

**Bertrand Township Board  
Regular Meeting  
Thursday, April 12, 2018**

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, Payton, Vite, Zelmer

Special Guests: Dave Pagel, 78<sup>th</sup> District State Representative

**Consent Agenda** *(see attachments)*

**Motion** made by Zelmer supported by Vite to approve Consent Agenda as amended:

- Item #1 – Adopt Revised Zoning Ordinance – appended “with Resolution #180412”
- Added Item #6 – WiFi Bridge
- Added Item #7 – Community Hall Contract Violation
- Township Board Meeting Minutes from March 8, 2018
- Accounts Payable for the period 03/09/18 – 04/12/18 as presented:

Total General Fund Expenses	\$41,642.62
Total Fire Dept. Fund Expenses	\$18,182.15
Total WRT Fund Expenses	\$108.35
<b>Total Expenses</b>	<b><u>\$59,933.12</u></b>

- Treasurer’s Report

General Fund	\$1,404,678.78
Total Fire Dept. Fund	\$314,316.48
Total WRT Fund	\$2,734.75
<b>Total Fund Current Assets</b>	<b><u>\$1,721,730.01</u></b>

**Discussion:** Clerk Vite remarked that annual contribution/payments were made to Buchanan District Library, Niles District Library, Galien Public Library, and SMEGA.

Roll call vote: **Motion carried unanimously**

**Reports**

Sheriff’s Department *(see attached)*

Deputy Bob Mazurak presented the report.

Fire Department *(see attached)*

Chief Knisely submitted the April, 2018, monthly Fire Department report. The annual pancake breakfast will be Saturday, April 14 from 8am – 11am.

## SMCAS

Chief Knisely gave a verbal report:

- The new wheelchair van has been placed in service
- A new office manager has been hired
- Checking with legal and seeking an ordinance to allow SMCAS to receive compensation when called into Berrien Springs

## SE Berrien County Landfill

Trustee Zelmer and Treasurer Kuhn gave a verbal report:

- Work continues on the waste water treatment plant
- Staff cleaned up the perimeter of the landfill from blowing trash
- Conducting interviews for the environmental manager position

## Sexton

Sexton Steve Redman had nothing to report this month

## Public Comments

None.

## Unfinished Business

None.

## New Business

1. Adopt Revised Zoning Ordinance with Resolution #180412

**Motion** made by Hicks, supported by Vite to approve Zoning Ordinance #52, latest revision: February 1, 2018.

**Discussion:** Kuhn said this is a living, breathing document that will continue to be revised as new zoning issues come up in the township. The last year a major revision was made was 2005, with subsequent changes in 2009.

Roll call vote: **Motion carried unanimously**

2. Planning Commission Appointment

**Motion** made by Hicks, supported by Zelmer to approve the appointment of resident Phillip Moore to the Planning Commission effective immediately to complete the term of Rick Racht, who submitted his resignation in January, and to expire on 12/31/18.

Roll call vote: **Motion carried unanimously**

3. ZBA Appointment

**Motion** made by Vite, supported by Zelmer to approve the appointments of resident Steve Redman to the Zoning Board of Appeals effective immediately to complete the term of Stephen LeClaire, who submitted his resignation in January, and resident Charles Gillette as an alternate to replace Richard Wilcox, who passed away last fall, both to expire on 12/31/18.

Roll call vote: **Motion carried unanimously**

4. Community Hall Round Tables

**Motion** made by Kuhn, supported by Zelmer to approve the purchase of two 4-pack 6' Round Tables with White Granite Color Top from CompetitiveEdgeProducts.com, which includes free shipping, for a total of \$1,781.98 to be used and stored at the Community Hall.

5. Office Lighting Proposals

**Motion** made by Vite, supported by Payton, to accept Wolverine Electrical Contracting's Quote of \$4,794.23 to update and improve the lighting inside and outside the township hall to LED lights.

Roll call vote: **Motion carried unanimously**

6. WiFi Bridge

**Motion** made by Hicks, supported by Zelmer to accept Randy Hendrixson's quote of \$1,174 to install WiFi internet connectivity in the Community Building via a Wireless bridge from the Township Hall including hardware and installation at both locations.

**Discussion:** Kuhn asked if this would allow video capabilities for future applications of security, etc. Hicks would check on that with Hendrixson.

Roll call vote: **Motion carried unanimously**

7. Community Hall Contract Violation

**Issue:** The contract clearly states the hours of use and when the renter is permitted to enter, and the renter violated this by coming in the night before to setup for a birthday party. This included decorations, food in the refrigerator, etc. Nancy discovered this when she entered the hall early the day of the rental to check on heat, etc. The board discussed whether or not the renter should have their deposit refunded.

**Discussion:** Supervisor Hicks asked the board to consider what we should do as a penalty to the renter, which included withholding their deposit. He said the problem would be worse if the hall was rented the day before and cleaning crew would not have been able to clean up and prep the facility for this renter.

