

CALL TO ORDER

The regular July 23, 2015 meeting of the Buchanan Township Board of Trustees was called to order by Supervisor Malinda Cole-Crocker at 7:00 p.m.

Members Present: Malinda Cole-Crocker, Supervisor; Cathy Ganus, Clerk; Janet Dehring, Treasurer; and Thomas VanAntwerp, Trustee.

Members Absent: Lynn Ferris, Trustee.

Others Present: Two (2) township residents; no staff; and no members of the press.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

The minutes of the July 9, 2015 meeting was approved as presented.

ADDITIONS / CORRECTIONS TO AGENDA

There were no additions or corrections to the agenda.

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

MTA – Hot Topics in Planning & Zoning

Southwest Michigan Planning Commission "Inland Lake and Wetland Protection Tools for Local Government"

Buchanan Hydroelectric Project Emergency Action Plan – Designated Recipient for EAP Distribution List

Cole-Crocker advised that she and Ganus had attended the FEMA Discovery Project Phase II meeting in Niles. At this meeting, representatives from Indiana Michigan Power were present. In checking the I&M Buchanan Hydroelectric Project Plan, it was noted that there were no representatives listed for Buchanan Township on the EAP distribution list. Discussion ensued with the general consensus being that Cole-Crocker would be listed as the primary contact and Fire Chief Tim Jesswein would be listed as the secondary contact.

John Pitz – Planning Commission Resignation

Buchanan Township Planning Commission member John Pitz has advised that he has moved from the area and tendered his resignation for this reason.

Motion by Ganus, second by Dehring, to accept the resignation of John Pitz from the Buchanan Township Planning Commission with regret effective immediately. Voice vote showed unanimous approval, motion carried (4-0).

CORRESPONDENCE (continued)

Acceptance of Joseph Kring's Resignation

Motion by Dehring, second by Cole-Crocker, to accept the resignation of Joseph Kring as ordinance enforcement officer with regret. Voice vote showed unanimous approval, motion carried (4-0).

TREASURER'S REPORT

Motion by Dehring, second by Ganus, to approve General Fund check # 9702 to and including check # 9713 totaling \$17,604.79 as well as Fire Fund check # 5918 to and including check # 5929 totaling \$1,926.72. Roll call vote showed unanimous approval, motion carried (4-0).

REPORTS

SEBCL Report – Mindy Cole-Crocker

Cole-Crocker advised that there have been high methane readings occurring in the Crescentview subdivision area. It was initially thought that the methane source was the lake in the area. The State of Michigan has come down to assist the Landfill in locating the source. Also, the environmental manager has resigned with a one-week notice; however, the Landfill has hired someone from within to fill the position.

SMCAS Report – Cathy Ganus

Ganus reported that the executive director has presented a request to reinstate the operations manager position. He would also like to eliminate the three shift captains and one administrative assistant position.

Ganus advised that SMCAS Executive Director Brian Scribner presented a proposal from Edgewater Bank for a \$200,000 line of credit and asked for discussion regarding the feasibility of the LOC. Scribner explained that a potential cash-flow challenge may occur as the result of a transition from ICD-9 to ICD-10 codes, which will occur in October, 2015.

Ganus stated that she had perused the Articles of Incorporation and the Bylaws and she believes that SMCAS cannot acquire debt without the approval of all municipal-owners and suggested that each trustee introduce the concept of a line of credit to their respective boards to determine if there would be support. There was also concern expressed regarding SMCAS' prior year audits with regard to Municipal Finance which may preclude SMCAS from borrowing monies. Marx proposed that the board seek an alternative cash reserve funded by the owner municipalities.

Several questions were posed by the Board, which included the following: how would it be structured if the Township extended courtesy pay (loan); how would it be structured should SMCAS require immediate access to cash; would SMCAS pay interest – if so, at what rate and what term.

Planning Commission Report – Cathy Ganus

Since Janet Dehring was absent from the July, 2015 Planning Commission meeting, Ganus provided the report.

The Planning Commission held a public hearing on June 24, 2015 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. Deliberation on the rezoning request by the Planning Commission was tabled to allow the PC to obtain further guidance from Township legal counsel regarding the effect this rezoning would have on the Master Plan, specifically the Future Land Use Map.

REPORTS (continued)

Planning Commission Report – Cathy Ganus (continued)

At the July 22, 2015 Planning Commission meeting, the applicant voluntarily proposed conditions to their application for the rezoning. The offer was to rezone the property back to AG – Agricultural with all rights permitted in the AG – Agricultural District except the ability to operate swine and cattle feedlots on the rezoned property. The Planning Commission unanimously recommended approval of the conditional rezoning of Flatwater Farms as submitted contingent upon the development of a conditional rezoning agreement based on the conditions as proposed by the applicant. At this time the rezoning documentation has been submitted to the Berrien County Planning Commission for an advisory review per the Michigan Zoning Enabling Act. The BCPC has 30 days from the date the BCPC receives the request with which to comment on the rezoning request. After the expiration of that date, this item will be placed before the Buchanan Township Board for disposition. Once the rezoning has been completed, the applicant will then be seeking a special land use permit.

The Commission also requested the planner to review the Master Plan and proceed with the Future Land Use Map amendment process. The Commission also unanimously recommended that Township counsel develop a zoning ordinance text amendment regarding docks and mooring facilities to delineate private versus community docks as well as the inclusion of the zoning compliance permitting process.

