

**Bertrand Township Board
Regular Meeting
Thursday, September 10, 2015**

Bertrand Township Hall
3835 Buffalo Rd., Buchanan, MI 49107

Supervisor Hicks called the meeting to order at 7:02 p.m. and led the Pledge of Allegiance.

Members Present: Hicks, Kuhn, LeClaire, Vite, Zelmer

Special Guests: Attorney Sara Bell, Auditor Derek Hall, Captain Robert Boyce (BCSD), Mr. and Mrs. Pollick, Members of the Sebasty family, Madeline Crocker

Motion made by Hicks, seconded by Zelmer to amend and approve the amended Agenda by inserting Auditor Derek Hall's 2015 Bertrand Township Audit presentation as item #1 in the Reports section.

Voice vote: **carried unanimously**

Consent Calendar (*see attachments*)

Motion made by Hicks seconded by Zelmer to approve Consent Calendar as amended:

- Township Board Special Meeting Minutes from August 29, 2015
- Strike A/P Check #16111 Berrien County Road Commission for \$13,581.44 – a current bill for a 2014 project – and pay the invoice from the BCRC matching fund account.
- Berrien County reference library
- Budget Amendment – transfer \$14,000 from the General Fund to 266.801-Attorney Legal Fees
- Treasurer's Report

General Fund	\$1,329,164.03
Total Fire Dept. Fund	\$185,344.74
Total WRT Fund	\$3,394.12
Total Fund Current Assets	<u>\$1,517,902.89</u>

- Accounts Payables (amended above) for the period 08/13-09/07 presented:

Total General Fund Expenses	\$161,542.80
Total Fire Dept. Fund Expenses	\$9,780.75
Total WRT Fund Expenses	\$172.58
Total Expenses	<u>\$171,496.13</u>

Roll call vote: **Motion carried unanimously**

Reports (*see attachments*)

2015 Auditor's Report – presented by Derek Hall, Auditor with Dept. of the Treasury

- The only significant change from prior years is the requirement we develop and adopt a SMCAS budget within the next month or two and moving forward. Since SMCAS funds

are pass-through, we do not need to develop a fund in Quick Books. In previous years, Derek would make simple notes regarding the pass-through SMCAS accounts. He pointed out this is a matter of semantics, and he lost the argument to his boss at the Dept. of Treasury.

- The township had some accruals that made us non-compliant with the Uniform Budgeting and Accounting Act. The largest was with late bills turned in by Building Inspector Swanstrom. The conclusion was a) strongly urging him to turn in before FY end, and b) since his charge is a known amount (percentage of permit fees), simply pay the calculated invoice amount before year end.

Sheriff's Department

Captain Robert Boyce presented their report with July stats.

Fire Department

Chief Knisely submitted the September, 2015, Monthly Business Report. He also urged residents to come to the Open House on Saturday, September 26, from 11 a.m. - 3 p.m. LifeFlight will have a helicopter there!

Public Comments

Resident Tom Rossi updated the board on the American Chestnut Project on township hall grounds. On Oct. 3, Boy Scout Troop 541 will plant ten VC3-F1 American Chestnut trees. It will be a media event that will even be covered in the American Chestnut Journal. First Presbyterian Church is underwriting \$135 in materials, and at a projected cost of \$175, Mr. Rossi is seeking additional funds to cover the expense.

Unfinished Business

1. Asbestos and abatement quote – Supervisor Hicks informed the board he is still waiting on the quote.
2. Board and Administrative Policies

Board members worked through sections 5.11-8.5 and concluded discussion at 8:10 p.m. The board will continue on with section 8.6 in the October meeting.

New Business

1. Cemetery Issues

Clerk Vite presented to the board the fact that cemetery deeds cannot be located, and a number of individuals have made inquiries regarding the cemetery plots they allege to own, but have no proof. Sexton Jean Wolf introduced to the board three families who have present issues.

- A. Mr. and Mrs. Pollick have a daughter, Casey, buried in Mt. Zion cemetery. They claim to have purchased two adjacent plots but have no proof. Mr. Pollick said he was told former Sexton Barney Mitchell's wife burned all the deeds after he passed.

Motion made by Vite, seconded by LeClaire to acknowledge that Mr. and Mrs. Pollick have purchased two additional plots adjacent to their daughter, Casey's, and to give

Sexton Wolf permission to identify the plots and Clerk Vite permission to write two new deeds for them.

Roll call vote: **Motion carried unanimously**

- B. Mrs. Madeline Crocker and her son presented their case that her lineage is the Baker family – founders of Bakertown – and that their family lays claim to a block of plots in the Bakertown cemetery preceding 1902. She presented a document dated at that time indicating such in vague terms, and Sexton Wolf also had an unreadable copy of the same in her records. Presently, she has a cremains to bury.

Motion made by Vite, seconded by Zelmer to acknowledge that Mrs. Crocker has purchased the plot to bury the cremains, and to give Sexton Wolf permission to identify the plot and Clerk Vite permission to write the deed. Then, Sexton Wolf is to identify with Mrs. Crocker all the remaining plots she alleges to own and bring this list for the board for further consideration.

