

**NEW BUFFALO TOWNSHIP BOARD
REGULAR BOARD MEETING
DECEMBER 18, 2023 4:00 P.M.
17425 Red Arrow Hwy. New Buffalo, MI 49117
Minutes**

The meeting was called to order by Supervisor Heit at 4:00 p.m.

1. ROLL CALL & PLEDGE OF ALLEGIANCE

Present: Heit, Iazzetto, Rahm, Rogers
Not Present: Zabicki

Pledge of Allegiance

2. ITEMS TOO LATE FOR PRINTED AGENDA – None

3. APPROVE AGENDA

Rahm moved, Rogers supported approving the agenda.

Roll Call Vote:

Heit	Yes
Iazzetto	Yes
Rahm	Yes
Rogers	Yes
Zabicki	Absent

Motion CARRIED

4. REPORTS

Building
Fire
GRSD
Library
LRSB
Marina
NBARA
Park
Pokagon Fund
Police

5. PUBLIC COMMENTS – Comments were heard by the board.

6. CONSENT AGENDA

Rogers moved, Heit supported approving the following items on the consent agenda:

Minutes of the November 20th Regular Meeting
Treasurer's Report
Bills

1. General \$41,579.85
2. Public Safety Millage \$72,100.34
3. Park Millage \$18,876.68
4. Building \$8,272.84
5. LRSB Discretionary \$288.56
6. Sewer & Water \$84,596.78
7. Marina \$3,970.61
8. Payroll \$79,465.95
9. Trust & Agency \$0

Approve 2024 Meeting Dates Calendar.

Approve 2024 contributions to employee health savings accounts for any full-time employee on the township health insurance plan, \$2,000 for singles and \$4,000 for families.

Approve payment of \$2,975 for a storage container for the Water Department to ConGlobal Industries LLC.

Approve quote from Tree Core in the amount of \$7,200 for tree removal & trimming at Memorial Park.

Approve 2 employees to attend the annual MTA conference in April including housing, meals and mileage not to exceed \$1,000.

Approve online Aggressive Street Firefighting Training for all NBT firefighters in the amount of \$300.00 and Ice Rescue Training for 2-3 firefighters at \$25.00 per student.

Appoint Kenneth Jewell as Mechanical & Plumbing Inspector rate of pay to be 80% of the permit less the application fee.

Roll Call Vote:

Heit	Yes
Iazzetto	Yes
Rahm	Yes
Rogers	Yes
Zabicki	Absent

Motion CARRIED

7. NEW BUSINESS

a. Resolution Public Act 152

Rahm resolved, Rogers supported adopting the following:

WHEREAS, MCL 15.586(1) being Section 8(1) of P.A. 152 of 2011, states that "By a 2/3 votes of its governing body each year, a local unit of government may exempt itself from the requirements of this act for the succeeding year."; and

WHEREAS, the Township Board desires to exempt the Township from its requirements of the Act for the year 2024;

NOW THEREFORE, is it resolved that:

1. The Township hereby exercises its option under MCL 15.586(1) and exempts itself from the requirements of P.A. 152 of 2011 for the year 2024.
2. A copy of this Resolution shall be forwarded to the appropriate State agency(ies) as necessary.

Roll Call Vote:

Heit	Yes
Iazzetto	Yes
Rahm	Yes
Rogers	Yes
Zabicki	Absent

Resolution ADOPTED

b. Board and Committee Appointments

Heit moved, Iazzetto supported approving the following Appointments:

- Reappoint Chuck Baran to the Corridor Improvement Authority, term expiring 12-31-27.
- Reappoint Vern Levine, Steve Evans and Mary Nykamp to the Construction Board of Appeals, terms expiring 12-31-25.
- Reappoint Shawn Armstrong and appoint Deb Wagner to the Planning Commission, terms expiring 12-31-26.

- Appoint Alex Keen as the alternate representative to the Galien River Sanitary District.

Motion CARRIED

c. Budget Amendments

lazzetto moved, Rogers supported approving 2023-2024 budget amendments as presented.

Motion CARRIED

d. Broadband Agreement

Rogers moved, Heit supported approving the Broadband subrecipient agreement with Midwest Energy & Communications which approves a local match of \$106,650 in APRA funds.

Motion CARRIED

e. Water Meter Purchase

Rogers moved, lazzetto supported approving the purchasing 300 Sensus radio read water meters from Etna Supply in the amount of \$58,500.

Motion CARRIED

f. Pavilion Policy Approval

Rahm moved, Heit supported approving the updated Pavilion Policy.

Motion CARRIED

g. Park Ordinance Resolution

Rahm moved, lazzetto supported adopting Resolution 2023-12-18-a which adopts the amended Park Ordinance.

Roll Call Vote:

Heit	Yes
lazzetto	Yes
Rahm	Yes
Rogers	Yes

Zabicki Absent

Resolution ADOPTED

h. Retention Policy Resolution

Heit moved, Rogers supported adopting Resolution 2023-12-18-b which adopts the Retention Policy.

Roll Call Vote:

Heit	Yes
lazzetto	Yes
Rahm	Yes
Rogers	Yes
Zabicki	Absent

Resolution ADOPTED

i. Clerk Resignation

Rahm moved, Rogers supported accepting Clerk Judith H. Zabicki's resignation effective January 1, 2024.

