

Midland Charter Township
Regular Board Meeting
December 12, 2018
7:00pm
1030 S Poseyville Rd
Midland, MI 48640

Present: All members

Also Present: 2 guest

Pledge of Allegiance

Meeting Minutes: November 14, 2018

Public Comment:

Was heard by board

Building report:

Building 120.00

Electrical 130.00

Fire Report:

36 runs

425 for the year

Turnout gear is in and paid for.

Need new computer and tablet, fit testing machine township shares with Jerome, calibration is 600.00 our share.

Hoses to start being replaced.

Enforcement Report:

2 complaints

1-woodstove 2565 E Miller Rd

1 blight 1213 Grey Rd

**** Public Hearing 7:30pm Budget****

Changes made to drop extra liquor inspection line

Holt motions to accept Budget, Radosa Supports,

Yes: Holt, Radosa, Northup, Armstrong-Miller, Avery, Leach, Clarey

****public hearing closed 7:35pm*****

Planning Commission:

Meeting Dec 15th change verbiage on Ordinance 306 and add a 6th section to include steel containers.

Public hearing scheduled for January 2, 2019

Financial Report:

Radosa motions to pay the bills, Clarey Supports

Yeas: Radosa, Clarey, Leach, Avery, Armstrong-Miller, Northup, Holt

Unfinished Business:

Ordinance 100 voted on see attachment to Minutes:
Holt motions to accept ordinance 100, Leach supports
Yes: 7 No: 0

Ordinance 102 voted on see attachment to Minutes:
Holt motions to accept ordinance 102, Northup supports
Yes 7 No: 0

New Business:

2018 drains approved to payment

Badour Rd estimate 20145.33 board opts for more information before giving the go ahead.

Meetings to stay the 2nd Wednesday of the month

Website: Bruce Reed

Computer Support: IT Right

Insurance: Lind and Lind

Trash: Republic Waste

Banks: Chemical Bank, Wildfire Credit Union, Isabella, Huntington, Horizon, Frankenmuth Family Credit Union

Mileage: .545

Layers: Poznak, Dyer, Kamar, Grarchow, MTA, EMC attorney

Auditors: Andrew Hoooper and Pavlik

Lawn Care: Mitten Mowing

Snow removal: McLaughlin

Armstrong-Miller motions to approve the above entities for use by the township, Holt supports

Yeas: Armstrong-Miller, Holt, Avery, Leach, Clarey, Northup, Radosa

Armstrong-Miller motions to raise the fire chief pay to 4800.00/year. Clarey supports

Yeas: Armstrong-Miller, Clarey, Radosa, Northup, Avery, Leach, Holt

Armstrong-Miller motions to raise the secretary/chair of planning to 75.00 and members to 70.00 per meeting. Leach supports:

Yeas: Armstrong-Miller, Leach, Clarey, Avery, Northup, Radosa, Holt

Holt motions to approve Board of Review Training all three member. Radosa Supports

Yes: Holt, Radosa, Northup, Leach, Avery, Clarey, Armstrong-Miller

Board of Review Appointments: Effective January 2019

Linda Armstrong

Lee Walkowski

Paul Heyse

Salary increases for Supervisor, Clerk, and Treasurer to 16000.00/year Trustee to 200/per diem see attached resolutions to minutes

Amendments:

Twonship board gets 3000.00 from Township Hall repairs and maintenance

Miscellaneous gets 9000.00 from Township Hall repairs and maintenance

Fire Dept gets 2000.00 from Election Salary and Wages

Armstrong-Miller motions to accept these amendments. Radosa supports

Yes: Armstrong-Miller, Radosa, Northup, Clarey, Avery, Leach, Holt

Radosa motions to spend 1680.00 to install 3 new 80 watt LED lights to backside of poles to face the pavilion to Valley Electric. Avery supports

