

# Milton Township

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## MILTON TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING at 7:00pm May 20, 2013

Meeting of the Milton Township Board was called to order May 20, 2013 at 7:00pm, at the township hall with Supervisor Robert Benjamin serving as Chairman. Pledge of Allegiance Recited.

### **BOARD MEMBERS PRESENT**

Supervisor - R. Benjamin, Clerk - S. Kronewitter, Treasurer - S. Flowers, Trustee - E. Renken, Trustee - K. Sweeney

**OTHERS PRESENT:** Richard Hebard, PC Chairman - Catherine Kauffman, Township Attorney.

**PUBLIC COMMENT:** Comments made by Attorney Landgraf representing client Mr. Weaver. Landgraf stated the conditional use permit granted was with clear conditions. Complaints were investigated and the process is working very well. Comments made by Attorney Bell representing client Rupchock. Bell stated conditions were not clear, operating instructions are not clear and unfair to all. He will be coming back and cautioned against what is unclear and wants to find a solution thru a change in the conditional use or a clarification.

**BOARD MEMBER COMMENT:** Benjamin explained why a special meeting was called on May 10, 2013; Administrative Assistant position hours and employee manual. Flowers received the reimbursement of attorney fees from Enbridge in the amount of \$6,265.00. Kronewitter said the election on May 7<sup>th</sup> went well. Renewal of the Edwardsburg school millage passed by 3 votes in Milton.

### **COMMUNITY REPORTS:**

Zoning Administrator, Sniadecki – Report in packet, lots of building activity, two site plans denied as both were non-conforming situations.

Planning Commission Ex-Officio, Sweeney – Working with ZA on zoning ordinances; 8,9,10,11,12 to mirror to our master plan.

Cass County Commissioner, Ziliak – Milton Township had the largest township board member attendance at the Intergovernmental Forum. Cass County received a \$3000.00 grant for tire removal. August 24, 2013 9:00am – Noon car tires can be dropped off at the Fair Grounds in Cassopolis. August 19, 2013 to August 23, 2013 tires can be taken to Deer Path in "Dowagiac to continue to fill the semi with tires. Cass County Directory was passed out.

SMCAS Representative, Benjamin – Last meeting renewed director's **contract**, a study is being done to move to an EMS, if passed Fire would move here. Goal is to have full-time protection for all.

Smith Chapel Historical, Brown – Chapel is being shown and directional signs are showing up.

ZBA, Sniadecki – Three meetings were held on three occasions to grant variance for Peterson Farms.

## **APPROVAL OF PREVIOUS MINUTES**

*Motion:* Renken  
*Motion to approve the minutes of April 15, 2013 as presented.*

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

*Motion:* Sweeney  
*Motion to approve the minutes of May 10, 2013 as presented.*

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

## **FINANCIAL REPORTS**

Review of township budget and treasurer report read.

## **WEAVER CONDITIONAL USE REVIEW**

Background review given by Zoning Administrator of the Weaver Conditional use. It was approved last year, unanimously, by the planning commission. On one occasion he took a clarification issue to the planning commission and again they agreed unanimously on the original document given to the Board. Township attorney advised the board in her memo the board cannot change the conditional use. The board can clarify, do nothing, defer to the original language, or table, but the board cannot change the original conditional use. Only the original applicant can ask for a new conditional use. Discussion by board regarding wood chipping that was added to the original document. Only one property owner has complained about the Weaver conditional permit regarding power washing the trucks, using a tractor on the property, spreading leaves closer than 100 feet of the property line. There have been no issues of covert activity. ZA said there was one incident of burning by the property owner and that was corrected. The DNR was called by the ZA, came to the property, did their review and found no violations.

*Motion:* Renken  
*Motion to accept the Planning Commissions decision as stated.*

*Second:* Kronewitter  
*All in Favor: YES – Renken, Kronewitter, Flowers, Sweeney*  
*NO – Benjamin*  
*Motion Carries*

## **TAX COMMISSION UPDATE**

Discussion: Mandated state factors. Cass County was warned five years ago. 1<sup>st</sup> time Brousseau has seen this happen. Brousseau went to Lansing today, no results of that meeting. The state only studied two townships and one village and ended up with a 24% increase. The county should lead an appeal. We are hopeful the tax commission will drop to a softer decision by May 28<sup>th</sup>. Information of the state of Michigan's computations are not available. Brousseau brought these issues to the attention of prior Milton Township boards and those boards neglected to act.

## **RFP EXTERNAL PAINTING OF SMITH CHAPEL - UPDATE**

Benjamin is working with state for the last month to receive their comments.

