

## **CALL TO ORDER**

The regular July 9, 2015 meeting of the Buchanan Township Board of Trustees was called to order by Clerk Cathy Ganus at 7:00 p.m.

Members Present: Cathy Ganus, Clerk; Janet Dehring, Treasurer; and Lynn Ferris and Thomas VanAntwerp, Trustees.

Members Absent: Malinda Cole-Crocker, Supervisor.

Others Present: Twelve (12) township residents; no staff; and no members of the press.

## **PLEDGE OF ALLEGIANCE**

The *Pledge of Allegiance* was recited by those in attendance.

In the absence of Supervisor Malinda Cole-Crocker, Trustee Lynn Ferris was appointed to moderate the meeting.

## **APPROVAL OF MINUTES**

The minutes of the June 18, 2015 meeting was approved as presented.

## **ADDITIONS / CORRECTIONS TO AGENDA**

In light of the large turnout of township residents, Ganus requested that the Board allow the residents to speak about any non-agenda item at this time due to the subject of their attendance not being on the agenda.

## **BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS**

Eleven (11) Township residents who reside on or near the E. River Road area were present to voice their concerns regarding the grind and gravel of a portion of E. River Road. The Township Board had previously approved the grind and gravel of E. River Road from the gravel section to Mead Road (approximately 0.8 mile) at a cost to the Township of \$10,600.

Resident concerns ranged from the lowering of property values due to the fact the road was now gravel instead of paved, the road being difficult to traverse, dust problem being prohibitive to spending time out of doors, and the environmental impact of the chloride application on the roadway, which is in very close proximity to the St. Joseph River. Residents questioned what was planned for the road; whether the road would remain gravel or be returned to a paved surface. Ganus advised that the Berrien County Road Commission meets with individual townships on an annual basis in February each year. At that time the Road Commission provides a listing of the roads that the Road Commission feel needs attention. The Road Commission then sends a proposal to the Township as time permits regarding the different road projects and the Township either approves or denies the request.

Ganus reported that the Township had received the request and the Board had voted to approve the grind and gravel. She went on to state that there were no plans to return this portion of the roadway to a paved surface this year. She also referenced Reed Road as this same issue occurred.

Residents were also concerned that there was no notification provided that the road project was going to be undertaken. Residents were directed to contact the Berrien County Road Commission directly, submit a service request on the BCRC website, or contact the Buchanan Township representative to the Berrien County Board of Road Commissioners (Jess Minks). These residents then left the meeting.

#### **BRIEF PUBLIC COMMENT – AGENDA ITEM**

There was no public comment offered on any agenda item.

#### **SHERIFF'S REPORT**

There was no Sheriff's Department representative present to provide the Sheriff's Report.

#### **CORRESPONDENCE**

None.

#### **TREASURER'S REPORT**

**Motion by Dehring, second by Ganus, to approve General Fund DD1 to and including DD 15 and check # 9686 to and including check # 9701 totaling \$39,324.48 as well as Fire Fund DD 16 to and including DD 27 and check # 5907 to and including check # 5917 totaling \$6,127.54. Roll call vote showed unanimous approval, motion carried (4-0).**

#### **REPORTS**

*Fire Report – Tim Jesswein – on file*

In the absence of Tim Jesswein, Ganus advised that there is a need for annual generator service for the Generac generator at the Fire Department.

**Motion by Ganus, second by VanAntwerp, to approve annual preventative maintenance generator service by Wolverine Electrical Contracting at a cost not to exceed \$375. Roll call vote showed unanimous approval, motion carried (4-0).**

*Planning Commission Report – Janet Dehring*

The Planning Commission held a public hearing on a rezoning request from Flatwater Farms to rezone from R-1, Low Density (Rural) Residential District to AG, Agricultural District. The applicant has indicated that the purpose for rezoning of the property is to allow Flatwater Farms the ability to apply for a Special Land Use Permit which would allow it to open an organic microbrewery.

Dehring advised that several surrounding property owners were in attendance and voiced concern regarding the ability of the applicant to have a hog operation or feed lot should the property be rezoned to agricultural. Questions on whether the rezoning request fit into the Future Land Use map within the Master Plan were raised. As a result, action by the Planning Commission was tabled to allow for direction from Township counsel on how to proceed. The Planning Commission also unanimously approved the revisiting of the Master Plan to see if the Master Plan needed revision.

Dehring went on to state that the Planning Commission also discussed docks and mooring facilities; however, action was tabled to allow further discussion at the next PC meeting.

#### **UNFINISHED BUSINESS**

*Shetterly Rynearson Road Correspondence Update*

Ganus advised that Township counsel has sent the Shetterly's a compliance letter regarding their hook in to the public water supply system. The letter demanded that the property owner bring the property into compliance with the Township's sewer and water ordinances within thirty days of the date of the

**UNFINISHED BUSINESS (continued)**

*Shetterly Rynearson Road Correspondence Update (continued)*

correspondence (deadline is July 17, 2015). The letter was sent June 17, 2015 via certified mail, return receipt request and first-class mail. The letter was signed for on June 22, 2015 by Crystal Shetterly.

