

**NILES CHARTER TOWNSHIP
JUNE 21, 2010
REGULAR MEETING**

Supervisor Kidwell called the meeting to order at 7:00 p.m. at the Township Hall, 320 Bell Road. Kidwell led the Pledge of Allegiance.

Roll Call: Cooper, Durm-Hiatt, Goodwin, Kidwell, Noble, Ringler.
Absent: Bailey.

Approved Agenda

Ringler motioned to approve the agenda as submitted, Noble supported.
All voting in favor

MOTION CARRIED.

Consent Agenda: Goodwin asked that Resolution 10-09 Hazardous Mitigation be pulled from the consent agenda Ringler motioned to approve consent agenda with the removal of item (e) Hazardous Mitigation Resolution 10-09, Noble supported.

1. Minutes approval for June 7, 2010, regular meeting minutes.

2. Expenditures and Transfers:

General O&M \$57,299.48 Fire O&M \$36,526.37 Sewer O & M \$13,106.29

Water O&M \$2,106.79 Fire Capital Imp. \$583.45

GRAND TOTAL: \$109,622.38

3. May Fire Report for file.

4. May: Park Board and SMCAS minutes for file.

5. June Planning Commission minutes and naming Scott Dienes as the Attorney of record for Planning and Zoning.

ROLL CALL AYES: Ringler, Cooper, Durm-Hiatt, Goodwin, Noble, Kidwell.

NAYES: None.

MOTION CARRIED.

Correspondence/Announcements: Durm-Hiatt announced a nine county non motorized trail workshop on July 15, 2010 in Kalamazoo. There are meetings planned throughout the state to discuss state road and bridge projects with regard to the shortfall in revenues.

Supervisor Report: Kidwell stated that he had contacted Trustee Bailey as requested by resolution, to ask for his resignation. Bailey responded that he was still thinking about it. Kidwell presented for file, certificates of training for Chief Brovold.

Comments from the Public: O. Baldwin asked if Trustee Bailey was still receiving pay if he doesn't attend meetings. Kidwell informed him that he is receiving pay. Wm. Weimer reported that the City of Niles has 4,700 units paying to SMCAS assessment. J. LaMore reported from the Berrien County Commission. The commission will have an evening meeting, June 24, 2010 at 7:00 p.m., at the Niles City Council Chambers'. LaMore asked Trustee Noble to check on sunken manholes on South Third Street. LaMore also announced that the county road commission will be picking up debris in the boulevard from the recent storm. Lt. Ganus gave the police report, and distributed a press release dealing with a mobile meth-lab that was discovered during a traffic stop. There was a request for the speed trailer along South Third Street.

Unfinished Business: None.

New Business:

Allow open burning: Chief Brovold sent a request that the township board approve a resolution to allow open burning, with a permit, through the month of July due to the extensive tree damage during the recent storm. Durm-Hiatt motioned to allow, with a permit, open burning through the month of July, Cooper supported.

ROLL CALL AYES: Cooper, Durm-Hiatt, Goodwin, Noble, Ringler, Kidwell.

NAYES: None.

MOTION CARRIED.

Waive Building permit fees: Jeff Dunlap requested that the board waive building permit fees for repairs due to the recent storm. Ringler motioned to waive building permit fees for repairs due to damage as a result of the storm. Goodwin supported.

ROLL CALL AYES: Durm-Hiatt, Goodwin, Noble, Ringler, Cooper, Kidwell.

NAYES: None.

MOTION CARRIED.

Introduction of P.U.D. Text Amendments: Kidwell presented, along with an explanation from Trustee Cooper, the complete P.U.D. Text Amendment for review. Cooper explained that the Township Planning Commission, and the County

Planning Commission has approved the amendments, now it comes back for Township Board approval following the proper public posting. Durm-Hiatt stated that it would be posted on the township web-site, at the Niles District Library and at the township hall. It will be on the July 6, 2010 agenda for action.

Introduction of Height Amendment: Similar to the previous amendment, Cooper explained that a change in the Building Height Amendment will be addressed on an individual basis, still giving the Planning Commission control of any concerns. The Height Amendment will be posted and ready for the township board to take action at the meeting in July.

DPW Lift Station #4 replacement: The township board received a letter from Gary Schrader requesting approval to proceed with Merritt Engineering for final design and MDNRE permit application to replace lift station #4. In the letter, Schrader asked that we continue with the Smith & Loveless above ground vacuum priming system, it is consistent with other township lift stations. The board has been gathering information on a gravity flow system, which would eliminate the lift station. Merritt had concerns if there was enough fall to work properly, and the cost was high (\$ 2-2.5 million). Following discussion, Ringler motioned to have Merritt Engineering proceed with final design, complete MDNRE permit application and to replace lift station # 4 with the Smith & Loveless system as recommended. Cooper supported the motion.

ROLL CALL AYES: Goodwin, Noble, Ringler, Cooper, Durm-Hiatt, Kidwell.

NAYES: None.

MOTION CARRIED.

Resolution 10-09 Hazardous Mitigation: Goodwin asked who would serve as the representative to be the liaison between the county and township. The fire chief traditionally is the township representative and will continue in that capacity.

Goodwin motioned to approve Resolution 10-09, Durm-Hiatt supported.

ROLL CALL AYES: Noble, Ringler, Cooper, Durm-Hiatt, Goodwin, Kidwell.

NAYES: None.

MOTION CARRIED.

Comments from the Public: None.

Committee Reports:

Bailey:

Goodwin: announced the SMCAS annual picnic June 27, 2010 at 1:00 p.m.

Ringler: announced that the taxes are prepared and ready to go out July 1, 2010.

Kidwell: None

Noble:

Cooper: announced the next Planning Commission meeting for July 7, 2010, they will be addressing the new hotel on the old Carter Lumber property.

Durm-Hiatt: reported that absentee ballots are in and will be sent soon. Angie Cole, Deputy Clerk, will be attending the Municipal Clerk's Association Educational Conference this week. She received a scholarship for the conference fee.

Goodwin motioned to adjourn at 7:38 p.m. Durm-Hiatt supported the motion.

All voting in favor

MOTION CARRIED.

Respectfully submitted,

Marge Durm-Hiatt, Clerk