## **APPROVAL OF COMPLETION OF PHASE 1 – TOWNSHIP HALL BUILDING PLANS**

Discussion: This project is for the long term of the township. Supervisor and architect have met with the Sheriff, Road Commission, Red Cross, and the Brandywine schools over the last four months. Talks involved the new facility, playground area, Head Start, securing township records, facilitating a hall with emergency services and a storm shelter holding 250 people. Concerns on septic and well have been addressed and there is no problem for the long term. Milton is the largest growing township in the county. We need a township hall that can handle elections, meetings, serve as a community center, an emergency Red Cross

center, tornado shelter, and be handicapped accessible. Cost of park will be dependent upon grants. The next township newsletter will have input of the design development state, needs and functions. A survey of all township property and the Smith Chapel property is necessary in order to be eligible for DNR Grants. Intent is, once we have a park plan in place the Planning Commission will maintain park grant requests.

Motion: Sweeney

*Motion to approve the schematic design phase*

Second: Flowers

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

Motion: Flowers

*Motion to approve the three surveys as presented by Stephenson Land Surveying.*

Second: Renken

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

#### **DATE TO CHANGE JULY BOARD OF REVIEW**

Motion: Benjamin

*Motion to approve Resolution 2013-0520-1R Board of Review to meet July 17, 2013.*

Second: Renken

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

#### **FIRE EXTINGUISHERS FOR SMITH CHAPEL**

*Discussion: Use our current provider. All Points, have them place an extinguisher in the Smith Chapel.*

#### **SIREN MAINTENANCE AGREEMENT**

Motion: Renken

*Motion to approve Agreement for Siren Annual Inspection & Preventative Maintenance Agreement.*

Second: Sweeney

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

#### **PARK PLAN PROPOSAL BY WILLIAMS & WORKS, PLANNER OF RECORD**

*Discussion: In order to be eligible for DNR Grants, the township must have a park plan in place. Our planner of record meets DNR requirements and will have meetings with the public input.*

Motion: Renken

*Motion to approve William & Works proposal with option 1 & 2 in the amount of \$5,500.00.*

Second: Kronewitter

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

#### **PRESENTATION OF PC ANNUAL REPORT**

*Presented to the board member by ex-official Sweeney. The board members thanked the PC for all the work they have done.*

**PC PROPOSED ZONING ORDINANCE CHANGE ARTICLES 1 and 16**

Motion: Sweeney

Motion to approve Resolution 2013-01-O, Changes to Zoning Ordinance Article 1, Section 1.11B & 1.12.

Second: Renken

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

**PC PROPOSED ZONING ORDINANCE CHANGE ARTICLE 8, Section 8**

Motion: Sweeney

Motion to approve Resolution 2013-02-O, Changes to Zoning Ordinance Article 8 Section 8.

Second: Flowers

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

**PC PROPOSED ZONING ORDINANCE CHANGE ARTICLE 19 SCHEDULE OF USES**

Motion: Sweeney

Motion to approve Resolution 2013-03-O, Changes to Zoning Ordinance Article 19.

Second: Renken

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

**PC PROPOSED ZONING ORDINANCE CHANGE ARTICLE 14**

Motion: Sweeney

Motion to approve Resolution 2013-04-O, Planning Commission shall have the authority to grant Conditional Use Permits.

Second: Benjamin

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

**TEMPORARY ALTERNATE FOR FIRE AND AMBULANCE BOARD**

Motion: Benjamin

Motion to give the Supervisor authority to appoint temporary alternates to Fire and Ambulance Board.

Second: Renken

All in Favor: YES  
Motion Carries

**ADMINISTRATIVE ASSISTANT JOB DESCRIPTION**

Discussion of changes to job description.

Motion: Renken

Motion to accept Administrative Assistant Job Description as admended.

Second: Sweeney

All in Favor: YES  
Motion Carries

**ADMINISTRATIVE ASSISTANT HIRING PROCESS**

Discussion: Place ad in South Bend Tribune over weekend with cutoff date for resumes June 7<sup>th</sup> at 5:00pm. Resumes and letters of interest sent to clerk for a special board meeting to select applicants.

Motion: Benjamin  
*Motion to have a Special Board Meeting on June 10, at 7:00pm to go over applications.*

Second: Renken  
*All in Favor: YES  
Motion Carries*

**APPROVAL OF CHECKS**

Motion: Kronewitter  
*Motion to approve Checks as presented and adding check number 8255 for Hebard and Hebard in the amount of \$13,500.00*

Second: Renken

ROLL CALL VOTE: Sweeney- Yes, Benjamin- Yes, Flowers- Yes, Kronewitter- Yes, Renken- Yes  
*Motion Carries*

**ADJOURNMENT**

Motion: Flowers  
*Motion to adjourn.*

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

Meeting adjourned at: 9:47pm

Respectfully submitted,

Sue Kronewitter  
Clerk, Milton Township

OFFICIAL