

**BERRIEN TOWNSHIP BOARD OF TRUSTEES
MAY 9, 2017 MINUTES**

The Berrien Township Board of Trustees met on Tuesday, May 9, 2017 at 7:00 p.m. at the township hall. Supervisor Bryan Bixby called the meeting to order and opened with the pledge to the flag.

Members present: Supervisor Bryan Bixby, Treasurer Paul Sprung, Trustees Julie Burke, Howard Henderson, Jeff Marks, Harold Bishop and Clerk Mary Jane Dean.

Also present: Building Inspector Ross Rogien, Deputy Supervisor Julius Grau, reporter Mary Simko, Captain Robert Boyce from the Berrien County Sheriff's Dept., Fire Chief Norm Carl, Jr. and five residents.

SHERIFF REPORT:

Captain Robert Boyce presented the Sheriff report for the month of March showing that the Township had 46 complaints, 6 tickets were issued and 10 arrests were made. The County had 1127 complaints, 230 tickets were issued and 237 arrests were made.

AGENDA:

Paul Sprung made a motion seconded by Howard Henderson to approve the agenda as presented with the addition of the Free Tree Give Away report and the dates for tire recycling. All ayes, none opposed. **MOTION CARRIED**

MINUTES:

Paul Sprung made a motion seconded by Mary Jane Dean to approve the April 11, 2017 minutes with one correction in place of revenue it should be **fund equity** was considerably higher. All ayes, none opposed. **MOTION CARRIED.**

BILLS:

Paul Sprung made a motion seconded by Howard Henderson that the township bills in the amount of \$22,822.41 with the addition of \$500.00 for removing the brush at Range Line Park for a total of \$23,322.41 be approved for payment. All ayes, none opposed. **MOTION CARRIED.**

FIRE BILLS:

Harold Bishop made a motion seconded by Howard Henderson to approve the joint fire bills in the amount of \$7,328.56 with the township share of \$4,734.24 for payment. All ayes, none opposed. **MOTION CARRIED.**

PROPERTY MAINTENANCE:

The committee will have another meeting and present the final draft to the Board next meeting.

TWP. PARK PLAYGROUND:

All the old playground equipment is gone. Supervisor remarked that the township is looking for donation of time to have the grounds excavated if no one volunteers it will be put out for bids.

CHURCH PAINTING:

Hopefully the painting will begin soon if weather permits.

TREE GIVEAWAY:

Julie Burke reported that the annual free tree giveaway was a success. At 9:00 a.m. the parking lot was busy and the trees were gone by about 12:30.

MEDICAL MARIJUANA:

Captain Robert Boyce from the Berrien County Sheriff Department representing Sheriff Paul Bailey and Prosecutor Michael Sepic stated that they are not in favor of the Medical Marijuana law and asking municipalities to opt out as there are too many unanswered questions. There is no dosage limit now caregivers can go from one dispensary to another. There are too many questions about the effects of medical marijuana and it is still illegal at the Federal level. Buchanan City and Niles City, Benton Harbor City and Galien Township are still

researching it. Oronoko Twp., Berrien Springs Village, Bainbridge Twp. have decided to opt out. Pipestone Twp. will be reviewing it at their meeting Wednesday. Eau Claire Village just addressed what was done back in 2008.

Tricia Wasy told the Board that she would like to make medical marijuana available in the township as there are residents that have chronic pain and having seizures that people are hurting and would like the board to set aside their feelings at this time and have the township opt in. Mrs. Fox was in attendance with her daughter that had been hit with a truck and has constant nerve pain but marijuana has helped her heal. She has found that caregivers don't always have enough on hand when needed. Therefore she has had to go to Portage to purchase so she would have enough. Registered caregivers are allowed to grow a maximum of 72 plants for five other patients and him or herself. Municipalities may charge an annual \$5,000.00 licensing fee per dispensary which wouldn't cover the expenses that it would cost the Township to enforce it since we don't have our own law enforcement. We would need to contract with the County for one dedicated car, deputy which could cost easily \$100,000.00. Mrs. Wasy stated that the county receives \$32,000.00. Captain Boyce stated that actually the County received \$39,000.00 for 2017 but it has stipulations on it when it is spread throughout the County that doesn't go far. Michigan Department of Licensing and Regulatory Affairs (LARA) have not issued any licenses yet and will not do so prior to December 15, 2017. After much discussion: Paul Sprung made a motion seconded by Harold Bishop that our Board take no action at this time, but that we rather study other like townships which do by ordinance allow one or more types of Medical Marijuana Facilities. If this ongoing study shows that there is an overall positive impact on the quality of life for the majority of residents, then our township board would renew our efforts to look into the possibility of allowing one or more facility types. Again this motion is to take no action at this time. All ayes, none opposed. **MOTION CARRIED.**

