

**VEVAY TOWNSHIP
BOARD OF TRUSTEES
Regular Meeting
Monday, November 9, 2015
Vevay Township Hall – 7:00 p.m.**

MINUTES

Members Present: Supervisor Jesse Ramey, Clerk JoAnne Kean, Treasurer Shaun Sherwood, Trustees Doug Shaw and Bruce Walker

Members Absent: None

Staff Present: Deputy Clerk Brett Linsley

Call to Order. The Meeting was called to order by Supervisor Ramey at 7:02 p.m. and followed by the Pledge of Allegiance.

Set/Amend Agenda. The agenda was set as presented.

Consent Agenda. At the request of Clerk Kean, the November 2nd Board of Trustees Special Meeting minutes were pulled for review and a separate vote.

Treasurer Sherwood explained changes on the Cash and Investment Account Summary in response to a question from Trustee Walker. A \$4,300 Hawley Cemetery CD recently matured. Treasurer Sherwood has transferred the money to the Township's Trust and Agency account (note: this cash transfer was why the Cash and Investment Account Summary did not balance with October General Ledger's Balance Sheets). Treasurer Sherwood explained that she (and Supervisor Ramey) recently spoke to resident Bill Diamond (a descendant of the Hawley family). She (Sherwood) said that it was Mr. Diamond's opinion that, with his (Diamond) authorization, the \$30,852.50 earmarked as "Endowment Funds" could be spent if used for improvements at Hawley Cemetery (which would not include regular maintenance such as mowing). Supervisor Ramey has contacted the Township Attorney to review the documentation to determine if the money constitutes a true "endowment fund" as stated in the Hawley Cemetery Association agreement with the Township. Regarding Trustee Walker's question, Supervisor Ramey explained the recent Hawley lot sale activities reflected on the Revenue and Expenditure Report. Hawley lot sales have netted \$1,200 for the Township.

MOTION Kean, seconded Ramey, to adopt the consent agenda as amended.

Roll Call Vote

**Ayes: Ramey, Sherwood, Shaw, Walker & Kean
Nays: None**

***All items listed in Item IV are considered to be routine by the Township Board and will be enacted by one (1) motion. There will be no separate discussion of these items unless a Board member or citizen so requests, in which event the item will be removed from the Consent Agenda and considered separately. Recommendations are preceded by an asterisk (*).**

- **Minutes for Regular Meeting on 10-12-15. *approve & file**
- **Financial Reports – October 2015: 1) Fund Balances 2) Balance Sheets and 3) Revenue & Expenditure Report. *receive & file**
- **Planning Comm. Regular Mtg on 10-7-15 & Special Mtg Minutes on 10-21-15. *distribute**
- **October 2015 AGS Building/Zoning Report. *receive & file**
- **Correspondence from:**
 1. **Mason Fire Dept. re: October Response Report.*file**
 2. **MI Bell Telephone Co./AT&T Video Service Franchise Fees Rpt. July – Sept. 2015.*file**
 3. **Representative Tom Cochran re: Granting Farmers the Ability to Hold Weddings on their Property. *file.**

November 2, 2015 Special Board Meeting Minutes. The Board reviewed changes made to November 2nd Special Meeting minutes. There were two additions.

MOTION Kean, seconded Walker, to approve the November 2, 2015 Board of Trustees Special Meeting minutes with the following additions:

- **Adding the following paragraph after the fourth paragraph on page two: “When asked, Trustee Shaw indicated that he would recuse himself from voting on this matter due to conflict of interest (note: Trustee Shaw currently holds SLU #120 for Shawhaven Farm operations). Trustee Shaw, however, was not in support of the annual review and review fee.”**
- **Adding the following after the roll call vote on page 3: “Trustee Walker noted that he voted yes, but with reservation.”**

Roll Call Vote

Ayes: Sherwood, Ramey, Kean, Walker & Shaw

Nays: None

Public Comment. In honor of Veterans Day being celebrated on the coming Wednesday, Clerk Kean expressed her thanks to all Veterans for their service to our great Country.

Approval for Continuation of Certain SLUs. Supervisor Ramey reminded the Board that the SLU renewal process will be changing soon. Until those changes are finalized the Board will approach SLUs as they have in the past. The Planning Commission has recommended approval and continuation of the following SLUs:

#6 Vevay Township, 780 Eden Rd. – Township Hall

#46 Phyllis Raymond, 556 S. Diamond Rd. – Ceramastic Shop

#105 AM Tower/Spectrasite, Howell Rd. east of Okemos Rd. – Cell Tower

All fees have been paid.

