of Minutes of Oct 11, 2023 Special Meeting, Nov 9, 2023 Regular Board Meeting, November 16 and 27, 2023 Special Meetings, December 11 Special Meeting, and December 13, 2023 Finance Meeting.**

Dan asked for a correction to the December 11, 2023 meeting minutes because the minutes did not reflect the final amendment language Republic Services included in their contract. After a discussion among several board members, it was agreed that the minutes correctly reflected what the board had requested as contract termination language during the meeting. Republic had subsequently rejected our language and provided their own. No correction required.

The December 9, 2023 minutes were taken by the previous Clerk and never prepared for approval. Deb will prepare them for approval at the January 11, 2024 meeting.

Motion to approve Minutes to all Meetings presented made by Pat with support by Deb. All in favor. Motion carries.

**Business at hand:**

**Approval of Accounts Payable:** Motion to approve by Kelly with Support by Dan. Roll Call: Kelly-Yes, Pat-Yes, Dan-Yes, Deb-Yes, Ernie-Yes. Five Yes votes. Motion carries.

**Fire Fund Report:** Motion to approve report as submitted made by Dan with support by Pat. . . Roll Call: Kelly-Yes, Pat-Yes, Dan-Yes, Deb-Yes, Ernie-Yes. Five Yes votes. Motion carries.

**Water and Sewer Fund Report:** Motion to approve as read made by Deb with support by Kelly.

**Refuge Fund Report:** Motion to approve the Refuge Report as submitted made by Kelly with support by Pat. Roll Call: Kelly-Yes, Pat-Yes, Dan-Yes, Deb-Yes, Ernie-Yes. Five Yes votes. Motion carries.

**Treasure's Report:** Pat submitted Treasurer's Report and informed the board of the need to roll over a 12 month CD in the General Fund. Motion to approve made by Pat. Kelly supported. Roll Call: Kelly-Yes, Pat-Yes, Dan-Yes, Deb-Yes, Ernie-Yes. Five Yes votes. Motion carries.

EGLE sent us a Flood Plan Management Guide. The guide will be held in the Clerk's office for public review.

**Public comments:** A concern was voiced about not being able to secure the lids on the Republic trash containers to keep animals out. Also this resident doesn't want neighbors' trash containers on their property.

A question was asked if Republic will be able to get their trucks down Putnam Lake Dr. (Pvt)

How much is the Refuse Assessment? Not determined yet.

Since all residents are assessed the trash fee, why can't they get a bin? Permanent and seasonal residents can definitely have a bin. Campers can not, which is the same as current service. They can pick up bags for their use. If resident is paying full assessment they should get full service. Looking into charging campers and vacant land owners less and permanent/seasonal residents more, but may not be legal to have different assessments. Assessment amount is still in the works. Will continue to be \$50 this year. Will provide final calculation for the annual meeting when it will need to be approved.

Why hasn't our attorney responded to the Village Attorney regarding wastewater dumping into sewer system? Seth has info but is not getting back to Village attorney. Village attorney is charging a late fee every time Seth fails to return his call. Ernie will check.

#### **Department Reports:**

**Fire Dept:** Given by Deputy Chief, Jeremy Anderson in Chief's absence.

New Jaws of Life, obtained. Should be here before Christmas. New radios have been ordered.

**Sewer and Water:** Sam's report was read by Ernie in Sam's absence. Chloriform bacteria has been detected in our system. We will need to chlorinate the system for the entire month of December. Fire Dept needs to know which of their two lines are affected so they can be flushed. Wants to also know the start date of the chlorination. Sam is flushing our systems twice weekly until it they test clear. The bacteria is a result of the low flow of water on our system due to the prison being shut down.

We need to locate water lines at MiWorks for Miss Digg. We do not have the necessary equipment so will need to bring in a third party to do the locating at a cost of \$1025. Motion to approve spending \$1025 for third party locating made by Kelly with support from Pat. Roll Call: Kelly-Yes, Pat-Yes, Dan-Yes, Deb-Yes, Ernie-Yes. Five Yes votes. Motion carries.