**NEW BUSINESS**

*Draft Job Descriptions*

Ganus provided Board members with draft job descriptions for all positions held within Buchanan Township. Ganus requested that Board members review said job descriptions and this item will be placed on the agenda for the July 23, 2015 meeting for further action.

*Draft Agreement for Extraterritorial Sewer Services*

Township counsel has drafted an agreement for extraterritorial sewer services in reference to the Lloyd/Bartus' request to hook in to the Rynearson Road special assessment district.

**Motion by VanAntwerp, second by Ganus, to approve the agreement for extraterritorial sewer services between Buchanan Township and the City of Buchanan as presented. Roll call vote showed unanimous approval, motion carried (4-0).**

*GovPayNet – Credit Card Acceptance for Property Tax Bills and Building Department Applications*

GovPayNet is a service that the Township could utilize to accept credit card payments for property tax bills as well as building, plumbing, electrical, and mechanical permit applications. Visa, MasterCard, American Express, and Discover cards are accepted through this program. There is a three percent (3%) fee assessed to the credit card user at the time of the transaction, regardless of the amount paid. This system is accessed through the Internet and a receipt for the transaction is provided to the credit card user. A link could also be placed on the Township's website where credit card users could go to pay their property tax bills online as well. There is no cost to the Township. At the time the Township signs up to utilize this service, a 4-digit pay location code is assigned to Buchanan Township. This is the code an individual would use to pay their bill.

Ganus has contacted the City of Buchanan and they have used this service for quite a while and are very pleased with it. It has been well received by their residents not only for property tax payments but water and sewer payments as well.

**Motion by VanAntwerp, second by Ganus, to approve the implementation of GovPayNet as a service to allow Township customers to pay for their property taxes as well as building, plumbing, electrical, and mechanical permit applications utilizing Visa, MasterCard, Discover, and American Express. Voice vote showed unanimous approval, motion carried (4-0).**

*Reed Road Damage*

Reed Road was slated this year for a prime and double seal (which was approved at the April 9, 2015 Board of Trustees meeting) at a cost not to exceed \$21,300. The project was completed in June, 2015. On July 3, 2015 Ganus observed damage to the roadway near the intersection of Reed Road and Broceus School Road. Photos were taken of the damage and immediately sent to Berrien County Road Commission Foreman Doug Hartzler. Hartzler advised that he would forward the photos to the weighmaster for his disposition. On July 6, 2015 Ganus observed that the road had been repaired using asphalt patching. Ganus pointed out that the entire resurfacing of Reed Road contained areas where dirt was showing and holes were already forming near the sides of the roadway. These holes near the side of the roadway were also patched using asphalt patching.

**NEW BUSINESS (continued)**

*Tree Removal on Reed Road*

Ganus advised that BCRC Foreman Doug Hartzler had sent an email advising that there was a dead tree on Reed Road that needed to be removed. Costs for removal include \$550 for the removal of the tree and stump removal of \$125 for a total of \$675. Ganus requested an estimate from the BCRC regarding this issue; however, no formal estimate has been received. Ganus advised she went out to take a look at the tree this date and the tree is clearly dead and is very close to the electrical wires and she did not believe that it would be prudent to await the written estimate. There was an additional tree located approximately 100 feet from this dead tree on the same side of the road which appears to be dead as well. You can see through the trunk.

**Motion by Tom VanAntwerp, second by Ganus, to authorize the Berrien County Road Commission to remove the tree on Reed Road at a cost not to exceed \$675. Motion was then withdrawn.**

Discussion ensued and the general consensus is that Indiana Michigan Power should be contacted to see if they would remove the trees as they are located within the road right-of-way and are near the electrical wires.

*Road Chloride*

Ganus advised that she had made contact with BCRC Foreman Doug Hartzler regarding chloride application on Township roads. She advised Hartzler that in the past the BCRC has approached the township with an approximate dollar amount for chloride application and it wasn't until Ganus actually saw chloride on the roadway that she remembered that this had not been approved. Ganus received an email from BCRC Superintendent Don Geisler who advised that the BCRC used approximately 29,000 gallons of chloride at \$0.487 per gallon for an approximate total of \$14,123. Geisler advised that in future years he would be certain to obtain Township approval prior to chloride application.

**ANNOUNCEMENTS**

Board of Review has been set for July 21, 2015 at 5:00 p.m.

Ganus requested that Board members review the Building / Facility Assessment report prepared by Christopher Brayak of Wightman & Associates. This item will be placed on the July 23, 2015 agenda.

Ferris commented that he would like to see the individual who mowed the field behind the fire station return and brush chop along the wooded area as the woods appear to be encroaching further into the yard and it would be beneficial to trim this back.

Ganus advised that although she did not win the Clerk of the Year award through the Michigan Association of Municipal Clerks she was honored to have been nominated and chosen as a finalist and expressed her appreciation to the Board for allowing her to attend the MAMC conference.

**CITIZEN COMMENTS – NON-AGENDA ITEMS**

None.

**ADJOURNMENT**

There being no further business before the Board, the meeting was adjourned at 8:45 p.m.

Cathy A. Ganus  
Buchanan Township Clerk