

**WAYNE TOWNSHIP BOARD
REGULAR MEETING MINUTES
September 10, 2018**

1. **Call to Order:** Supervisor Butts called the meeting to order at 7:30 P.M.
2. **Attendance:** Frank Butts, present; Kurt Reich, present; Judith Fusko, present (arrived at 7:35); James Griggs, present; Frank Maley, present.
Citizens: Three citizens were present: Michael Krager, Jr., Sarah Saylor, and Craig Yeager
3. **Pledge of Allegiance:** Maley led the pledge to the United States flag.
4. **Invocation:** Butts gave the invocation.
5. **Approval of Minutes:** *Motion by Griggs to approve the minutes of the August 13, 2018 Board Meeting. Support by Maley. Motion carried.*
6. **Treasurer's Report:** **General Fund Balance:** \$337,341.69; Receipts: \$7,513.48; Expenditures: \$22,938.04; **New General Fund Balance:** \$321,917.13; **Fire Department Fund Balance (includes Sinking Funds):** \$146,967.03; Receipts: \$69.59; Expenditures: \$796.41; **New Fire Department Fund Balance:** \$146,240.21; **Trust and Agency Accounts (Property Taxes, Special Assessment, and Fire Escrow) Balance:** \$107,939.20. *Motion by Reich to accept the Treasurer's Report as printed. Support by Maley. Motion carried.*
7. **Approval of Agenda:** There were no changes requested for the agenda.
8. **Guest Comments:** There was no guest present.
10. **Public Comments:** **Sarah Saylor:** Saylor said that she was present to ask questions about issues at Twin Lakes since she owns two properties at Twin Lakes: **(1.)** Who owns the parks at Twin Lakes and who is responsible for their upkeep? Butts said that the individual parks are owned by the people in the subdivisions near each park. He said that the Township has no say concerning the parks at Twin Lakes. Butts said that in the past the Twin Lakes Improvement Association has kept up the parks by mowing them, and other things like replacing signs, etc. **(2.)** What is this about an easement around the lakes? Butts explained that Twin Lakes is like only two or three other lakes in the State of Michigan. He said that the lots around the lakes are 100 feet deep and that anything past that is open to the people who own property at Twin Lakes. It is open for walking or swimming. **(3.)** Is there a designated swimming area? Saylor said that many children are using the boat ramp area as a beach which she recognized as unsafe. She then asked if people could swim anywhere they want. Butts said that the boat ramp is definitely a bad place for anyone to swim because of the traffic of boats being put in the water and taken out of the water, of cement that has broken off the ramp, and a drop off at the end of the ramp. He said that the old beach was closed by the owners and no one else wants swimmers on land they believe they own, even when there is only a small area (the old Barrett's Resort) where the property owners actually own down to the water. Saylor thanked Butts for the information she had received; **Craig Yeager:** Yeager thanked the Board for the recognition he had received at the beginning of the August meeting. The Board once again thanked Yeager for the action he had taken to save the life of the woman trapped in her burning car.
11. **Reports:**
 - A. **Building Inspector:** There was no report.
 - B. **Zoning Administrator:** From June 21 to July 19: Six Zoning Permits were issued for \$180.00 and two Variance applications were taken for \$600.00.
 - C. **Electrical Inspector:** Four Electrical Permits were issued for \$924.00.
 - D. **Mechanical Inspector:** Six Mechanical Permits were issued for \$1,255.00.
 - E. **Plumbing Inspector:** One Plumbing Permit was issued for \$235.00.
 - F. **Assessor:** Butts said that Assessor Kays continues to work on getting all of the documents needed for the AMAR visit on September 24 at the County Building where they will examine all of Kays' documents for completeness and accuracy. Butts said that while the Board had set the fee for a Land Division at \$150.00, it had not addressed the possibility of there being more than one requested. There was discussion about how much each sequential division should cost. *Motion by Butts to set a fee of \$50.00 for each extra division. Support by Fusko. Motion carried.*
 - G. **Cemetery Manager:** Krager reported that there had been no sales of lots or plots and there had not been any burials.
 - H. **Fire Board:** The minutes of the Fire Board meeting were placed on file. Butts reported that there had been fifteen runs in August. He said that one of the new firemen was taking the Fire Fighter I class.
 - I. **Blight Inspector:** **(1.) Coulter, David:** Mosier wrote that there are still several violations including various boats, trailers, and an automobile on the adjoining property purchased by Coulter and a blue pickup truck which had been scrapped out for parts, an extended cab pickup, a utility trailer and a travel trailer; **(2.) Fisher, John:** Mosier wrote that after two visits to the property he had not