**Road Commission Report:** None

**County Commission Report:** Need to become more economically friendlier and diverse community to help draw in people and businesses. Should be looking at zoning rules to allow more options as tiny houses, etc. What measures can we take to keep Lake Co afloat for the next 50 years. We also need services/internet. There was funding for internet 5 years ago but hasn't been installed yet.

**Sheriff Report:** Lake Co is moving in a positive direction and needs to continue to do so.

Law to automatically expunge felonies from criminal records is now in effect. Not sure of time, but believes it is 7-10 years after serving sentence. Buying Speed Limit Wagons through grant money which can be used by any Lake Co municipality. Let Sheriff know of any speeding issue locations and a wagon can be brought out. Round A Bouts have been approved for the North and South US10 intersections in Baldwin. Does not have a timeline. Could be several years. Traffic cones will be available for use during local events on a sign out/sign in basis. Luther band robbery suspect is back out on the streets. Sheriff has a recycler that is willing to serve our area, but the cost is higher than he expected. Is looking for contributions to help offset the cost.

**Cemetery Report:** None

**Grants Report:** Sent request for payments from the trust fund. There is a new Housing Grant opportunity for up to \$5MM. We don't have a plan for grant writing, unless there is something in the Master Plan. Kelly volunteered to look it over. There is an investor interested in our 10 acre plot.

Park project nearly complete. We received a refund for fencing that was not installed.

**Zoning Administrator Report:** Ernie gave the ZA report in his absence. Chris would like to revisit Section 3.25 (Camping Ordinance) to get clarification on what constitutes a structure on vacant land, which is allowable in some areas. Is it a building only, or does a pole, fence, gate, etc fall under the ordinance definition of a structure?

**Planning Commission Report:** Want to move forward with the elimination of necessity for phone #s on political signs. Moving forward with Section 22.03A for size of sheds from 120 Sq Ft to 200 Sq Ft. Section 3.11B reducing minimum building width from 24' to 18' was voted down. Per Ernie, no further action can be taken until after Public Hearing on Jan. 17, 2024. Tabled review of Section 3.28. Master Plan is nearly complete.

**LCEDA Report:** None

**DDA Report:** None

**Parks and Rec Report:** Park has been shut down due to broken pressure line by dry wallers. Dan and Ernie will do punch list to determine what else may need to be done. Once repairs are complete the park will be reopened. It was questioned if we need to keep it open in winter. It is used by hikers, dog walkers. May look at possibility of closing in winter, but only costs for maintenance is Port-a-John and plowing. Kelly requested a list of what actual monthly costs are for maintenance, plowing, port-a-Johns. Deb will provide this info to be presented at the next meeting.

**On Going Business:** AJ from Republic Services was present to answer questions from public, have board review and approve the contract with amended termination language.

Public discussion:

Republic does have automatic pick up on their trucks. There is a side tip arm on the front. If container is not placed where the arm can reach it, the employee will reposition it so it can be reached.

They will do their best to clean up any scattered trash as a result of animals.

As long as the truck will safely fit, they will pull into Pvt Rds and driveways far enough to reach containers that were placed at the end of road by main street.

There was a concern about containers placed along US10 being hit by the extra wide blades of snowplows. Republic currently has customers located on US 10 and they pick them up without issues.

Putnam Lake Dr can possibly be picked up, if road is plowed and waiver is signed. Employee safety is main driving factor.

There was again concern stated about campers leaving leaving bags along side the roads. It was asked if we could place containers at strategic sites around the Township that would be accessible to campers so they don't have to leave bags on roadside. AJ thought this could be possible, if it could be done safely. There was a concern that they may be abused.

Cart delivery will begin 12/19/2023. They use a different truck to deliver carts. It can get in places where the trash pick up trucks can't. Carts will be left out near main roads for those on two tracks or smaller pvt rds. They will be working off a list of permanent (homesteaded) residents first, then move to seasonal residents. You can put some sort of identifier on your Cart so you know which is yours.

Why can't we use the full time residence count to deliver carts? We do.

