

VILLAGE OF WEBBERVILLE

RESOLUTION NO. 2014 -07

(Enacted July 8, 2014)

RESOLUTION CREATING A JOINT CONSTRUCTION BOARD OF APPEALS WITH THE VILLAGE OF MORRICE

WHEREAS, the Village of Webberville has its own building department that enforces the State of Michigan Construction Codes.

WHEREAS, the State law requires that any municipal entity enforcing its own codes establish and operate a Construction Board of Appeals. Specifically, P.A. 230 of 1972, also known as the STILLE-DEROSSETT-HALE SINGLE STATE CONSTRUCTION CODE ACT, in section 14 requires each governmental subdivision to create a Construction Board of Appeals. The Board has to consist of not less than three, nor more than seven members. Additionally, these members must be appointed by the Chief Executive Officer of the Village. Also, the members of this Construction Board of Appeals shall be qualified by experience or training to perform the duties.

WHEREAS, the Village of Webberville and the Village of Morrice (which also has a building department) each currently have separate Construction Boards of Appeals.

1. Morrice currently has no active members appointed;
2. Webberville currently has four of its five positions appointed;

WHEREAS, the Michigan Constitution permits two or more municipalities to combine functions and services under the following sections:

1. Article III, Section 5;
2. Article VII, Section 28; and

WHEREAS, based on the above constitutional authority, the Michigan legislature adopted an Act regarding Intergovernmental Contracts Between Municipal Corporations (MCL 124.2) which authorizes municipal corporations to enter into contracts with other municipal corporations for "the ownership, operation, or performance, jointly, or by any one or more on behalf of all, of any property, facility, or service which each would have the power to own, operate, or perform separately."

WHEREAS, as attempts to jointly perform services with neighboring communities are strongly suggested by Governor Richard Snyder's Administration, the Village of Morrice and the Village of Webberville have been discussing operating a Joint Construction Board of Appeals.

IT IS THEREFORE RESOLVED that the Village of Webberville shall form a Joint Construction Board of Appeals with the Village of Morrice under the following terms and conditions:

1. Each Village shall appoint two of the five members, who shall meet all of the requirements of the State Law to serve on said board.
2. The Villages shall alternate appointing the fifth member, with the Village of Morrice going first and appointing the fifth member in 2014, who shall meet all of the State Law requirements to serve on said Board.
3. Each member shall be paid a minimum of \$50.00 per meeting.
 - 3.1 If the meeting is called to decide an issue regarding the Village of Webberville only, then the Village of Webberville shall pay the entire fee for each member.
 - 3.2 If the meeting is called to decide an issue regarding the Village of Morrice only, then the Village of Morrice shall pay the entire fee for each member.
 - 3.3 If a meeting is called to decide at least two issues, one of which is for each community, then the two Villages shall split the fee for each member 50/50.
4. All notices, minutes, and administrative functions shall be done as follows:
 - 4.1 The Village of Webberville shall do them in even years and provide a complete copy of all documentation to the Village of Morrice;
 - 4.2 The Village of Morrice shall do them in odd years and provide a complete copy of all documentation to the Village of Webberville;
 - 4.3 The Village Clerks of each community shall assist with and cooperate with one another as much as reasonably possible to complete a successful fulfilment of the above duties;
5. Each community shall report to the State of Michigan on it's EVIP report that it has consolidated and collaborated on this municipal service with the other community.
6. The parties realize that as this process moves forward, there may be additional future agreements needed to solve procedural problems as they arise in the future, and each pledges to cooperate with the other towards resolution.
7. The new Board shall be known as the Morrice/Webberville Joint Construction Board of Appeals ("MWJCBA").

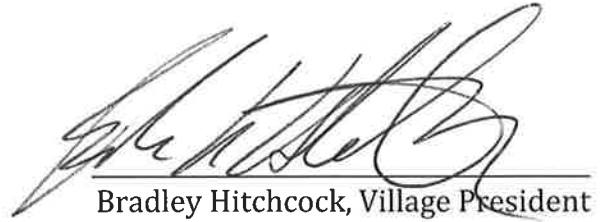
Moved By: Ackerman

Seconded By: Lewis

YEAS: Ackerman, Lewis, Oesterle, Hitchcock

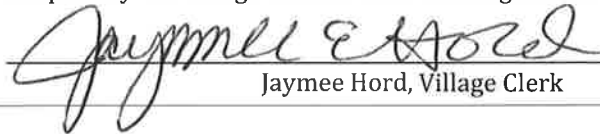
NAYS: -0-

ABSENT: -0-



Bradley Hitchcock, Village President

I certify that the above is a true copy of Resolution No.2014-07
adopted by the Village Council at its meeting held on July 8, 2014.



Jaymee Hord, Village Clerk

Drafted by:
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