

# Milton Township

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## MILTON TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING December 17, 2012

Special Meeting of the Milton Township Board was called to order December 17, 2012 at 7:02pm, at the township hall with Supervisor Robert Benjamin presiding. Pledge of Allegiance Recited.

### **BOARD MEMBERS PRESENT**

Supervisor: Robert Benjamin  
Clerk: Sue Kronewitter  
Treasurer: Susan Flowers  
Trustee: Eric Renken  
Trustee: Kelly Sweeney

### **ALSO PRESENT**

Zoning Administrator: Paul Sniadecki  
Attorney: Catherine Kaufman

**PUBLIC COMMENT** Virginia Kraft asked about Smith Chapel Road Signs that would have arrows.

### **APPROVAL OF THE AGENDA**

Under financial report, move #3 approval of checks to Under New Business, #11. Add payments between meetings under financial report. Agenda Approved.

### **SUPERVISOR COMMENTS**

Update on siren testing, 1<sup>st</sup> Saturday of every month at noon. The Solid Waste Management Resolution requested by Carl Higley passed at last board meeting. Bertrand Street paving will be done in spring. Kestrel Hills road project, delayed to spring. Fiber optic and internet update for northern part of township, Beebe and Follmer Roads. We will need a site plan for the wireless project in the spring. Hours of township will be changing effective January 2, 2013. Monday and Friday 9:00am – 5:00pm and Wednesday, NOON to 8:00pm.

### **APPROVAL OF PRIOR MINUTES**

*Motion: Supervisor Benjamin*  
*Approve the minutes of November 19, 2012 with changes.*

*Second: Treasurer Flowers.*  
*All in Favor: YES - Motion Carries.*

*Motion: Supervisor Benjamin*  
*Approve the minutes of November 28, 2012 with changes.*

*Second: Trustee Renken*  
*All in Favor: YES - Motion Carries.*

*Motion: Trustee Renken*  
*Approve the minutes of Closed Session of November 28, 2012 with changes.*

*Second: Trustee Sweeney*  
*All in Favor: YES - Motion Carries.*

## COMMUNITY REPORTS

Zoning Administrator gave his report. Spoke about the deadlines for a Kaminisky appeal on the lawsuit.

PC ex-officio member Kelly Sweeney stated the planning commission members responded to the Zoning Administrators request regarding clarity of items in the Weaver Conditional Use Permit.

Trustee Renken said the Edwardsburg Fire Department did not have a quorum so there was no meeting.

Ann Brown said the Christmas Program had a full house.

Roger Kempton reported the **DECEMBER** Board of Review went smooth.

## FINANCIAL REPORTS

Treasurer Flowers and Trustee Renken would like percentages shown on the budget report. Treasurer Flowers gave her report. Supervisor Benjamin said it would be helpful to know how much is coming due to the township from taxes. The fire millage and ambulance will need to have separate accounts.

Treasurer Flowers reported the safety deposit box ~~owned~~ **RENTED** by Milton at TCU was closed and entered by the prior treasurer, **DEBROKA** after she left office. TCU is working with their policy of authorization. Treasurer Flowers spoke on the Personal Property Tax issue ~~S.~~ From 1996 to 2006 the uncollected amounts were ~~\$16,693.90~~ **APPEAR TO BE \$16,693.90**. For 2007 ~~TO 2011; those~~ **THE** amounts were ~~\$39,471~~ **APPEAR TO BE \$3,947.71** and are ~~beyond the 6-year limit for collections~~ **WITHIN THE 6 YEAR LIMIT THAT WILL STILL NEED TO BE COLLECTED BY THE CURRENT TREASURER.**

Attorney Kaufman commented on her efforts communicating with Linda Debroka since January of 2012. The work Linda was doing on the delinquent property taxes ~~did not get done~~ **WAS NOT COMPLETED** before she left office. We have options to having the uncollected amounts stricken by a judge, ~~going~~ **GO** thru the small courts **COURT** process and/OR seizing equipment and jeopardy assessments. **WITH PETITION TO STRIKE BEFORE A JUDGE**, If challenged by the schools; a non-performance bond ~~would~~ **COULD** go after **BE EXECUTED AGAINST** the prior treasurer's Linda DeBroka and Larry Newman. Records ~~given~~ **PROVIDED** to her by Debroka are not clear what was paid and what was not paid.