The breakdown of cost sheet was provided in error. It was only a worksheet.

Several members of the public and the board expressed concern over the contract termination language provided by Republic in the amended contract. Nowhere does it state that Webber Township has the ability to terminate the contract if Republic is not keeping their commitment. Per AJ of Republic, the amended language referred to termination after the first year customer count reconciliation only. That point was agreed, however, Webber Township had requested language that it could be terminated by either party. The amendment states ,if we cannot reach an agreement on pricing after the first year customer number reconciliation, the contract can be terminated by Republic. According to him, all we have to do is provide written communication

that we can not come to an agreement on the price adjustment and we request contract termination. Republic will comply.

It was also mentioned that there is no opportunity for Webber to terminate the contract if Republic breaches the contract by not upholding their end of the deal. Per AJ, they have 30 days to rectify the issue or the contract is terminated, although the contract only states, they have 30 days to rectify the issue. Again, several members of the public and board were uncomfortable with the ambiguous language.

A1 will have their final pick up the last week of December.

Ernie asked for a motion to accept the Republic Services contract with the amendments as submitted. Motion made by Pat with support by Kelly. Roll call: Kelly-Yes, Pat-Yes, Dan-No, Deb-No, Ernie-Yes. Vote: Yes votes=3, No votes=2. Motion passed.

New Employee Handbook: The Manager/Supervisor of each department will handle disciplinary Verbal Warnings/Write Ups. The warnings need to go into employee's Personnel Folder. The Handbooks need to be distributed to all employees, read, signed, and returned. For a new employee this must take place prior to first day of reporting to work. In the event of a conflict of interest, where a Manager/Supervisor must discipline a family member employee, a board Trustee will sign the warning. If the disciplinary action is against a Dept. Head, the matter goes before the Board. Pat is to amend this language. As written, even if an employee receives the lowest, they still can receive a raise. Motion to approve the Employee Handbook with revised language made by Deb with support by Kelly. Roll Call: Kelly-Yes, Pat-Yes, Dan-Yes, Deb-Yes, Ernie-Yes. Yes Votes=5. Motion Carries.

Deb will get a copy to all employees to read and sign.

MDOT has installed Noise Ordinance signs. Discussion followed whether a sign that just posts the Ordinance # is actually enough to inform truckers no jake braking is allowed in the Township. There are questions if truckers will know what the Ordinance# is and how is this Ordinance enforced.

Motion to close Public Hearing of 11/27/23 made by Deb with support by Pat. All in Favor. Motion carries.

Open positions on Planning Commission. Nikki Hughes' and John Hindy's terms are up. Ernie recommends Nikki Hughes and Bill Austin to fill the positions. There was a discussion as to why John is being replaced and the proper way to handle personnel/board member performance. A motion was made to approve Bill Austin to fill one Planning Commission position by Pat with support by Ernie. Roll Call: Kelly-No, Pat-Yes, Dan-No, Deb-No, Ernie-Yes. Yes Votes=3. No Votes=2. Motion fails.

Motion made by Pat to appoint Nikki Hughes to retain her position on the Planning Commission with support by Kelly. Roll Call: Kelly-Yes, Pat-Yes, Dan-Yes, Deb-Yes, Ernie-Yes. Yes votes=5. All in favor. Motion carries.

A discussion followed regarding the Bi-laws of the Planning Commission addressing absenteeism. John's absences were approved, so there should be no absentee issues. His term is up and appointing Planning Commission members is at the discretion of the Supervisor. John

is not being removed mid-term for performance so the bi-laws do not apply. There is now a vacancy on the Planning Commission that will need to be filled at the next meeting.

Dave Freeman's term on the Zoning Board of appeals is to expire. Pat made a motion to appoint Dave to retain his position on the board with support by Kelly. Roll Call: Kelly-Yes, Pat-Yes, Dan=Yes, Deb=Yes, Ernie=Yes. All in favor. Motion carries.

Pat made a motion to adjourn the meeting with support of Kelly.

**Adjourned: 8:16PM**

Respectfully submitted,

Deborah L Hanes

Webber Township clerk