

Milton Township

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MILTON TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING at 7:00pm April 15, 2013

Meeting of the Milton Township Board was called to order April 15, 2013 at 7:00pm, at the township hall with Supervisor Robert Benjamin presiding. Pledge of Allegiance Recited.

BOARD MEMBERS PRESENT

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

OTHERS PRESENT: Township Attorney- Catherine Kaufman, Paul Sniadecki-Zoning Administrator, Tim Gray-SMCAS, Bob Ziliak-Cass County Commissioner, Fire Chief of Edwardsburg Fire Department and Fire Chief of Niles Charter Township Fire Department.

PUBLIC COMMENT: Virginia Kraft announced there will be a presentation sponsored by the Cass County Historical Commission on Amphibians, Frogs and Toads April 16, 2013 at the Cass County Library. A resident made a complaint about a possible taxi service on Bertrand St.

BOARD MEMBER COMMENTS: Benjamin's deputy supervisor will serve as the main interface with Smith Chapel Historical Commission. There will be meeting with Robert Thall (attorney) and the architect later this week regarding the new building process. Tri-County Head Start will be served official notice of the township not renewing their rental contract. He and our architect has been assisting the staff to find another location that is a better fit for the school.

ZONING ADMINISTRATOR REPORT:

Sniadecki included his report in the board packet. A site plan was issued for the 1st house of 2013. Inquiries are being made on the Hess Property.

PLANNING COMMISSIONER/EX OFFICIO

COUNTY COMMISSIONER:

Intergovernmental forum will be Tuesday, April 30th at the Dowagiac School. Hazardous Waste Day will be May 19, 2013 at the Cass County Fair Grounds from 9:00am-NOON. They will be taking the same items as last year. There will be a charge for taking tires.

APPROVAL OF AGENDA

Motion: Kronewitter

Motion to add item 7 under new business, Kingsman Storage.

Second: Benjamin

All in Favor: YES - Motion Carries

APPROVAL OF PREVIOUS MINUTES

Motion: Renken

Motion to approve the minutes of April 4, 2013, as presented.

Second: Flowers

All in Favor: YES - Motion Carries

PRESENTATION FROM JONES PETRIE RAFINSKI (JPR)

Company was previously named Whiteman/Petrie of Elkhart. Ken Jones gave a description of services their company performs. They are licensed to serve both Indiana and Michigan. A rate schedule of services will be provided to the township.

REVIEW OF TOWNSHIP BUDGET & TREASURERS REPORT GIVEN

Discussion: Township treasurer gave her report.

CHANGES TO RETIREMENT PLAN

Discussion on open enrollment and the 457 Plan - tabled. Representatives from the insurance company will be asked to present options at a future meeting. Our next plan year starts on July 1, 2013.

FIELD FIRES AND BURN ORDINANCE

Fire Chief Brovold and Fire Chief Stack talked about the need to have some type of fire/burn ordinance in effect. Discussion items: Education, open burning, permits, burning bans in extremely dry conditions, after dark burning, appropriate actions thru enforcement, providing direction to address ongoing problems. Benjamin asked the ZA to bring a draft document to the May meeting. He would like to see some restrictions on setbacks from property lines, burning bans, and how open flames are watched. Not a tight ordinance, but a safe ordinance.

Benjamin reported the Ontwa Supervisor has asked for contract modifications to our proposed Fire contract. In talking with the auditor, we must pay Edwardsburg Fire from figures based off last year, not this year. Boundary lines are in this computation. After paying Edwardsburg Fire (due May 1, 2013) we will have a surplus in the township fire fund.

WEAVER CONDITIONAL USE REVIEW

Motion: Benjamin

Motion to release confidential letter presented by township attorney.

Second: Renken

All in Favor: YES - Motion Carries

Township Attorney addressed complaints made by Mr. Rupchuck – regarding the conditions not being clear, and enforcement. The Planning Commission is not the authority to decide, the board is the ultimate body to decide. A Township Board can only make clarifications. No changes can be made unless a new special or conditional use is requested. Supervisor stated, as a board have the option to address the clarifications or do nothing. We have new board members since the conditional use was issued, and all Board members will review all the documents to be addressed at the May board meeting. All legal issues need to go to the Supervisor who will engage the attorney.

PC EX-OFFICIO MEMBER COMMENTS

Sweeney discussed the meeting held by the Planning Commission on April 1, 2013 - the PC is addressing sections 14.02 and 14.03, recommending to allow the PC to have final authority on approving or denying conditional uses. Those recommendations will be brought to the board on the meeting of May 20, 2013.

APPROVAL OF 2013-2014 ROAD PROJECTS

Motion: Benjamin

Motion to approve a 20% down payment on Road Commission Projects in the amount of \$54,945.53.

Second: Sweeney

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

ROAD PROJECT REVIEW

Motion: Benjamin

Before the final payment is issued for a road project, a road review will be done by a Trustee of the Township.

Second: Renken

All in Favor: YES - Motion Carries

DUST CONTROL RESOLUTION

Motion: Benjamin

Motion for Resolution 2013-0415 1R - Dust Control Treatment of 2 applications on 21st Street in the amount of \$1,231.00.

Second: Kronewitter

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

APPROVAL OF DUST CONTROL CONTRACT WITH CASS COUNTY

Motion: Benjamin

Motion to approve Cass County Invoice 800977 in the amount of \$8,296.94.

Second: Sweeney

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

SMITH CHAPEL SIGN DISCUSSION

MDOT allows only historical marker signs on state highways. Of the four directional signs Milton has purchased, 2 signs will read Historical Marker, 2 directional signs will go on county roads and read Smiths Chapel. All signs will be brown.

SMITH CHAPEL BUILDING REQUEST FOR PAINTING PROPOSAL

Discussion: Who will inspect the work along the way, the deputy supervisor. Budget for painting was approved at \$12,000.00. Any changes must come back to the board.

Motion: Benjamin

Motion to approve a request for painting proposal bids, pending review of the contract by the Michigan State Historical Commission.

Amendment to the motion By Sweeney and second by Renken: To open bids on June 12, 2013 at 6pm.

Second: Renken

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

PTAF RESOLUTION

Motion: Benjamin
To approve Resolution 2013-0415 2R, Property Tax Administration Fee.
Second: Flowers

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

KINGSMAN STORAGE UNIT

Motion: Kronewitter
To approve Resolution 2013-0415 3R, in the amount of \$1500.00 for Kingsman Storage.
Second: Renken

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

BIG SPRING CLEAN EVENT

Carl Higley will be collecting Freon for a fee of \$25.00 per appliance. He will be bringing three helpers from the jail to help.

APPROVAL OF CHECKS

Motion: Kronewitter
Approve payment of checks 8130 – 8196 and 8198, as (presented, plus adding (four checks) Edwardsburg Fire, Niles Charter Township Fire Department, Cass County Road Commission for Roads, Cass County Road Commission for Dust Control.
Second: Sweeney

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

ADJOURNMENT

Motion: Kronewitter
Motion to Adjourn.
Second: Flowers

All in Favor: YES - Motion Carries

Meeting adjourned at: 8:48pm

Respectfully submitted,

Sue Kronewitter
Clerk, Milton Township