- heard any chickens or ducks. He noted that the shed, which is closer to the property line than allowed, had not been moved. In discussing the case it was pointed out that the shed is the type that can be moved. The Board was upset that Fisher was not doing anything to fix the violations on his property. **Motion by Reich that Fisher be given a date to comply and that if he does not comply Mosier be directed to issue Fisher a citation. Support by Maley. Motion carried;**
- (3.) Harris, Sheila:** Mosier wrote that there is still a junked auto east of the mobile home and trash and junk in back of the mobile home. (Mosier noted that he had received a phone call from Mr. Harris who said that the title for the vehicle had been lost); **(4.) Holmes, Ken:** Mosier had written that Holmes had removed all but two items of trash from his property; **(5.) Roggow, Michael:** this case is on hold; **(6.) Thielmann, James:** Thielmann has continued to be active in cleaning up the property.
- J. Unsafe Building(s): Baker, Shannon and Michelle:** Butts suggested that the Bakers be given a month to take out a Building Permit.
- K. Zoning Violation(s): (1.) John Fisher:** his shed is too close to the property line; **(2.) Gant, Bruce:** Butts said that Gant is adding a porch or entryway to his home and that it mere inches from the house his relative lives in and that he has taken out neither a Zoning Permit nor a Building Permit. Butts said that he believed that because of all of the history with Gant, the lawyer be contacted right away. **Motion by Butts that the Gant case be turned over to the Township Attorney for action. Support by Maley. Motion carried.**
- L. Planning Commission:** the next meeting of the Planning Commission will be this Thursday, September 13. Reich was asked to call the members of the Planning Commission and remind them to look over the information on solar panel “farms” they had been given at the June meeting.
- M. Zoning Board of Appeals:** There had not been any appeals.
- N. Dowagiac District Library (DDL):** Reich said that work is continuing to “get the word out” about the millage request that will appear on the November 6 ballot. He said that there are many people in the area that think that the library is no longer needed, that no one uses the library. Reich said that the library has statistics that show the usage of the library is higher than ever.
- O. Emergency Services Authority (ESA):** Butts said no new Incident Report had come in yet.
- P. Treasurer:** Fusko went over her very thorough written report. She said that the Summer Property Taxes had been arriving in large numbers since the deadline of September 14 is fast approaching. She said that she had gone to the Fire Administrative Board to speak to them about investing money that is in the Fire Equipment Sinking Fund to get a better rate of interest. She said that she hopes to purchase five \$10,000.00 C.D.’s with varying maturity dates and will get the best interest rate possible on each C.D.
- Q. Clerk:** Reich said that there needed to be an amendment to the budget as the Board Office Supply line item is now \$12.00 over budget. **Motion by Reich to add \$500.00 to the Board Expenses Office Supply line item. Support by Griggs. Roll call vote: Reich, yes; Fusko, yes; Maley, yes; Griggs, yes; Butts, yes. With five yes votes and zero no votes, Butts declared the proposed Budget Amendment** had passed. Reich then said that he had been alerted that the federal government is stepping up its inspection of employers’ I-9 forms (to make sure employers are not hiring people who are not in the U.S. legally. He passed the forms out to the Board members and asked them to turn them into him by October 1, 2018.
- R. Supervisor:** Supervisor Butts: **(1.)** said that Reich, and all the other clerks in Michigan, had received a FOIA request to get copies of all of the ballots from the 2016 presidential election. The clerks had to prepare an estimate of what the cost would be to copy all of the ballots. If any clerk receives 50% of the estimated cost, the clerk must copy the ballots (and other election materials) and then send them to the person who has requested the ballots; **(2.)** reported that Senator Proos had sent a letter stating that he had received the resolution from the Township opposing the proposed bill from the Michigan Department of Treasury that would reform the system of assessing property and setting property taxes in Michigan; **(3.)** said that he had attended the seminar in Berrien County on invasive species with Maley; **(4.)** said that the Dowagiac Union Schools had sent the Township its Annual Report; **(5.)** reported that there will be a hearing in Lansing on September 11 on SEMCO energy rates; **(6.)** said that the Mill Pond Association had contacted the Township and has asked for the names and addresses of all of the property owners on Davis Lane and Nubour St. so they can send out a mailing; **(7.)** reported that two Board members will be attending the Bauckham, Sparks law firm event at their new office in South Haven; **(8.)** reminded the Board that a property auction will be held in the meeting room on October 8; **(9.)** said that the Township had received information from the State that the adult care home called “A Place Called Home” has been relicensed; **(10.)** said that the Township had received an anonymous complaint on a postcard listing an address of a property at Twin Lakes on Twin Shore Drive and a long list of work that had been done to the house and driveway and the card said that no permits had ever been posted. Butts said that he had investigated