Motion CARRIED

j. Clerk Appointment

Rogers moved, Rahm supported appointing Michelle Hannon as Interim Clerk and to the Pine Grove Cemetery Board effective January 1, 2024, salary of \$54,000 with full-time benefits.

Motion CARRIED

k. Deputy Clerk Appointment

Heit moved, lazzetto supported approving a monthly stipend of \$500.00 for Deputy Clerk Julie Flick plus \$20.00 per hour pay on days with an election held at the Township, effective January 1, 2024.

Motion CARRIED

i. NBARA Resignation

Iazzetto moved, Rogers supported accepting David Handley's resignation from the New Buffalo Recreation Authority as the New Buffalo Township representative effective immediately.

Motion CARRIED

m. NBARA Appointment

Rahm moved, Iazzetto supported appointing Chuck Heit to the New Buffalo Recreation Authority as the New Buffalo Township representative effective immediately.

Motion CARRIED

n. Special Land Use Approval - J Elias Management Inc. (Puff)

Heit moved, Rogers supported granting preliminary approval of a Special Land Use to J Elias Management Inc. (Puff) to operate an Adult-Use Marihuana Retail Establishment at 10227 US 12, New Buffalo, MI being 11-13-0001-0005-00-3.

Roll Call Vote:

Heit	Yes
Iazzetto	Yes
Rahm	Yes
Rogers	Yes
Zabicki	Absent

Motion CARRIED

o. Special Land Use Approval - Accelerate Green, Inc (High Society)

Iazzetto moved, Rogers supported granting preliminary approval of a Special Land Use to Accelerate Green Inc. (High Society) to operate an Adult-Use Marihuana Retail Establishment at 19189 US 12, New Buffalo, MI being 11-13-2700-0028-01-9 with the following condition: the lot is split so that there is no possibility of onsite consumption; the existing foundation is removed and returned to grade; and the rentals must follow the Township's permitting process.

Roll Call Vote:

Heit	Yes
Iazzetto	Yes
Rahm	Yes
Rogers	Yes

Zabicki Absent

Motion CARRIED

p. Special Land Use Approval - Mint New Buffalo LLC

Rahm moved, Heit supported granting preliminary approval of a Special Land Use to Mint New Buffalo LLC to operate an Adult-Use Marihuana Retail Establishment at 18300 US 12, New Buffalo, MI being 11-13-0009-0004-00-2.

Roll Call Vote:

Heit	Yes
Iazzetto	Yes
Rahm	Yes
Rogers	Yes
Zabicki	Absent

Motion CARRIED

q. Special Land Use Approval - Weber Family Ventures, LLC

Heit moved, Iazzetto supported granting preliminary approval of a Special Land Use to Weber Family Ventures, LLC for an Adult-Use Marihuana Retail Establishment at 19015 US 12, New Buffalo, MI being 11-13-0017-0010-01-9 with the following conditions: submission of a written, recordable agreement for parking on Parcel A on the approved site plan.

Roll Call Vote:

Heit	Yes
Iazzetto	Yes
Rahm	Yes
Rogers	Yes
Zabicki	Absent

Motion CARRIED

r. Special Land Use Approval - Simple AG New Buffalo LLC (Supergood)

Iazzetto moved, Rogers supported granting preliminary approval of a Special Land Use to Simple AG New Buffalo LLC (Supergood) to operate an Adult-Use Marihuana Retail Establishment at Harbor Country Dr (Exit 1), New Buffalo, MI being 11-13-0015-0007-11-1 and 11-13-0015-0007-11-1 with the following conditions: the necessary EGLE permit is obtained and any required environmental review is completed.

Roll Call Vote:

Heit	Yes
Iazzetto	Yes
Rahm	Yes
Rogers	Yes
Zabicki	Absent

Motion CARRIED

s. Special Land Use Approval - Michigan Pure Green

Rogers moved, Heit supported granting preliminary approval of a Special Land Use to Michigan Pure Green to operate an Adult-Use Marihuana Retail Establishment at 19215 US 12, New Buffalo, MI being 11-13-0017-0013-00-2.

Roll Call Vote:

Heit	Yes
Iazzetto	Yes
Rahm	Yes
Rogers	Yes
Zabicki	Absent

Motion CARRIED

t. Discussion – Regional Fire Services

Rahm moved, Iazzetto supported exploring a Regional Fire Services Agreement.

Motion CARRIED

8. BOARD COMMENTS

The New Buffalo Township Fire Department and the Berrien County Sheriff's Department will host a pancake breakfast at the Public Safety Building on January 6, 2024, from 8:00 a.m. to 11:00 a.m. Proceeds will be divided equally between the Fire and Sheriff's Departments' Polar Plunge teams to benefit the Special Olympics.

The Marquette Greenway bids came in higher than expected, but Marcy Hamilton was able to obtain a TAP grant in the amount of \$1 Million for the project. Construction will begin on March 1, 2024.

The Friends of Berrien County Trails won an award for its Master Plan.

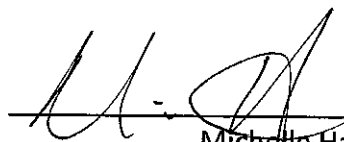
Thank you to the 3rd, 4th, and 5th grade classes from New Buffalo Elementary for decorating the Christmas Tree at Township Hall!

9. ADJOURNMENT

Rahm moved, Iazetto supported adjourning at 4:59 p.m.

Motion CARRIED

Submitted By:



Michelle Hannon, Clerk
New Buffalo Township