TREE BIDS:

Two bids were received for removing (8) trees at Union Cemetery: A & A Tree Service - \$4,850.00 and Watson Tree Service 5 \$5,000.00. Julie Burke made a motion seconded by Howard Henderson to accept the A & A Tree Service bid. All ayes, none opposed. **MOTION CARRIED**

FISHERMAN HAVEN AGREEMENT:

Paul Sprung made a motion seconded by Harold Bishop to renew the 5 yr. agreement with the Department of Natural Resources known as the Berrien Springs Dam, Public Access Site. All ayes, none opposed. **MOTION CARRIED.**

NEW VOTING EQUIPMENT:

The State is replacing the voting equipment that are updated we will be back filling in the ovals. If we would want extra equipment that we didn't have before we would need to pay for that. Julie Burke made a motion seconded by Paul Sprung to adopt the resolution for application to the Secretary of State for grant to purchase new voting system. Roll call vote: Julie Burke, Paul Sprung, Howard Henderson, Jeff Marks, Harold Bishop, Mary Jane Dean and Bryan Bixby. Seven yes votes, zero no votes, none absent. **MOTION CARRIED.**

EAU CLAIRE CHERRY FESTIVAL:

Paul Sprung made a motion seconded by Harold Bishop to approve the subsidy to the Annual Eau Claire Cherry Festival in the amount of \$1,000.00 to be used for the fireworks display. All ayes, none opposed. **MOTION CARRIED.**

TIRE RECYCLING:

Berrien, Oronoko Townships and Berrien Springs Village received a grant from the Michigan Department of Environmental Quality for recycling tires for equal dollar amount. The drop off location will be the Berrien Springs Wastewater Treatment plant at 9415 U.S. 31. The dates will be June 15-16 from 9:00 a.m. to 4:00 p.m. and June 17 from 9:00 a.m. to 1:00 p.m.

FIRE REPORT:

Fire Chief Norm Carl, Jr. reported that the Dept. had 18 calls of which 13 were for Berrien Township for labor amount of \$3,123.00 for the month. Chief reported that they had a training session with Sodus Fire Dept. on setting up a landing zone for the removal of a patient by helicopter. He also reported that the Dept. has had several issues with one resident at Beacon setting off the alarm system and that he is working on the problem.

BUILDING & ELECTRICAL PERMITS:

Building Inspector Ross Rogien issued (12) building permits for estimated amount of \$276,187.00 for the month of April. Electrical Inspector finalized (5) electrical permits for a fee of \$906.00. Ross reported on a house on Jones Rd. (the old Myers house) that is in very bad condition. The property maintenance code would help with this as there is no roof left the ceilings have fallen in and all the windows are shot. There is another house on U.S. 31 that is being foreclosed. The County might help with the demolition as they budget every year 1 or 2 demolitions per township a year.

PLANNING COMMISSION:

Julie Burke reported the commission had a meeting last night for a request for multi-dwelling on S. Lake Chaplin Rd. They scheduled a public hearing for their next meeting on June 12, 2017. They requested a site plan for the septic system as to where it was located and if it could handle 3 units.

EMERGENCY MANAGEMENT:

Julius Grau reported on a presentation for State emergency management on hazard chemicals. There are 87 counties in the State each should have locally who may house the chemicals the information must be sent to the State.

CEMETERY:

Supervisor reported that there are two girls that have to put in 10 hrs. of community service that were caught messing around Franklin Church, so he has them scheduled to scrub headstones at Franklin Cemetery. Clerk Dean said that she and Holley have tried to clean some but it wasn't very successful as being able to read the names better hopefully what Bryan has for cleaning will do a better job.

FINANCIAL REPORT:

Revenue received for the month of April was \$3,941.59 with expenses at \$30,924.24 fund equity is at \$805,283.46. The auditors began working on the audit last Friday.

MEETING ADJOURNED:

With no further business the meeting adjourned at 9:20 p.m.

MARY JANE DEAN BERRIEN TOWNSHIP CLERK

BRYAN BIXBY BERRIEN TOWNSHIP SUPERVISOR