MOTION Sherwood, seconded Walker that Special Land Use Permits #6, #46, and #105 be approved for continuation as recommended by the Planning Commission.

Roll Call Vote

Ayes: Shaw, Walker, Kean, Ramey & Sherwood

Nays: None

Accounts Payable Disbursement Authorization. Walker asked about a grave opening in the amount \$850. Ramey clarified that the opening cost \$500, but that there was an additional invoice from *J&D* for brush and stump removal services at Hawley Cemetery.

MOTION Kean, seconded Walker, to approve the Disbursement Authorization Report as presented for General Fund Checks #27098 – #27160 and EFTs #123, #124, and #125 in the total amount of \$42,281.82.

Roll Call Vote

**Ayes: Walker, Kean, Ramey, Sherwood & Shaw
Nays: None**

Supervisor's Reports.

1. Mud Creek Drain Project Update. The Mud Creek Drain Project has been completed for the year with the exception of a few very menial tasks that will be completed in the spring. Representatives from the Drain Commissioner's Office as well as the contractor have indicated that they will prepare a report for the Board's next meeting. Trustee Walker asked if any immediate effects have been noticed by residents. The Township has received a few comments. The vast majority of the comments, however, were directed straight to the Drain Commissioner's office and the contractors. The Board noted that this shows how actively involved those responsible for the project have been in listening to residents' concerns and complaints.

2. ICHD Water Quality Test Results at Township Hall. Following two chlorination's of the water well and tests with mixed results, the water at the Township Hall has tested negative for e-coli twice in a row. The water system will be tested five more times this month to ensure the stability of the water system's safety. If test results remain favorable, the system will move to a regular schedule of four water tests per year.

3. Planning Commission Public Hearing Cancelled. The PC was scheduled to hold a public hearing on Wednesday, November 4th to hear two requests: one for an SLU permit and another for rezoning. On Wednesday morning, the submitter of both requests asked that they be withdrawn from agenda. The requesters will be asked to fill out documents to indicate that they are no longer interested in rezoning or achieving an SLU.

4. Planning Commission Special Meeting Scheduled for December 2nd. The PC has also scheduled a Special Meeting for December 2nd. The meeting will be taking place to discuss the ongoing Master Plan review process.

5. Emergency Generator Annual Maintenance. The Township Board recently approved an annual generator maintenance agreement with Township electrician Ron Wieferich. The first annual maintenance has taken place. The generator was found to be in good working order.

Treasurer's Report. The Township has received the tax payment from the City of Mason for PA 425 agreements and PA 108 areas. Treasurer Sherwood included information in the packet that showed the history of PA 425 payments and how they have fluctuated over the years. This year's payment was for \$72,350.49. The Township anticipated a \$75,000 payment in the 2015-16 Fiscal Year budget, a shortfall of \$2,649.51.

- 1) All regular meetings will be held at the Township Hall, 780 Eden Road.
- 2) Meetings will be held on the second (2nd) Monday of each month, except where indicated with an asterisk (*).
- 3) All meetings shall commence promptly at 7:00 p.m.
- 4) Dates of the meetings mentioned in paragraph two (2) shall be as follows:

January 11, 2016	July 11, 2016
February 8, 2016	* August 10, 2016 (Wednesday)
* March 16, 2016 (Wednesday)	September 12, 2016
April 11, 2016	October 10, 2016
May 9, 2016	* November 16, 2016 (Wednesday)
June 13, 2016	December 12, 2016

MOVED for adoption by Walker, and supported by Kean, that the foregoing Resolution #15-06 establishing Township Board meeting dates for the year 2016, be hereby adopted.

Roll Call Vote	Ayes:	Ramey, Kean, Walker, Shaw & Sherwood
	Nays:	None Absent: None

RESOLUTION DECLARED ADOPTED.

Review of Proposals for Audit Services Beginning in the 2015-16 Fiscal Year. Following termination of audit services with *PSLZ LLP*, the Township sent out requests for audit services proposals. The Township received a total of three responses out of six requests sent. Supervisor Ramey read the proposals aloud for the audience. Trustee Shaw said that *Gabridge & Company's* rates make their proposal attractive. Supervisor Ramey explained that Mr. Verlin from *Gabridge & Company* was very responsive to questions from the Clerk and Treasurer during a recent phone call.

MOTION Shaw, seconded Kean, to authorize the execution of an audit services contract with *Gabridge & Co.* in the amount not to exceed \$5,110.00 for the Fiscal Year ending on March 31, 2016, with optional extensions for Fiscal Year ending in 2017, 2018, 2019 and 2020 for the amount not to exceed \$5,110.00 per year.