Yes: Radosa, Avery, Northup, Leach, Clarey, Armstrong-Miller, Holt

Radosa motions to purchase 100 new chairs for all @3500.00. Northup Supports

Yes: Radosa, Northup, Armstrong-Miller, Clarey, Leach. No: Avery, Holt

Leach motions to move 200,000 from general fund to a CD. Avery supports

Yes: Leach, Avery, Radosa, Northup, Clarey, Armstrong-Miller, Holt

Correspondence:

Other Business:

Public comment:

Was heard by board

Adjourned 8:57pm

Terry Holt, Supervisor _____

Shelly Armstrong-Miller, Clerk _____

MIDLAND CHARTER TOWNSHIP
1030 S POSEYVILLE RD
MIDLAND, MICHIGAN 48640

ADOPTION OF BUDGET BY COST CENTER

FISCAL YEAR 2019

The Board of Trustees of Midland Charter Township adopts the 2019 fiscal year general fund budget by cost center. Township officials responsible for the

expenditures authorized in the budget may expend township funds up to, but not to exceed the total appropriation authorized for each cost center, and may make transfers among the various line items contained in the cost center. However, no transfers of appropriations for line items related to personnel or capital outlays may be made without prior board approval by budget amendment.

"Pursuant to MCL 42.26, notice of public hearing on the proposed budget was published in the Midland Daily News on (date) and a public hearing on the proposed budget was held on (date)(time)

Motion made by Holt , seconded by Radosa to adopt the

foregoing resolution. Upon roll call vote, the following voted aye:Holt, Radosa, Northup, Armstrong-Miller, Avery, Leach, Clarey

The following voted nay: 0

The supervisor declared the motion carried and the resolution duly adopted on 12 of Dec in the year of 2018

ORDINANCE NO. 100

An Ordinance to amend the Midland Township Zoning Ordinance, Midland County, Michigan.

The Township of Midland, Midland County, Michigan, ordains, pursuant to the authority vested in it by Act 359 of 1947 and Act 184 of 1943 of the Public Act of the State of Michigan, as amended:

SECTION 1.

The Midland Township Zoning Ordinance is hereby amended to change the Zoning classification of the following described property from Residential R-1 to Business B-2.

Property situated in the Township of Midland, County of Midland, State of Michigan, to-wit:

Beginning 560 feet West of the South 'A Corner of Section 1, T1 4N, R2E, Midland Township, Midland County, Michigan;

thence NORTH 295 feet;

thence EAST 25 feet;

thence NORTH 526 feet; to the place of beginning;

thence NORTH 40 feet;

thence WEST 370 feet;

thence SOUTH 40 feet;

thence EAST 370 feet to POB.

SECTION 2.

The Zoning map, which is part of the Midland Township Zoning Ordinance, Midland, County, Michigan is hereby amended accordingly

SECTION 1

This Ordinance shall become effective eight (8) days after publication thereof.

Adopted by the Township Board, Township of Midland, County of Midland, Michigan.

Dated: _____

Terry Holt,
Supervisor Midland
Township

Shelly Armstrong-Miller,
Clerk Midland Township

CERTIFICATION

The above Ordinance No. 100 was adopted at a meeting of the Midland Township board on the 12 day of December 2018, and published in the Township website, and indicated as such in the Midland Daily News, which is a publication in the Township of Midland on the 17th day of December 2018

Shelly Armstrong-Miller, Clerk

MIDLAND TOWNSHIP ORDINANCE # 102
Solar Collection Devices Ordinance

An ordinance to apply to all solar collection facilities and devices within the Charter Township of Midland.

THE TOWNSHIP OF MIDLAND, MIDLAND COUNTY, MICHIGAN

Section 1. Title

This Ordinance shall be known as the Midland Township Solar Collection Devices Ordinance.

Section 2. General Standards

The following standards shall apply to all solar collection facilities in the Township:

- A. Responsibilities: The duties, obligations and liabilities associated with solar collection devices shall lie with the applicant or operator and the property owner, jointly and severally.
- B. Code Compliance: Solar collection devices shall be designed and installed in compliance with the manufacturer's installation instructions and comply with all State Construction Code and Fire Code requirements.
- C. Reflection/Glare: Solar collection devices shall be installed so that reflection or glare does not adversely impact surrounding residents, land uses, structures or road rights-of-way. All panels shall have tempered non-reflective surfaces. This may be accomplished by both the placement and angle of placement as well as substantial manmade or environmental barriers. If trees are used as barriers, they must be of such initial height as to provide dense and immediately effective, year-round

screening from the reflection or glare.

