

# ***Milton Township***

*32097 Bertrand Street, Niles, MI 49120 – Phone (269)684-7262 Fax (269)684-1742*

*Website: miltontwp.org*

---

## **Minutes of the Milton Township Board of Trustees April 16, 2012**

Meeting was called to order by Supervisor Robert Benjamin this is a joint meeting with the Planning Commission at 7:00 PM.

### **Attendance**

Present: Robert Benjamin, Linda, DeBroka, Don Kronewitter, Eric Renken, Sharon Ward

Also present: Zoning Administrator Paul Sniadecki, Planning Commission Chair Kelly Sweeney, other Planning Commission members, Country Commissioner Robert Zillak, and the township attorney.

### **Public Comment**

Public comments were made.

### **Approval of Agenda**

The agenda was approved.

### **Community Reports**

Zoning Administrator reported there have been 3 site plans, 2 land divisions. The April new letter has also been posted to the website.

Planning Commission reports they had a public hearing and voted 5-1 to approve the amendment for 14.14. The Planning Commission is presenting road work changes to the board. The attorney speaks about municipalities being exempt from their own zoning, and that the amendment to 14.14 may not be needed.

County Commissioner reported that the deadline has passed for the county administrator position and they have received approximately 20 applications.

# ***Milton Township***

*32097 Bertrand Street, Niles, MI 49120 – Phone (269)684-7262 Fax (269)684-1742*

*Website: miltontwp.org*

---

Niles Township Fire department stated they had 2 runs in Milton Township last month. They are also working with St. Joseph County, IN to make sure they have the correct address information to route 911 calls to the correct emergency agency in Cass County.

Edwardsburg Ambulance stated they had 7 runs in Milton Township in March and only 6 transports. Average dispatch to enroute was 2.29 minutes, enroute to onscene was 9.86 minutes.

## **New Business**

### **Approval of Master Plan**

Motion by Benjamin to send the master plan back to the Planning Commission, second by Kronewitter.

#### Discussion

Benjamin provided a map that shows the current lot size fragmentation that exists in the township and that was approved by previous boards. It is asked if the future land use map took into account the prime farmland map. It is shown that the parcel area map doesn't follow the current zoning map. It was asked if we can reverse current land use, the answer was "At enormous expense." On the roads maps, Gumwood and Redfield should be marked as principal roads. If we want to have the ability as a board to say no to re-zoning we need to make sure the master plan sets the framework. Benjamin mentioned that he appreciated the work the Planning Commission has put into this and they have done a great job.

Benjamin talks about 2 letters that were received from people in the community. One letter from Steve ~~Hambly~~ **HAMBLEY** and another from Jackie Pflug. Each person has brought issues of water and sewer quality if the township keeps growing and they cite the problems in Granger and Knollwood as examples. To talk about these issues Benjamin has invited officials from the St. Joseph County Health Department, IN and Cass County Health Department, MI. First to speak is Mark Nelson, Environmental Health Director for St. Joseph County. When installing septic's you should rely on your health department on how to install a septic system, do not allow dry wells and get rid of ones that exist. Lot sizes should be a minimum of 1/2 acre and for subdivisions 3/4 of an acre. Don't compact the septic area or put it on fill. Make sure you always leave room for a replacement septic system. He also states that the Granger sewer project is a unique project started years ago to help business that had dry wells and their septic's have failed. He states that you can make subdivisions work on wells and septic. Mike Laufer, Director of Environmental Health for Cass County. He states that subdivisions are governed by the Subdivision Control Act. A developer must contract with an engineering company. The

# *Milton Township*

*32097 Bertrand Street, Niles, MI 49120 – Phone (269)684-7262 Fax (269)684-1742*

*Website: miltontwp.org*

---

health department and engineer go out and dig into each lot down to 8 feet to see if there is any ground water. If ground is heavier than loamy sand they won't get approval for onsite septic. The next step is to install test wells on 10% of the lots. Wells must be greater than 100 feet in Cass County. If Nitrates are greater than 5 ppm or arsenic is greater than 5 ppb then the well is not approved. The plan is then sent to the State Environmental Quality for approval. Minimum lot size is 20,000-30,000 sq feet. The Well must be at least 40 feet from the septic and there must be area for a septic replacement.

The letters also questions the Planning Commission and Board of Trustee members. It questions if the Planning Commission was getting help from developers to figure out the master plan? The Planning Commission answers, "No". The Planning Enabling Acts wants and requires you to have members on the planning commission from each area of your township. It has been suggested that Benjamin is encouraging growth in this township. Benjamin states he could have moved anywhere when his company relocated him, and he chose this area for its rural location and did not want to live in the city. This board has also tried very hard to make sure all notices for public meetings and hearing are posted in the newspaper and online. Benjamin also pointed out that only 2 sitting member on the Planning Commission were appointed by him. The other members were appointed by other supervisors and boards.

DeBroka pointed out that agricultural production has always been protected, but when they want to sell they would prefer to split their land as in some cases this is their retirement plan. It is noted by Benjamin and our attorney ~~at~~ that can purchase the development rights on the property, but this would be very expensive. Also if the master plan isn't correct then we won't be able to protect it.

