

**NILES CHARTER TOWNSHIP
NOVEMBER 11, 2009
SPECIAL MEETING**

Supervisor Kidwell called the meeting to order at 6:30 p.m. at the Township Hall, 320 Bell Road. Kidwell led the Pledge of Allegiance.

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

Other Present: Attorney Chris Lynch and John Olsen (Merritt Engineering)

Purpose: Merritt Engineering Invoice, and Road Committee Report.

New Business:

Merritt Engineering Invoice: Kidwell introduced the topic of Merritt's 2007 invoice for discussion. Goodwin presented a timetable of meetings, paperwork, bids, resolutions and invoices for discussion. Following discussion, Goodwin made a motion to pay Merritt Engineering \$1,951.50 and \$550.00, but respectfully decline to pay the additional \$62,766.00 on the invoice. Noble supported the motion. Following additional discussion, Goodwin called for the vote.

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

NAYS: Bailey, Kidwell

MOTION CARRIED.

John Olsen counter offered a payment of half the invoiced \$62,265.00, with the remainder being paid if the plans are ever used.

Kidwell made a motion that the township pays \$31,134.00 now and if the engineered plans are utilized by the township with a water permit owned by the township, the remaining \$31,133.00 balance would be paid to Merritt Engineering. Bailey supported the motion.

ROLL CALL AYES: Cooper, Bailey, Kidwell.

NAYS: Durm-Hiatt, Goodwin, Noble, Ringler.

MOTION DENIED.

Road Committee Report: Kidwell distributed letters from the Berrien County Road Commission (BCRC) to residents on Spencer Street concerning their infringement on a county road. The BCRC wanted the township to commit to paying legal fees if this was to move forward through the courts. The committee felt it was not our responsibility. No action was taken, except to authorize the BCRC to send the letters which, were being held until the township board was informed.

Bailey motioned to adjourn at 8:00pm. Goodwin supported.

All voting in favor.

MOTION CARRIED.

Respectfully submitted,

Marge Durm-Hiatt, Clerk