and believes that he found the correct property and that permits for most of the complaints on the postcard had been taken out and that other work listed did not need a permit. There is no way to contact the anonymous person who had sent the postcard to inform them about this information.

S. Township Website: Griggs had nothing to report.

T. MEANDRS: Maley said that there had not been a meeting in August.

11. **Payment of Bills:** *Motion by Fusko to pay the list of bills except for the bill sent to the Township by the Road Commission since she believes they made a mistake. Support by Maley. Motion carried. Motion by Fusko to pay the Road Commission bill once she has had a chance to speak to their office to see if the amount due agrees with the amount she believes is owed and the amount is agreed upon. Support by Maley. Motion carried.*

12. **Old Business:**

A. Township Hall/Fire Station Sign: Griggs said that he had presented many sketches for a possible base for the electronic portion of the sign. He said that Wolford said that he had seen a sign on M-62 that he really liked. Wolford said that he would check into it and try to get a picture of the sign to share with the other members of the Sign Committee.

B. Culverts: Butts said that the Road Commission informed him that the culverts would not be completed before the Fall.

C. Hallway Floor Covering: Fusko and Griggs reported that they had chosen a color for the floor covering and that finding a contractor known for quality work and a fair price is the next step and needs to be done. *Motion by Reich to direct the committee to find a contractor to put down the floor covering in the hallway and the restrooms. Support by Maley. Motion carried.*

D. Adoption of Ordinance O-18-09-02: Butts reminded the Board members that the Planning Commission had voted to approve and send to the Township Board the proposed ordinance which would amend the Township's Zoning Ordinance to prohibit camping units as a permanent or temporary dwelling and to set conditions for temporary lodging. The ordinance would become Section 1828 in the Zoning Ordinance. It was noted that the County Planning Commission had approved the proposed ordinance. Griggs said that the Planning Commission had been working on the ordinance for a long time (June 2015) and was happy to see it is completed. *Motion by Frank L. Butts that the Township Board adopt proposed ordinance O-18-09-02 as passed by the Wayne Township Planning Commission. Support by Kurt E. Reich. Roll call vote: Frank L. Butts, yes; Kurt E. Reich, yes; Judith Anne Fusko, yes; Frank H. Maley, yes; James K. Griggs, yes. With five yes votes and zero no votes, Butts declared the Ordinance adopted.*

13. **New Business:**

A. Resolution 18-09-01 Establishing a Policy on the Granting, Auditing and Removal of Property Tax Exemptions: There was an explanation of the State requiring all municipalities to adopt a policy for the granting, removal and auditing of property tax exemptions. *Motion by James K. Griggs to adopt Resolution R-18-09-01 to establish a policy on the granting, removal and auditing of property tax exemptions. Support by Judith Anne Fusko. Roll call vote: James K. Griggs, yes; Frank L. Butts, yes; Kurt E. Reich, yes; Judith Anne Fusko, yes; Frank H. Maley, yes. With five yes votes and zero no votes, Butts declared the resolution adopted.*

B. MTA Regional Meeting: Butts said that he had polled the Board members about who would like to attend the MTA Regional meeting and reported that Maley and he would like to go. It was noted that there is an early enrollee discount which would apply if the registration fee was sent in soon. *Motion by Reich to pay the registration fee for two Board members to attend the October 17 MTA Regional Meeting being held in Kalamazoo on the Western Michigan University campus. Support by Griggs. Motion carried.*

14. **Public Comments:** There were no Public Comments

15. **Adjournment:** *Motion by Griggs that the meeting be adjourned. Support by Maley. Motion carried.*

The meeting was adjourned at 9:10 P.M.

Kurt Reich, Clerk