

**NILES CHARTER TOWNSHIP  
SEPTEMBER 21, 2009  
REGULAR MEETING**

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

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

**Approved Agenda:** Cooper motioned to approve the agenda as presented, Noble supported.  
All voting in favor

**MOTION CARRIED.**

**Consent Agenda:** Goodwin motioned, supported by Ringler, to approve the consent agenda as presented.

1. Minutes of September 8, 2009, regular meeting and September 14, 2009 budget workshop.
2. Expenditures and Transfers Grand Total \$208,845.33  
General O & M \$29,152.51                      Fire O & M \$32,153.91  
Sewer O & M \$70,210.49                      Water O & M \$74,690.90  
Special Assessment \$2,637.52
3. Accept for file, the August Fire Department report.

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

NAYS: None.

**MOTION CARRIED.**

**Supervisor's Report:** Kidwell reported that the landfill will offer ½ the price on dumpsters used by municipalities in community clean-up projects. Kidwell is working with the building safety and ordinance enforcement on Eastgate shopping area. Kidwell read a letter from Chief Brovold stating that Eddy Alcala and Andy Hartman had successfully completed the one year probationary period on the fire department. Kidwell presented certificates of completion of planning and zoning essentials for file to: Stefanie Woodrck, Peg Hartman, Richard Cooper, Charles Durm, Mike Ellis, Dan Smothermon, David Spurlock, John Van Dyke, Tammy Youngs, and Jim Kidwell. Kidwell also presented certificates for file, to Gary Brovold for completion of Leadership I and III training.

**Correspondence and Announcements:** Durm-Hiatt announced Southern Michigan Heritage Route Summit October 29 in Coldwater MI. Board members interested in attending the MTA district meeting September 29 in Kalamazoo should get registered.

**Comments from the Public:** None.

**Unfinished Business:**

**New uniforms for the Fire Department:** For purpose of discussion, Cooper made a motion to support the fire chief decision for new uniforms, Noble supported. Following board discussion, Cooper, and Noble withdrew the motion and support. Following more discussion Durm-Hiatt motioned to support Chief Brovold decision to replace as needed, the fire department uniforms with non polyester material and to create a policy for all firefighters regarding polyester. Goodwin supported.

ROLL CALL AYE: Bailey, Cooper, Durm-Hiatt, Goodwin, Noble, Kidwell.

NAYS: Ringler.

**MOTION CARRIED.**

**New Business:**

**Resolution 09-13 General Fund:** Durm-Hiatt motioned, supported by Goodwin to approve Resolution 09-13 General Fund assessment of .8712 mills generating \$311,786.89.

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

NAYS: None.

**MOTION CARRIED.**

**Resolution 09-14 Fire O & M:** Ringler motioned, supported by Bailey to approve Resolution 09-14 Fire Department Operation and Maintenance assessment of 2.5 mills on real property only generating \$840,361.69.

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

NAYS: None.

**MOTION CARRIED.**

**Resolution 09-15 Fire Capital Improvement:** Ringler motioned, supported by Cooper, to approve Resolution 09-15 Fire Capital Improvement assessment to real property only of 1 mill generating \$336,144.67.

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

NAYS: None.

**MOTION CARRIED.**

**Resolution 09-16 Street Light District:** Noble motioned, supported by Bailey, to approve Resolution 09-16 establishing a Street Light District assessment of \$32,888.17 for the year 2010.

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

NAYS: None.

**MOTION CARRIED.**

Resolution 09-17 Police Protection with Berrien County Sheriff Department: Noble motioned, supported by Ringler to approve Resolution 09-17 Police Protection with Berrien County Sheriff Department.

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

NAYS: Bailey, Kidwell

**MOTION CARRIED.**

Resolution 09-18 Deficit Elimination Plan Fire Capital Improvement Fund: Ringler presented the Deficit Elimination Plan for the Fire Capital Improvement Fund (fire station inter-fund loan) Goodwin questioned the figures, discovering a typographical error. Ringler corrected the figures. Ringler motioned to approve resolution 09-18 with corrections, Cooper supported.

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

NAYS: None.

**MOTION CARRIED.**

Lift Station # 8 Repair: Ringler presented a bid from DPW of \$8,048.00 from Gasvoda & Associates for repairs to lift station #8. Due to the specialized equipment, only one bid is available. Durm-Hiatt motioned to accept the bid, Bailey supported.

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

NAYS: None.

**MOTION CARRIED.**

Fire Station # 1 Repair Bids: The board was given a packet with three bids for several repairs to North Fire Station. After reviewing the scope of work and quotes, Goodwin motioned to award the project to Brett Crouch Construction with the bid of \$4,500.00. Cooper supported. The bids are as follows:

<u>Bidder</u>	<u>Amount of Bid</u>
Red Bud Chimney Sweeps and Home Improvements	\$5,875.00
Brett Crouch Construction	\$4,500.00
Heartwood Quality Woodworking	\$4,348.75

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

NAYS: None.

**MOTION CARRIED.**

Labor Attorney: Kidwell brought up for discussion the possibility of hiring a new labor attorney. He informed the board that he met with Tom Fette from St Joseph last Thursday. Attorney Fette has been highly recommended. Following discussion Goodwin motioned to postpone action on the change in order to get more information, Durm-Hiatt supported.

All voting in favor

**MOTION CARRIED.**

Landfill Agreement: Noble gave an update on the landfill agreement for a bank note agreement with Fifth Third Bank. The landfill board is waiting for final details, when they become available Noble will report back to the board.

Comments from the Public: Jo Flock commented on the fire uniforms suggesting that a cost limit should be put in the motion. Tony Millin asked why there was a difference in the revenue generated from the approximate same millage between fire and police. Ringler explained that fire (as a special assessment) is assessed on real property, only whereas, the police (a true millage) is on real and personal.

Sgt. Miller presented the July Police Report, vehicle maintenance report, ticket information report. Sheriff Bailey presented the list of officers serving Niles Charter Township and a record of the revenue carryover from 2007-2009. He also introduced Deputy Karen Klug, the community service officer. Klug reported that she has been busy setting up neighborhood watch groups in the township.

**Committee Reports:**

Bailey: None.

Goodwin: reported on the SMCAS meeting. Tim Grey is in the process of redoing policy and procedures.

Ringler: None.

Kidwell: reminded the board of the budget meeting Tuesday, September 22, 2009 at 6:30 p.m.

Durm-Hiatt: None.

Noble: reported three street lights out of which he has called into AEP.

Cooper: reported that many of the planning commissioners attended a planning session last week which was very rewarding and informative.

Bailey motioned to adjourn at 8:28 p.m. Goodwin supported the motion.

All voting in favor

**MOTION CARRIED.**

Respectfully submitted,

Marge Durm-Hiatt, Clerk