Shetterly Rynearson Road Correspondence Update

Township counsel previously sent the homeowner at 16454 Rynearson Road (Marilyn Shetterly) 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 correspondence (deadline July 17, 2015). The deadline has lapsed. The next step would be to direct Township counsel to draft a complaint to compel the connection to the water system.

Motion by VanAntwerp, second by Cole-Crocker, to direct Township counsel to draft a complaint to compel the resident at 16454 Rynearson Road to connect to the public water supply system. Voice vote showed unanimous approval, motion carried (4-0).

Tree Removal on Reed Road Update

Ganus advised that she had contacted Indiana Michigan Power at the request of the Board regarding the tree on Reed Road. Ganus' request was forwarded to the I&M Forestry Department for their disposition. Ganus also noted that approximately 100 feet to the east of the dead tree appears to be another dead tree that you can actually see through the trunk.

Reed Road Damage Update

Ganus advised that the Berrien County Road Commission has hot patched the damaged portions of the road and they have added an additional layer of rock. Ganus expressed her displeasure in the workmanship of the road as the sides of the roadway are already heaving as a result of the garbage trucks and other vehicles traveling on the edge of the roadway. It is unknown at this time whether the farmer who caused the damage will be responsible for the repairs.

E. River Road Update

In response to the resident concerns at the July 9, 2015 Township Board meeting, VanAntwerp traveled to the area in question and advised that the Road Commission had not completed the project at that time. The layer of gravel was supposed to have been put in place in late July. Discussion ensued as to whether the Township should consider adding this portion of E. River Road to the projects list.

REPORTS (continued)

E. River Road Update (continued)

VanAntwerp stated that there are existing road signs that need to be relocated as their current locations are irrelevant. Ganus mentioned that the Berrien County Road Commission is instituting a new road sign policy wherein they are going to discontinue "special" signage (i.e., deer crossing, handicapped child area, etc.) so perhaps these signs will be completely removed.

NEW BUSINESS

Wightman & Associates, Inc. Invoice – Township Hall Assessment

In light of the fact that the Township Hall Assessment Report has not been formally accepted by the Board of Trustees, the invoice for services with regard to the assessment shall be held until such time as the assessment report can be accepted.

Draft Job Descriptions

Ganus provided Board members with draft job descriptions for all positions held within Buchanan Township. Since there are many job descriptions, Ganus requested that the ordinance enforcement officer job description be accepted and the other job descriptions be tabled as the Township is in the process of hiring a new ordinance enforcement officer and it would be a favorable to have a job description available for applicants to review.

Motion by VanAntwerp, second by Cole-Crocker, to approve the ordinance enforcement officer job description as presented. Voice vote showed unanimous approval, motion carried (4-0).

Discussion ensued as to the process to be undertaken in hiring a new ordinance enforcement officer. General consensus is to draft standard questions to be asked of all applicants before the full Board of Trustees.

Planning Commission Appointment – Term Ending 04.01.2017

Motion by Cole-Crocker, second by Dehring, to appoint Laurel T. Green to the Buchanan Township Planning Commission to replace John Pitz with term ending April 1, 2017. Voice vote showed unanimous approval, motion carried (4-0).

Rynearson Road Booster Station Update

Ganus advised that Craig Miller from the City Water Department has made contact with her regarding the number two pump at the Rynearson Road Booster Station. When turned on, the pump simply spins and the pressure immediately drops. Miller has made contact with Peerless Midwest who advised that perhaps it would be prudent to get an electrician to look at the pump to see if the pump is putting out the correct amount of hertz. There was also discussion regarding whether the Township needed to employ a pump that large; perhaps an additional jockey pump could be purchased. Miller then advised that the larger pump was necessary in the event of fire suppression at the Landfill.

ANNOUNCEMENTS

Ganus advised that Fire Chief Tim Jesswein has reported to her that truck # 620 has failed part of the annual pump test with regard to the vacuum pump test. This is the older International unit with the open rear cab.

Cole-Crocker advised that Township Assessor Nancy Williams will be providing the Board with a report at least three times per year regarding Township property assessment. The Township has been advised that

ANNOUNCEMENTS (continued)

they will be the subject of an AMAR assessment audit by the State of Michigan. This is a standard audit in which all municipalities eventually undergo.

Dehring advised that one of the residents of E. River Road (Cornwell) met with the assessor who then explained dirt roads versus paved roads for tax purposes.

VanAntwerp brought up the issue of asset investigation regarding Township-owned water / sewer infrastructure. The City is currently conducting an asset investigation of the City infrastructure and VanAntwerp suggested this would be a great time to partner with the City. VanAntwerp stated he had made contact with Buchanan City Public Services Director JT Adkerson who advised he will draft some rates; however, the City will most likely not get to the project until January, 2016.

Cole-Crocker advised she will begin Certified Assessor training in August. This is a certification only; she will be unable to sign the assessment roll but can perform other duties.

CITIZEN COMMENTS – NON-AGENDA ITEMS

None.

ADJOURNMENT

There being no further business before the Board, the meeting was adjourned at 8:18 p.m.

Cathy A. Ganus
Buchanan Township Clerk