Employee Pension Audit. Kronewitter performed an employee pension audit and found we needed to submit \$5,013.67 to John Hancock for amounts that were not correctly paid from March to December of 2012. Kronewitter has spoken with Burnham and Flowers for the correct procedure to follow. Letters will be sent to all employees affected.

## TOWNSHIP CREDIT CARD POLICY

*Motion:* Clerk Kronewitter

*To update the township Credit Card policy to include defined limited use by officials and employees, timeline to submit charges to clerk, and, adding number 10, items earned of value can only benefit the township.*

*Second:* Trustee Sweeney

*All in Favor: YES - Motion Carries*

## TOWNSHIP CREDIT CARD AUTHORIZED USERS POLICY

*Motion:* Clerk Kronewitter

*Policy setting the authorized users of township credit to be the Township Clerk, Sue Kronewitter – Township Treasurer, Susan Flowers – Township Supervisor, Robert Benjamin.*

*Second:* Trustee Renken

*All in Favor: YES - Motion Carries*

## PAYMENT BETWEEN MEETINGS POLICY

*Motion:* Clerk Kronewitter

*To update the township "Payment between Meetings" policy to include claims that can be paid prior to meetings, tax liabilities, pension liabilities, and employment insurance liabilities.*

*Second:* Trustee Renken

*All in Favor: YES - Motion Carries*

**SALARY COMPENSATION COMMISSION**

Motion: Supervisor Benjamin  
To appoint as salary compensation commission member, Steve Decloedt for a 2 year term ending December 31, 2014.  
Second: Trustee Renken  
All in Favor: YES - Motion Carries

Motion: Supervisor Benjamin  
To appoint as salary compensation commission member, Michael Anderson for a 4 year term ending December 31, 2016.  
Second: Trustee Sweeney  
All in Favor: YES - Motion Carries

Robert Benjamin needs one more member for the 3 year term ending December 31, 2015.

**REGULAR BOARD MEETING DATES**

Motion: Supervisor Benjamin  
To approve the BOT schedule of meeting dates for the year January 2013 to December 16, 2013.  
Second: Treasurer Flowers.  
All in Favor: YES - Motion Carries

**SECRETARY JOB DESCRIPTION**

Motion: Trustee Kelly  
To approve the job description of secretary as amended.  
Second: Clerk Kronewitter.  
All in Favor: YES - Motion Carries

**BOARD OF REVIEW APPOINTMENTS**

Motion: Supervisor Benjamin  
To re-appoint Board of Review Members, Roger Kempton, Steve Sante, Mary Waldrop for two year terms ending 31, 2014.  
Second: Trustee Renken  
All in Favor: YES - Motion Carries

Motion: Supervisor Benjamin  
To re-appoint Board of Review Alternate Member, Virginia Kraft for a two year term ending 31, 2014.  
Second: Trustee Sweeney  
All in Favor: YES - Motion Carries

**BOARD OF REVIEW MEMBER TRAINING**

Motion: Supervisor Benjamin  
To approve the four BOR members to attend 2013 BOR Training from MTA at the cost of \$442.00.  
Second: Trustee Renken  
All in Favor: YES - Motion Carries

**GARAGE SALE ORDINANCE ADOPTION**

Discussion – Sweeney explained the process of coming up with this ordinance. All 7 PC members worked hard and agreed to this document that makes neighborhoods safe, provides reasonable access and better for the ZA to deal with issues. ZA explained zoning districts in other townships are trying to protect, this ordinance would not be creating or causing disruptions. Concerns expressed of the remaining board members: permit process, difficulties for residents getting permits, putting additional restrictions on our residents.

Residents were concerned with the number of sales allowed, infringing on resident rights and what are we trying to suppress with this ordinance.

Motion: Trustee Sweeney  
To accept the garage, barn and yard sale ordinance.  
Second: Trustee Renken

~~— Motion to amend: Trustee Renken  
— To strike fees for such permits  
— Second: Supervisor Benjamin~~

Motion to amend previous motion: Supervisor Benjamin  
To amend previous motion to remove fee language.  
Second: Treasurer Flowers

ROLL CALL VOTE ON AMENDMENT: Benjamin, Yes – Flowers, No – Kronewitter, No – Renken, Yes – Sweeney, Yes. Motion Carries.

MOTION TO AMENDED MOTION: Trustee Kelly  
To accept the Garage, Barn and Yard Sale Ordinance as Amendment, by Trustee Renken, allow 6 sales per year.  
Second: Trustee Renken

ROLL CALL VOTE: Flowers, No – Kronewitter, No – Renken, Yes – Sweeney, No – Benjamin, No. Motion Fails.