Roll Call Vote	Ayes: Sherwood, Shaw, Ramey, Kean & Walker
	Nays: None

Authorization Request to Purchase Antivirus Software. The Township's antivirus software needs to be renewed. Due to new requirements for the server, there will be an additional installation fee. Trustee Walker asked if the invoice from *Vargas Computer Systems, Inc.* represents another fixed overhead cost. The Township has to have anti-virus protection. This year, the additional cost on the invoice will cover Mr. Vargas' time to install the new software.

MOTION Walker, seconded Sherwood, to authorize the expense and payment for anti-virus software and installation in the amount of \$589.50, charged to *Computer Services (GL #101-101-802.000).*

Roll Call Vote	Ayes: Shaw, Walker, Ramey, Sherwood & Kean
	Nays: None

Foreclosed Vacant Hull Road Property. At last month's meeting, the Board discussed that the County has put a foreclosed parcel of vacant property in the Township up for auction two times in the past two years. The fifty-foot wide piece of property takes up about a third of an acre and sits between two residences on Hull Road. By law, the County must first offer the property to the Township. Unless the Township Board takes official action to refuse it, the property will automatically come under the Township's ownership. Supervisor Ramey – feels the Township would be taking a risk if it claimed the property and attempted sell it. A revised resolution refusing the transfer of the property to Vevay Township was distributed at the meeting.

**TOWNSHIP OF VEVAY
INGHAM COUNTY, MICHIGAN
RESOLUTION OBJECTING TO THE TRANSFER OF UNSOLD TAX REVERTED
PROPERTY, PARCEL #33-10-10-21-101-027, FROM THE INGHAM COUNTY
TREASURER TO THE TOWNSHIP OF VEVAY
RESOLUTION #15 – 07**

WHEREAS, Public Act 123 of 1999, hereinafter sometimes referred to as the “Act” established an expedited process whereby property on which taxes have not been paid could be sold for unpaid taxes; and

WHEREAS, the Act creates a series of stages through which a property on which the taxes have not been paid must pass before that property can be sold; and

WHEREAS, the Act allowed each county in the State of Michigan to decide whether its treasurer or the State of Michigan would act as the governmental entity responsible for overseeing the stages through which a property on which the taxes have not been paid must pass before the property is sold; and

WHEREAS, the Act refers to the governmental entity responsible for overseeing the stages through which a property on which the taxes have not been paid must pass before the property is sold as the foreclosing governmental unit; and

WHEREAS, pursuant to a concurring resolution of the County Board of Commissioners, the Ingham County Treasurer, (hereinafter referred to as the “Treasurer”), is the foreclosing governmental unit under the Act with authority to take all actions, judicial or otherwise, required under the Act in order to sell property on which the taxes have not been paid in Ingham County; and

WHEREAS, one of the stages through which a property on which the taxes have not been paid must pass before the property is sold in foreclosure; and

WHEREAS, pursuant to the Act fee simple title to a property on which the Treasurer has foreclosed vest in the Treasurer effective on the March 31st immediately succeeding the hearing for uncontested cases or 10 days after the conclusion of the hearing for contested cases; and

WHEREAS, the act prescribes how the Treasurer is to dispose of property obtained by foreclosure; and

WHEREAS, the Act requires that the Treasurer give a list to the Clerk of the Township of Vevay, which list shall contain all the property in that Township on which the Treasurer has foreclosed that has not been sold prior to December 1st of the year in which it is foreclosed upon; and

WHEREAS, unless the Township of Vevay objects in writing, the Act requires the Treasurer to transfer to that township fee simple title to the property on that list; and

WHEREAS, the Township has received from the Treasurer a list of property that will be transferred to it if it does not object; and

WHEREAS, the Township of Vevay does not wish to obtain from the Treasurer any property upon which the Treasurer has foreclosed but not sold because of the cost of maintaining such property will exceed any benefit that will be obtained.

THEREFORE BE IT RESOLVED, that the Township of Vevay wishes to exercise its option under the Act to object to the transfer of property, parcel #33-10-10-21-101-027, foreclosed upon by the Treasurer but not sold that is contained on the list thereof filed with the Township of Vevay Clerk and said transfer of parcel #33-10-10-21-101-027 is, therefore, refused.

MOVED for adopted by Kean, and supported by Walker, to adopt the foregoing resolution.

Roll Call Vote	AYES:	Walker, Kean, Ramey, Sherwood & Shaw
	NAYS:	None
		ABSENT: None

RESOLUTION DECLARED ADOPTED.