It is hard to balance the land owner's property rights with what the people want.

Roll call; Yes: Benjamin, DeBroka, Kronewitter, Renken, Ward; No: None

Motion Passed

The Planning Commission made some addition comments, and stated that they can have controlled development along Redfield. We need to be aware that there will be growth; we just need to put zoning in to control this growth.

Motion by Benjamin to support the use of Williams and Works and out attorney to help finish the master plan for 1 meeting, second by DeBroka.

Motion Passed

Joint meeting with the Planning Commission ends at 9:16 PM

# Milton Township

32097 Bertrand Street, Niles, MI 49120 - Phone (269)684-7262 Fax (269)684-1742

Website: [miltontwp.org](http://miltontwp.org)

---

## Minutes

Motion by Benjamin to approve the March 19, 2012 minutes with changes, "fire coverage will" to "fire coverage we", and "should being for SMC" to "should begin for SMC", second by Renken  
Motion Passed

Motion by Renken to approve the March 26, 2012 with changes "wages of employees, staggs, and appointed postions", second by Kronewitter  
Motion Passed

## Old Business

### Milton's Fire and Ambulance Coverage

We have entered negotiation with SMACS for use of the Community Center. People in the township have liked the idea of an ambulance being located at the Community Center. Due to contracting we couldn't be out of our existing contact with Edwardsburg Ambulance until March 31, 2013. A new building would be needed for elections and the cost of that would be about \$200,000.00. ~~Not~~ **NO** matter what happens with SMACS we will be making sure that our contract matches our assessment so a 3<sup>rd</sup> party can't raise our rates without our approval.

Eric Gebhard from Edwardsburg Ambulance spoke, and all issues were taken into advisement.

### Ambulance District/Assessment

The attorney has been working with our assessor to get the ambulance district/assessment complete.

Motion by Benjamin to clarify that the assessment would not include, ~~SWMC, and~~ **SMC ANY** public school, and any tax exempt church, second by Renken

Motion Passed

Benjamin asked the board if they had any objection to keep meeting going at 10:05 PM; no objection.

### Fire Districts/Assessment/Millage

Resolution by Benjamin, 2012-13R, to send a request for a fire millage to the voters for the August ballot, second by Kronewitter

Roll call; Yes: Kronewitter, Renken, Benjamin; No: Ward, DeBroka

Resolution Passed

# ***Milton Township***

*32097 Bertrand Street, Niles, MI 49120 – Phone (269)684-7262 Fax (269)684-1742*

*Website: miltontwp.org*

---

## **New Business**

### **Salary Commission**

Resolution by Benjamin, 2012-14R, to establish a Compensation Commission, second by Renken

Roll call; Yes: Renken, Benjamin, Kronewitter; No: Ward, DeBroka

Resolution Passed

### **Approval of 2012 Mowing Contract**

Motion by Benjamin to accept the bid from Braden Green Thumb Landscaping, Inc., second by DeBroka

Roll call; Yes: Benjamin, DeBroka, Renken, Ward; No: Kronewitter

Motion Passed

### **Emergency Warning System Siren**

This would be a siren operated by the county. The radius of a siren is about 4 miles. Yearly maintenance for a siren is \$421.00. The first siren would be installed back by the county building here on the township property. It was recommended that your first siren be placed near your parks and schools.

Motion by Benjamin to accept the proposal from West Share Services, Inc. to install a siren for \$19,900.00, second by Renken

Roll call; Yes: DeBroka, Kronewitter, Renken, Ward, Benjamin; No: None

Motion Passed

Resolution by Benjamin, 2012-15R, to move \$19,900.00 from roads to township hall, second by Kronewitter

Roll call; Yes: Kronewitter, Renken, Ward, Benjamin, DeBroka; No: None

Resolution Passed

### **Approval of Road Project/Dust Control/Striping**

Motion by Benjamin to accept the road changes from the Planning Commission and to use Mineral Well Brine for dust control, second by Renken

Roll call; Yes: Renken, Ward, Benjamin, DeBroka, Kronewitter; No: None

Motion Passed

# ***Milton Township***

*32097 Bertrand Street, Niles, MI 49120 - Phone (269)684-7262 Fax (269)684-1742*

*Website: miltontwp.org*

---

## **Financial Reports**

### **Review of Township Budget**

Benjamin and Renken will work together to fix the numbers in the budget report that was presented. It was prorated based on the dates.

### **Financial Report**

Financial reports were accepted as presented

### **Approval of Checks**

Motion by Renken to accept the checks as presented with the additional check for \$55,761.00 for Niles Township Fire Department

## **Board Member Comments**

Renken needs to get bills from Edwardsburg Fire and Ambulance.

Motion by Benjamin to adjourn, second by DeBroka

Motion Passed

Meeting adjourned at 11:08 PM

Respectfully Submitted:

Sue Kronewitter  
Deputy Clerk

Minutes Approved w/Changes May 21, 2012