D. Electromagnetic Interference: Solar collection devices shall be installed so as not to cause electromagnetic interference, and shall comply with all applicable Federal Communications Commission (FCC) guidelines. In the event that such interference is experienced, the applicant or operator shall be responsible for correcting the conditions that created the interference, or for providing alternate service to each resident or property owner affected. The applicant shall be responsible for compensation to persons or property damaged by stray voltage.

E. Requirements for all Panels

1. The solar panels, solar shingles and array of panels shall be reviewed by the Building Department.
2. The panel array shall be fitted with an automatic shut off or breaker switch as approved by the Building Department to isolate the panels in case of fire.
3. The Building Department shall keep on file the type of system that the solar panel array is a part of, either photovoltaic or thermal.
4. It shall be shown that all panels are adequately secured to the surface upon which they are mounted and that the mounting structure has the capability of supporting the panels.
5. The installation of the panels shall not require or be reliant on the clear cutting of trees or other vegetation.
6. The installation of any solar panel (private or commercial) shall not negatively impact adjacent properties with additional or excessive storm water runoff and/or drainage.

Section 3. Review Procedures and Required Information

Solar collection devices allowed as an accessory use shall be subject to administrative review and approval as per Section 1412 (Zoning Permits). All other solar collection devices shall be subject to site plan approval per Section 1404 (Site Plan Review). The following additional information requirements shall apply to any application for approval of a solar collection device:

A. The following additional information shall be required as part of any application:

1. A written narrative describing the proposed project
2. Height, length and angle of the solar collection devices
3. Detailed descriptions of all proposed grading, filling and tree or woodland clearing, site security measures, potential light reflection,

concentration and glare impacts from solar collection devices on adjacent land, structures, uses and road rights-of-way and proposed measures for mitigation of any anticipated impacts

4. A copy of the manufacturer's instructions and design prints, along with documentation that the solar collection devices will be installed in compliance with the manufacturer's instructions and all applicable State Construction Code and Fire Code standards
 5. Any other information deemed necessary by the Planning Commission to verify compliance with the standards of this Section
- B. The Township, within its reasonable discretion, may retain the services of a solar energy conversion systems expert to assist with review of the application or any site inspections. The expense thereof shall be the responsibility of the applicant.

Section 4. Additional Standards for Solar Collection Systems-Large

Freestanding The following additional standards shall apply to solar energy collection systems - large freestanding.

- A. A signed and notarized removal agreement for the future removal of the facility in accordance with the requirements of this Section, which shall also include the following:
1. An estimate of the cost of removal of the facility and restoration of the site, certified by a licensed engineer; and
 2. A performance guarantee, sufficient to ensure device removal, site restoration and reimbursement of associated administrative costs incurred by the Township in the event that the applicant, property owner or their successors fail to remove the devices in a timely manner.
- B. If the applicant's intent is to install a solar collection device that will be interconnected to the power grid, written documentation shall be provided that the electrical utility provider has been notified, along with any utility-required interconnection and parallel operating agreement.

Section 5. Additional Standards for Solar Collection Devices-Small

Freestanding solar energy collection devices-small-shall not exceed the height allowed for accessory structures in the zoning district where the devices are located. Solar energy collection devices that are mounted on a principal building shall not exceed the height of the building by more than two (2) feet, and shall not exceed the maximum height allowed in the zoning district.

Section 6. Inspection

The Township shall have the right upon issuing the required permits or approvals to inspect the premises on which the solar collection device is located at all reasonable times for the purpose of verifying compliance with the requirements of the Ordinance.