Motion: Supervisor Benjamin  
To send the proposed Garage, Barn and Yard Sale Ordinance back to the Planning Commission for consideration when addressing home businesses.  
Second: Treasurer Flowers  
~~In Favor: Benjamin, Flowers, Kronewitter, Renken Against: Sweeney~~  
~~Motion Carries.~~ **ALL IN FAVOR: YES – MOTION CARRIES**

#### PC Proposal to update the Zoning Ordinance

Discussion of 3 options, 1. Pay Williams and Works. 2. Pay LSL. 3. Develop a sub-committee keeping the costs under \$4,000.00. Time frame for completion would be June to July 2013.

Motion: Trustee Sweeney  
To accept the proposal to update the Zoning Ordinance to align with Master Plan.  
Second: Treasurer Flowers.  
Amendment to motion to remove ZA from this funding and adjust the salary of the ZA during the next budget.  
Second: Clerk Kronewitter

ROLL CALL VOTE: Kronewitter, Yes – Renken, Yes – Sweeney, Yes. Benjamin, Yes – Flowers, Yes. Motion Carries.

Motion: Trustee Sweeney  
To accept the Proposal to Update the Zoning Ordinance to Align with Master Plan to include the Amendment to remove ZA from this funding.  
Second: Treasurer Flowers.

ROLL CALL VOTE: Renken, Yes – Sweeney, Yes. Benjamin, Yes – Flowers, Yes, Kronewitter, Yes Motion Carries, 5-0.

Discussion - work with ZA, job description compatible of what he does for the Planning Commission. Issues regarding assessor and his company, including job descriptions for same. Work with attorney over the next month to make proposals to the board.

**PARKING LOT ORDINANCE 2012-500**

Discussion – Edwardsburg school bus needs a turn around. Some of the school parents are not parking in designated areas. We do not want to take away the service of having the school bus come to our parking lot in order for the parents to drop off and pick up the kids.

Motion: Supervisor Benjamin  
To approve Milton Township Owned Property Parking Lot Ordinance with 3.10 to include or township supervisor and 3.12 fix spelling of cooperation.  
Second: Trustee Renken.

ROLL CALL VOTE: Sweeney, No. Benjamin, Yes – Flowers, Yes, Kronewitter, Yes Renken, Yes.  
Motion Carries 4-1.

**AUDITOR CONTRACTS**

Motion: Supervisor Benjamin  
To accept the contract from Michigan Department of Treasury to assist the Treasurer and Clerk to implement suggested improvements as listed in the latest audit report.  
Second: Clerk Kronewitter.

ROLL CALL VOTE: Benjamin, Yes – Flowers, Yes, Kronewitter, Yes - Renken, Yes – Sweeney, Yes.  
Motion Carries, 5-0.

Motion: Supervisor Benjamin  
To accept the contract from Michigan Department of Treasury to audit Milton Township ~~for fye 2013.~~  
**MARCH 31, 2013 AND MARCH 31, 2014**  
Second: Trustee Renken.

ROLL CALL VOTE: Flowers, Yes, Kronewitter, Yes - Renken, Yes – Sweeney, Yes - Benjamin, Yes.  
Motion Carries, 5-0.

**PAYMENT OF CHECKS**

Motion: Clerk Kronewitter  
To pay checks as presented but adding check to John Hancock for pension payment in the amount of \$5,013.67  
Second: Trustee Sweeney.

ROLL CALL VOTE: Kronewitter, Yes - Renken, Yes – Sweeney, Yes - Benjamin, Yes - Flowers, Yes.  
Motion Carries, 5-0.

Motion: Supervisor Benjamin  
To approve Budget Resolution 2012-51R  
Second: Trustee Renken.

ROLL CALL VOTE: Renken, Yes – Sweeney, Yes - Benjamin, Yes - Flowers, Yes - Kronewitter, Yes.  
Motion Carries, 5-0.

**ANNOUNCEMENTS**

Benjamin said yes he did have a TIA, mild stroke last month, but he has fully recovered.

**ADJOURNMENT**

Motion: Trustee Renken  
Motion to Adjourn.  
Second: Trustee Sweeney  
All in Favor: YES - Motion Carries

Meeting adjourned at 9:27p.m.

Respectfully submitted,  
Sue Kronewitter – Clerk, Milton Township