MERS Retirement Benefit Review. Representatives from *MERS* recently met with Board members to present information regarding a recent study performed by the *MERS* Board. The study looked primarily at changes in mortality rates and how they affect the Township’s funding. The Township’s unfunded liability remains less than 60%. Because of decreasing mortality rates, benefits are becoming more costly. To compensate for rising costs, *MERS* has suggested that an additional lump sum be made by the Township. A \$20,000 payment was made earlier in the calendar year (the previous Fiscal Year). If a \$10,000 were paid, the Township would be a little more than 60% funded. One of the options that *MERS* presented was to change the multiplier percentage for future retirees. That option, however, requires further review before action would be taken.

MOTION Ramey, seconded Walker, in compliance with GASB standards, to reduce the unfunded pension liability, and make a MERS contribution in the amount of \$10,000 from *Unappropriated Funds* (GL #101-000-676.000) to *Retirement Benefits* (GL #101-237-874.000).

Roll Call Vote	Ayes:	Kean, Ramey, Sherwood, Shaw & Walker
	Nays:	None

Ordinance Violation Enforcement at 1074 Service Road. Following several blight complaints and research by Supervisor Ramey, it has been determined that the property owner of 1074 Service Road is in violation of Ordinance 51.01. The visible exterior of the property has accumulated junk motor vehicles, rubbish, and other trash. Several attempts have been made to contact the owner and give the resident adequate time to come into compliance with Township ordinances. The resident has not responded in any way to the Township Attorney or Supervisor. Visits have been made to the residence with no contact, although there are indications that the individual does indeed reside there. Because the individual has not responded, a court decision favorable to the Township would be extremely likely. If there are other liens on the house, however, there may not be enough money for the violator to compensate the Township. Supervisor Ramey estimates that moving forward with cleaning up the property and pursuing legal action would cost the Township between \$5,000 and \$10,000. Even if a lawsuit was won, there would be no guarantee that the money could be collected. Trustee Walker – noted that the Township has an obligation to maintain standards and believes the Township should minimally pursue further information. Trustee Shaw – felt that money spent on cleanup and court costs would be wasted. Supervisor Ramey – explained that enforcement would only address the exterior property and not inside the home itself.

MOTION Walker, seconded Sherwood, to authorize expenses up to \$600 for a title search to determine mortgage value and other liens in order to make a more informed decision.

Roll Call Vote

Ayes: Ramey, Sherwood, Walker & Kean

Nays: Shaw

Request for Training – MTA Annual Conference. MOTION Kean, seconded Ramey, to authorize expense and payment of up to \$1,500, charged to *Governing Body – Educational Meetings* (GL #101-101-960.000), for PC and ZBA members to attend one day of the MTA Annual Conference in Detroit, Michigan on January 19th (Tuesday) or the 20th (Wednesday), or to purchase MTA webinars.

Roll Call Vote

Ayes: Sherwood, Ramey, Kean, Walker & Shaw

Nays: None

Request for Training – MTA Writing, Adopting & Enforcing Ordinances. MOTION Walker, seconded Ramey, to authorize the expense and payment to send the Clerk and Supervisor to MTA's *Writing, Adopting, and Enforcing Ordinances* training in Cadillac, Michigan on December 8th, 2015, charged to *Governing Body – Educational Meetings* (GL #101-101-960.000).

Roll Call Vote

Ayes: Shaw, Sherwood, Ramey, Kean & Walker

Nays: None

Board Appointment. MOTION Ramey, seconded Sherwood, to appoint Wayne Uzzle to the Mason/Vevay Joint Planning Commission for a term effective immediately through November 9, 2016.

Roll Call Vote

Ayes: Walker, Kean, Ramey, Sherwood & Shaw

Nays: None

Other Business. The December Board meeting will take place on December 14th.

Public Comment. Resident Greg Shaw thanked the Clerk's Office for including the Rayner Park cleanup day in a recent e-news. He (Shaw) also shared his thoughts on the peculiar shape and size of the Hull Road property and how it may have come to exist in that form.

Resident Jeff Carter –said that he has received comments about the Service Road property. Given that influential business owners may travel that road to the golf course and trap shoot, properties with blight may deter business from the Township. He (Carter) expressed displeasure with Ordinances not being properly enforced and urged the Board to pursue enforcement in the circumstance discussed at tonight's meeting.

Resident Fred Kiefer – felt that if there are ordinances that the Board will not enforce, those ordinances should be taken off of the books. If not enforced, an ordinance does not exist from a practical perspective.

Adjournment. The meeting was adjourned at 8:45 p.m.

JoAnne Kean, Clerk

*Transcribed by Deputy Clerk Brett Linsley
November 2015 BOT Minutes.doc*