Section 7. Abandonment and Removal

Any solar collection device that is not used for 365 calendar days shall be deemed to be abandoned. The owner or operator shall remove a solar collection device for which a requires special use permit approval has been rescinded, that has ceased operation for more than 365 consecutive days, or that has been determined by the Township to be abandoned, as follows:

- A. The device(s) shall be removed within 90 calendar days of receipt of notice from the Township requesting such removal. Failure of the owner or operator to respond within 90 calendar days of such a request shall be grounds for the Township to rescind any previous approval to construct or operate the device.
- B. Failure by the owner to remove the device(s) in accordance with this Section or an approved removal agreement shall be grounds for the Township to remove the device at the owner's expense, and to make use of any performance guarantee or other security provided for that purpose.
- C. Removal of the device shall include removal of any foundation, including concrete footings, support structures or other appurtenances to a depth of 48 inches below grade, and the land re-graded and restored to the original grade.
- D. The Township reserves the right to require submittal of evidence of ongoing operation at any time after construction or installation of an approved device.

Section 8. Effective Date:

This ordinance shall become effective immediately upon the publication thereof.

Adopted by the Township Board, Charter Township of Midland, Midland County, Michigan at a meeting thereof held December 12, 2018.

Dated: December 12, 2018

Terry L. Holt

Midland Township Supervisor

Dated: December 12, 2018

Shelly Armstrong-Miller Midland Township
Clerk

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

This resolution is used when NO ANNUAL MEETING is held.

A separate resolution should be adopted for each office for which a change is proposed (Attorney General Opinion 6422).

WHEREAS, according to MCL 41.95(3), in a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board, and

WHEREAS, the township board deems that an adjustment in the salary of the office of Trustee, is warranted in consideration of the increase in the cost of living and/or additional responsibilities taken by the Trustee since township board members' salaries were last adjusted, now

BE IT RESOLVED, that as of January 1, 2019, the salary of the office of Trustee shall be as follows: Supervisor: \$_ salary (not directly performing assessing)

salary if properly certified as assessor and directly performing assessing

OR:

Clerk: \$_ salary

OR:

Treasurer: \$_ salary

OR:

Trustee: \$200.00(If paid by salary. Per diem/per meeting compensation is NOT subject to the annual meeting.)

This resolution offered by board member Armstrong-Miller

Supported by board member Holt

Upon a roll call vote, the following voted: Aye: Clarey, Leach, Avery, Armstrong-Miller, Radosa, Northup, Holt

The supervisor declared the resolution adopted.

 _____, Clerk

NOTE: This resolution uses optional two-part salary language that a board may choose to adopt. If a board does not use the two-part salary format, it should adopt a single, fixed salary per office.

This resolution assumes that there is no annual meeting. It assumes that there is no salary compensation commission established by MCL 41.95(4).

Pursuant to MCL 41.95(7), a salary resolution cannot result in a reduction of salary during an official's term of office unless the responsibilities and requirements of that office are diminished, and the official agrees in writing to that reduction.

If within 30 days after the township board votes, a petition signed by 10% of the qualified electors of the township is filed requesting that the question be submitted to the electorate, the township board shall call a special election and submit the question of salary to the electors. Created on Tuesday, July 31, 2012

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

This resolution is used when NO ANNUAL MEETING is held.

A separate resolution should be adopted for each office for which a change is proposed (Attorney General Opinion 6422).

WHEREAS, according to MCL 41.95(3), in a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board, and

WHEREAS, the township board deems that an adjustment in the salary of the office of Clerk, is warranted in consideration of the increase in the cost of living and/or additional responsibilities taken by the Clerk since township board members' salaries were last adjusted, now

BE IT RESOLVED, that as of January 1, 2019, the salary of the office of Supervisor shall be as follows: Supervisor: \$16000.00_ salary (not directly performing assessing)

salary if properly certified as assessor and directly performing assessing

OR:

Clerk: _salary

OR:

Treasurer: \$ salary

OR:

Trustee: \$ (If paid by salary. Per diem/per meeting compensation is NOT subject to the annual meeting.)