Roll call vote: **Motion carried unanimously**

- C. The Sebasty family also claims to own multiple plots in the Mt. Zion cemetery with no deeds. They claim to have talked to the board in Supervisor Mefford's era (mid-2000s) with no resolution to their problem. They do not presently have any burial needs, but want closure to this issue.

Motion made by Vite, seconded by Zelmer for Sexton Wolf to sit down with the Sebasty family to identify all the plots they allegedly purchased at Mt. Zion and bring this list to the board for further consideration.

Roll call vote: **Motion carried unanimously**

2. SSN Breach Resolution

Motion made by Hicks, seconded by Vite to adopt Resolution 20150910A – “A Resolution to provide one year of LifeLock services to former employees and elected officials who may have had their social security numbers breached and to authorize the Clerk and Treasurer to set up a township LifeLock account for the purposes stated herein”.

Discussion: Zelmer proposed broadening the number of people from the eight identified. LeClaire agreed with the idea but felt the immediate issue was to specifically address the eight tonight. Zelmer asked to see the list and was then comfortable with the motion.

Roll call vote: **Motion carried unanimously**

3. 2016-2017 Tax Agreement

Motion made by Kuhn, seconded by Zelmer to authorize the township treasurer to enter into the 2016-2017 Tax Agreement with the Berrien County Board of Commissioners tax processing service using the BS&A application and software.

Roll call vote: **Motion carried unanimously**

4. Trash Service

Motion made by Hicks, seconded by Vite to accept the Trash Service quote by Michiana Recycling and Disposal for weekly service with 3-95 gallon roll carts, plus an additional 5 bags on the outside (if needed) and free recycling for a total of \$45/month billed quarterly at \$135.

Roll call vote: **Motion carried unanimously**

5. Ordinance #63 Revision

Motion made by Hicks, seconded by Zelmer to adopt Ordinance #63 – An Ordinance Establishing Fire Department Structure, Responsibilities, and Accountability – as revised.

Discussion: Chief Knisely and Attorney Bell explained that Ordinance #63 and the Administrative Rules and Department Policy contained numerous redundancies. The revised Ordinance #63 removed the redundancies.

Roll call vote: **Motion carried unanimously**

6. BTFD Administrative Rules & Policies

Motion made by Hicks, seconded by Vite to adopt the Bertrand Township Fire District Administrative Rules.

Roll call vote: **Motion carried unanimously**

Motion made by Hicks, seconded by Kuhn to adopt the Bertrand Township Fire District Policy Manual.

Roll call vote: **Motion carried unanimously**

7. BTFD Station #1 Parking Lot

Chief Knisely brought to the board's attention the very poor condition of the parking lot at Station #1. In particular, the rear of the lot has spider cracks too numerous to patch. He received three quotes: 1) \$57,813 to strip the original asphalt and replace the lot with new 4" asphalt; 2) \$33,724 (Bailey) – Strip 2" and lay 2" of new asphalt; 3) \$36,000 (Shembarger) – same as #2.

He requested that the board consider for next fiscal year a solution to fix this problem and to budget in the associated expense. He reminded the board that at that time new quotes would have to be obtained.

Members of the board asked Chief Knisely to gather more information re: 1) Warranties for each of the solutions; 2) Durability timeframe for each of the solutions; 3) Viability of 2" cover over cracks that are deeper than 2" (ie, are there any concerns with cracks remaining underneath new asphalt?).

8. BTFD New Hire

Motion made by Vite, seconded by Kuhn to hire Logan Hicks to the BTFD as a candidate pending his agility test results.

Discussion: Chief Knisely confirmed Logan has already completed his physical.

Roll call vote: **Motion carried unanimously**

9. Annual Meeting of the Electors

Motion made by Vite, seconded by Hicks to reaffirm Resolution 011212E which rejects an annual meeting of the electors.

Discussion: Vite queried all Clerks in Berrien County and the results were overwhelming. Nearly all do not have annual meetings. One who did said it's very confusing to the electors because they misunderstand it's intent and she wished they did not have it. Vite read portions of the MTA Authorities and Responsibilities Manual to the board which in large part says the meeting is advisory in nature, and specifically in Bertrand Township its sole purpose would be to prevent trustees from increasing their salaries. Salaries haven't been increased since 2012 and there are no plans to do so at this time.

Roll call vote: **Motion carried unanimously**

Communications

The Bertrand Township Fire Department Open House is Saturday, September 16, from 11:00 a.m. – 3:00 p.m. at the Bertrand Township Hall grounds.

Public Comments

Five residents made comments.

Board Member Comments

None.

Miscellaneous / Announcements / Schedule

The next township board meeting will be Thursday, October 8, 2015 at 7:00 p.m.

Motion made by Hicks to adjourn at 9:34 p.m.

Respectfully submitted,



September 11, 2015

Don Vite
Bertrand Township Clerk

Dated