Initially, some members felt if we didn't penalize this renter there would be a bad precedent established. Vite said there is no wording in the contract clearly spelling out the penalty for violating the contract. He felt this renter should be forgiven this one time, but the contract should clearly indicate the loss of deposit if any portion of the contract is violated.

**Motion** made by Hicks, supported by Vite to refund the renter their deposit and immediately change the wording on the contract to indicate the loss of deposit if any portion of the contract is violated.

Voice Vote: **Motion carried unanimously**

**Public Comments**

- Tom Wrasse, chairman of the Zoning Board of Appeals, told the board three members of that board recently attended a ZBA training class in preparation for the first ZBA Meeting in over a year.

## **Board Member Comments**

- Treasurer Kuhn settled with the County
- Trustee Payton asked if the issue of bicycles on township roads should go in the ordinance. Supervisor Hicks said that wouldn't be the place because it would be more of a policing issue; rather, a separate ordinance could be introduced and passed on that issue
- Trustee Zelmer expressed his personal experience with the assessor and her lack of communication in returning his calls. Supervisor Hicks said he would talk to her about this.
- Supervisor Hicks said a number of issues are on the table:
  - Bicycling in the township – he has reached out to Michiana bicycling clubs and asked for better communication from them as to when they plan on using the township hall parking lot
  - Broadband in the township – he is exploring various options and talking to other officials to see how more residents can get connected to the internet.

## **Communications**

- None

## **Miscellaneous / Announcements / Schedule**

- The annual BTFD Pancake Breakfast is Saturday, April 14, from 8 am – 11 am at Station #1
- Zoning Board of Appeals meets on Thursday, April 19, at 6:30 p.m.
- MTA Annual Conference will be attended by various township officials in Traverse City from April 23-26
- The next township board meeting will be Thursday, May 10, 2018, at 7:00 p.m.

**Motion** by Hicks to adjourn at 8:52 p.m.

Respectfully submitted,



Don Vite  
Bertrand Township Clerk

April 14, 2018

Dated

**BERTRAND TOWNSHIP**

**COUNTY OF BERRIEN - STATE OF MICHIGAN**

**RESOLUTION NO. 180412**

**A Resolution to Adopt the Bertrand Township Zoning Ordinance, Ordinance No. 52.**

At a Regular Meeting of the Township Board of Bertrand Township, County of Berrien, State of Michigan, held in the Bertrand Township Hall, Buchanan, Michigan on the 12th day of April, A. D., 2018, 7:00 p.m., Eastern Standard Time.

PRESENT: Board Members Hicks, Kuhn, Payton, Vite, Zelmer

ABSENT: Board Members None

The following preamble and resolution was offered by Board Member Hicks  
and supported by Board Member Vite.

**RESOLUTION**

**WHEREAS**, from time to time, upon the recommendation of the Planning Commission, amendments and revisions have been made to the Bertrand Township Zoning Ordinance, and

**WHEREAS**, the Planning Commission has been engaged in studying, considering, and approving a comprehensive zoning amendment, and

**WHEREAS**, upon completion of the zoning amendment, the Planning Commission held a public hearing as required by the Michigan Zoning Enabling Act, Act 110 of 2006, and

**WHEREAS**, after the public hearing was held, the Planning Commission approved and recommended for Township Board approval a comprehensive amendment to the Township Zoning Ordinance, which amendment is entitled the "Bertrand Township Zoning Ordinance", Ordinance Number 52, and

**WHEREAS**, pursuant to the Michigan Zoning Enabling Act, Act 110 of 2006, the Bertrand Township Zoning Ordinance, Ordinance 52, was sent to the Berrien County Planning Commission for consideration and comments, and

**WHEREAS**, the Township Board desires to adopt the comprehensive zoning amendment, entitled the "Bertrand Township Zoning Ordinance", Ordinance 52, to be effective seven (7) days after Notice of Adoption is published in a local newspaper of record.

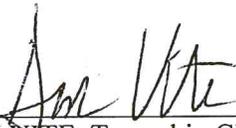
**NOW THEREFORE BE IT RESOLVED**, that the attached comprehensive zoning book, entitled the "Bertrand Township Zoning Ordinance", Ordinance Number 52, is hereby adopted and shall constitute the compiled and annotated reference source for Zoning Regulations within Bertrand Township, and shall be known as the "Bertrand Township Zoning Ordinance, Ordinance Number 52". The Ordinance shall become effective seven (7) days after Notice of Publication is published in a local newspaper of record.

AYES: Kuhn, Payton, Vite, Zelmer, Hicks

NAYS: None

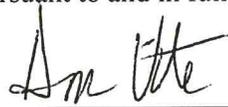
ABSTAIN: None

**RESOLUTION DECLARED ADOPTED.**

  
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DON VITE, Township Clerk

**CERTIFICATION**

I, DON VITE, duly elected Clerk in and for Bertrand Township, Berrien County, Michigan, do certify that the foregoing Resolution is a true and exact copy of a Resolution adopted by the Bertrand Township Board during its Regular Meeting, held on the 12th day of April, 2018, and that said Meeting was conducted and public notice of said meeting was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended.

  
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DON VITE, Township Clerk