This resolution offered by board member Armstrong-Miller

Supported by board member Leach Upon a roll call vote, the following voted: Yes: Leach, Clarey, Avery, Northup, Radosa, Armstrong-Miller

Abstain: Holt

The supervisor declared the resolution adopted.



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RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

This resolution is used when NO ANNUAL MEETING is held.

A separate resolution should be adopted for each office for which a change is proposed (Attorney General Opinion 6422).

WHEREAS, according to MCL 41.95(3), in a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board, and

WHEREAS, the township board deems that an adjustment in the salary of the office of Treasurer, is warranted in consideration of the increase in the cost of living and/or additional responsibilities taken by the Treasurer since township board members' salaries were last adjusted, now

BE IT RESOLVED, that as of January 1, 2019, the salary of the office of Treasurer shall be as follows:

Supervisor: \$_ salary (not directly performing assessing)

\$ if properly certified as assessor and directly performing assessing

OR:

Clerk: \$_ salary

OR:

Treasurer: \$16000.00salary

OR:

Trustee: \$ (If paid by salary. Per diem/per meeting compensation is NOT subject to the annual meeting.)

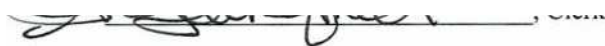
This resolution offered by board member Armstrong-Miller

Supported by board member

Upon a roll call vote, the following voted: Aye Northup, Clarey, Avery, Leach, Armstrong-Miller, Holt

Abstain: Radosa

The supervisor declared the resolution adopted.



NOTE: This This resolution uses optional two-part salary language that a board may choose to adopt. If a board does not use the two-part salary format, it should adopt a single, fixed salary per office.

This resolution assumes that there is no annual meeting. It assumes that there is no salary compensation commission established by MCL 41.95(4).

Pursuant to MCL 41.95(7), a salary resolution cannot result in a reduction of salary during an official's term of office unless the responsibilities and requirements of that office are diminished, and the official agrees in writing to that reduction.

If, within 30 days after the township board votes, a petition signed by 10% of the qualified electors of the township is filed requesting that the question be submitted to the electorate, the township board shall call a special election and submit the question of salary to the electors. Created on Tuesday, July 31, 2012

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

This resolution is used when NO ANNUAL MEETING is held.

A separate resolution should be adopted for each office for which a change is proposed (Attorney General Opinion 6422).

WHEREAS, according to MCL 41.95(3), in a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board, and

WHEREAS, the township board deems that an adjustment in the salary of the office of Clerk, is warranted in consideration of the increase in the cost of living and/or additional responsibilities taken by the Clerk since township board members' salaries were last adjusted, now

BE IT RESOLVED, that as of January 1, 2019, the salary of the office of Clerk shall be as follows: Supervisor: \$_ salary (not directly performing assessing)

salary if properly certified as assessor and directly performing assessing

OR:

Clerk: 16000.00 salary

OR:

Treasurer: \$ salary

OR:

Trustee: \$ (If paid by salary. Per diem/per meeting compensation is NOT subject to the annual meeting.)

This resolution offered by board member Armstrong-Miller

Supported by board member Northup

Upon a roll call vote, the following voted Yes: Northup, Radosa, Clarey, Avery, Leach, Holt

Abstain: Armstrong-Miller

 , Clerk

NOTE: This resolution uses optional two-part salary language that a board may choose to adopt. If a board does not use the two-part salary format, it should adopt a single, fixed salary per office.

This resolution assumes that there is no annual meeting. It assumes that there is no salary compensation commission established by MCL 41.95(4).

Pursuant to MCL 41.95(7), a salary resolution cannot result in a reduction of salary during an official's term of office unless the responsibilities and requirements of that office are diminished, and the official agrees in writing to that reduction.

If, within 30 days after the township board votes, a petition signed by 10% of the qualified electors of the township is filed requesting that the question be submitted to the electorate, the township board shall call a special election and submit the question of salary to the electors. Created on Tuesday, July 31, 2012