

**MINUTES OF THE REGULAR MEETING OF THE BENTON CHARTER
TOWNSHIP BOARD HELD SEPTEMBER 3, 2024 AT 5:30 P.M.
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BOARD MEMBERS PRESENT	BOARD MEMBERS ABSENT
Supervisor Cathy Yates	None
Clerk Carolyn Phillips	ALSO PRESENT
Treasurer Debbie Boothby	Steve Oosting - Prein & Newhof
Trustee Janice Avery	Kathy Angelo - Township Assessor
Trustee Lemont Betts	Greg Abrams - Police Chief
Trustee Rosie Hudson	Blake McKinney - Deputy Police Chief
Trustee Linda Scarbrough	Tammy Taylor - Recording Secretary

The meeting was called to order at 5:30 p.m. by Supervisor Yates followed by a silent invocation and the Pledge of Allegiance.

There being no corrections or additions, motion by Trustee Scarbrough; seconded by Trustee Hudson to approve the minutes of the regular meeting held 8/20/2024 and the special meeting held 8/21/2024 as presented. Motion carried unanimously by roll call vote.

There were no Agenda Amendments.

Under Unfinished Business: 2nd Reading & Adoption of Proposed Amendment to the Township's Regulatory Ordinance. Clerk Phillips reported that the proposed ordinance amendment was presented at the 8/20/2024 for Introduction and 1st Reading, for the purpose of changing the Township's default penalty for ordinance violations to Civil Infractions. Per the Township Attorney it would make it easier to prosecute and provide more opportunities for resolving issues in the community. There is also a public policy consideration of removing the criminal penalties for actions that are not usually considered criminal in nature. The proposed ordinance amendment was published 8/31/2024. Copies were made available for the public.

Motion by Treasurer Boothby; seconded by Trustees Scarbrough & Avery to adopt the Benton Charter Township Regulatory Ordinance Amendment prepared by the Township Attorneys. Motion carried unanimously by roll call vote. Ordinance amendment becomes effective after 2nd publication.

Under New Business: Chief Abrams and Deputy Chief McKinney introduced new Patrol Officers: Morgan Bohannon, Philip Haung, Jacob Risner, who graduated from the LMC Police Academy 8/28/2024 after the sixteen (16) week training course. Chief Abrams thanked the Board for their support in rebuilding the Department's staffing levels, there is currently one (1) candidate in the KVCC academy, with the possibility of another candidate starting training in January, 2025. Chief Abrams also commended Det. Lt. Tiefenbach and Sgt. Mendoza for their training assistance at the LMC Academy.

Kathy Angelo presented an updated 2024 Poverty Exemption Income Guidelines/Policy for adoption by the Board, as required by the State. Motion by Treasurer Boothby; seconded by Trustee Hudson to adopt the updated 2024 Federal Poverty Exemption Income Guidelines/Policy resolution for 2024. Motion carried unanimously by roll call vote.

Steve Oosting - Prein&Newhof presented an Engineering Services proposal of \$24,000, to update the Township's Sewer System Capital Improvements Plan, explaining that the Township's most recent sewer system capital improvement plan was established in 2019, which was based on an indepth study of sewer system needs and resulted in a 20+ year plan for capital improvements projects and financial. Since that time the Township has completed multiple projects from the adopted plan, making progress in addressing the most critical sewer system needs. During that same time, a number of significant changes have occurred, including the mandate for a new sewer river crossing, the foregoing of planned open market bonds in 2020, general inflation throughout the economy, and the announcement by MDOT of plans for repaving M-139. As a result of these and other changes, the 2019 Sewer System Capital Improvement Plan is no longer

an actionable guide for the Township to make financial decisions about future capital projects and an update to the capital improvement plan is needed. Proposed scope of work: update the Township's sewer system condition assessment ratings to reflect completed projects (no new sewer inspections are proposed at this time); confirm sewer system needs, priorities, and plans for future projects based on data review and meeting with Township staff; obtain and review current roadway capital improvement plans from Berrien County Road Dept. and MDOT; update project cost estimates to reflect current construction marketing pricing; adjust planned timing of future projects based on revenue projections recently provided by the Township's financial advisor; prepare updated sewer system capital improvement plan summary document for Township Board approval. While the Township is being asked by MDOT to determine the scope of 2026 sewer system improvements within M-139 by the end of September, 2024 Prein&Newhof would strive to meet their request with interim conclusions for the Township's review, final completion of the 2024 sewer system capital improvement plan is anticipated for Board approval in December 2024.

Motion by Treasurer Boothby; seconded by Trustee Hudson to approve the Prein&Newhof Engineering Services Proposal of \$24,000 to update the Township's Sewer System Capital Improvements Plan. Motion carried unanimously by roll call vote.

Payment of the bills. There being no questions, motion by Treasurer Boothby; seconded by Clerk Phillips to approve payment of the bill listing totaling \$858,009.28: General Fund-\$76,149.95; Fire Fund-\$6,284.38; Police Fund-\$14,258.89; Sewer Fund-\$728,008.79; Water Fund-\$27,112.27; Rental Ordinance Fund-\$6,195.00. Motion carried unanimously by roll call vote.

Under Public Comment: Al DiBrito-Independent Candidate for Berrien County Sheriff; Albert Mais-5th District Court Judge Candidate; Kevin Whiteford-State Representative Candidate.

The meeting was adjourned at 5:57 p.m.