

**Ross Township
Special Board Meeting
Thursday November 29, 2018
12086 M-89
Richland, MI 49083**

The meeting was called to order at 6:00pm by Supervisor Baker.
Roll Call was as follows:

Present: Diana Langshaw Mike Sulka Norm Kellogg
 Cynthia Genung David Senkewitz Lynn Harmon
 Rob Baker

Absent: None

Also Present: Rob Thall – Township Attorney

Before the approval of the Agenda Supervisor Baker requested an amendment to the Agenda to include under New Business: Fire Truck purchase approval, Appointing Diana Langshaw to the Ross Augusta Fire Board and Setting date(s) for the Township Budget Workshop (Fiscal year April 1, 2019 to March 31, 2020).

The agenda with additions was motioned for approval by Trustee Harmon, supported by Trustee Langshaw and carried unanimously.

The consent agenda was motioned for approval by Treasurer Genung, Supported by Trustee Langshaw and carried unanimously.

Reports:

Fire Department: Chief Bogema stated that they had 6 or 7 calls on Monday (11/26) due to weather related issues. They had a house fire on Thanksgiving date, no one injured. Cause was a chimney fire. Doug continued his discussion on the need to buy a new fire truck to replace a unit in the Augusta Fire House. The fire department has a one mil millage, ½ mil for operating costs and ½ mil for capital/equipment expense. The bid from Spartan Motors in Charlotte, MI was approved by the Fire Board to supply the new Fire Engine. Spartan's bid included \$50K in extra hose equipment. Other bids were received from Pierce (Florida) and Spencer Manufacturing. (Essentially a Spartan Truck outfitted and finished at the Spencer Location.) The new truck will cost approximately \$450,000 depending on accessory equipment needed to outfit the new truck. The Fire Board approved a \$300K down-payment from the Fire Departments capital fund, and leasing/option to buy-out the balance for a three year term. Chief Bogema stated that they plan on paying it off in one year. The new truck should have a useful life of 20 years. There is some trade in value for the old truck but should be minimal (\$10K) max as it is 20 years old. Possible sale to smaller township fire department or sent to Biddergy for on line sale. Trustee Senkewitz asked how much is replenished into the fire fund each year by the fire millage. It totals about \$160K per year, split between operating and capital equipment. If this new truck was fully

leased the annual payment would be approximately \$163K per year. Future Fire capital needs are 2021, a second new truck purchase needed to replace an old outdated fire engine and 2022, a new tanker truck or upgrade to our existing Tanker truck. To be determined in 2022. Chief Bogema is looking for the board to approve the purchase of this new Fire Truck. The board will discuss under new business later in the Agenda.

Police Report: Officer Jeff Christensen, from the Kalamazoo County Sheriff's department was in attendance to give the Township a monthly Sheriff's report. Monday (11/26) was a horrible day for the County Sheriff's department due to weather conditions. Many trees down, auto accidents and car-deer collisions were up. Now that it is the holiday season the increase in packages stolen from front porches is on the increase. He asked any resident with outside security cameras to let your neighbors know they may have video of any potential crime. The video is a big help to the Sheriff's department in arrests and proving larceny cases. The new Central Dispatch is up and running with a few computer bugs to work out. They are working through the issues and it is running well. It is better staffed; calls are up as they are now servicing the entire county. They have some geography issues, response time and length of calls. Sheriff Christensen left the monthly call report with the Board for review.

Supervisors Report: Rob Baker stated that he is learning the "ropes" of his new position. He is concentrating on sending our info via email and the Township web site. He hopes to get updates from all committees for future board meetings. Training class through MTA on Jan 23rd (Okemos, MI) is being offered for new Board members. Board members are encouraged to attend this MTA training class. Info was given to each board member for review and whether they are interested in attending.

Public Comments:

Diane Charles, SAD road assessment updates as to the tax/bond payments due from the Township. There is a disconnect between the tax tribunal lawsuit and the non-appeal of tax tribunal decisions. Attorney Thall will provide an update as to the tax tribunal decisions to Board Members.

Unknown resident: Marijuana opt out ordinance status.

Mike Bekes: requested an opt out decision tonight from the Board. Encouraged the Board to opt out tonight by Board vote.

Tim Walters" Prop 1 still in violation of Federal Laws. Local violations can stop funding, Wants opt out passed tonight.

Sue – Brook Lodge Cannabis Co. status. Supervisor Baker stated that he intends to get a tour of the facility in the near future to update residents on their status.

Linda Walters –concerned about business operations vs. township ordinances. Attorney Thall discussed the State Regulations may rule on these businesses. Follow State of Michigan Laws. Can the Sheriff's department go in unannounced and inspect the facility? – Sheriff Christensen stated that they need probable cause, not speculation to enter the property. AGS needs to be communicated to vs. zoning ordinances at Brook Lodge. Did the fence installed get a building permit and is AGS involved.

Old Business:

Annual Kalamazoo County Sheriff's Contract, for Ross Township's Police coverage. Approval needed from the Board to sign the new annual contract. Discussion began with Trustee Sulka asking: can we get a time spent report on certain calls/issues in Ross Township? Sheriff Christensen stated that their department can supply a report in the future. They are still learning the capabilities of their new dispatch software for reporting purposes. He can also do a presentation to the Board if needed on their outlook and capabilities for the Township.

Trustee Senkewitz asked for clarity on the contract clause of replacement officer(s) during our assigned officer's vacation/leave times. Over 5 days need some definition as to when the Township received replacement coverage from the County Sheriff's office. Attorney Thall stated he will amend the contract in paragraph 3 to clarify and reflect that the Township required coverage when 5 days has been exceeded for any leave or vacation.

A motion by Trustee Harmon to approve the contract with the amendment from Attorney Thall supported by Trustee Langshaw and carried unanimously.

Marijuana Opt Out Ordinance. Attorney Thall read the new ordinance (212) into the record to opt out of allowing any Marijuana Establishments in Ross Township. Ross Township's Ordinance will become effective January 1, 2019 after the 30 waiting period. No businesses will be allowed in the Township. Private use is allowed per State Law. Questions asked were: Private vs. Public definitions. Is your backyard/home/residence considered private? All other areas are public areas. The Michigan Law can be changed with a 2/3 majority vote in the legislature. Trustee Sulka asked is Industrial Hemp considered a grower? Attorney Thall will research this question and provide an answer. LARA to fine tune the legislation over time. Can plant size be regulated? No regard as to height issues, it cannot be addressed. Attorney Thall reviewed that any amendments can be made to our Ordinance (212) in the future if different issues come up. Recommended that we (Township Board) see what LARA's regulations will be to adjust our Opt Out Ordinance in the future.

Trustee Sulka – use voter survey to shop the path forward. No recreational marijuana facilities in Ross Township. Auto accidents up in Colorado. Also has concerns about Recreational Marijuana businesses – cash/security issues. Attorney Thall also stated that a petition can be put before the voters to reverse any ordinance/referendum on opt out ordinances. This may depend on how the provisions are interpreted at LARA. There being no further discussion the Opt out Ordinance moved forward.

A motion by Trustee Harmon, supported by Trustee Sulka to approve our Opt Out Ordinance No. 212 was put before the Board. A roll call vote was as follows:

Trustee Sulka – Aye, Trustee Langshaw- Aye, Clerk Kellogg-Aye, Supervisor Baker- Aye, Treasurer Genung-Aye, Trustee Senkewitz-Aye, Trustee Harmon-Aye. The motion was carried unanimously and adopted.

New Business:

Fire Truck Purchase for the Augusta Fire Station. 2018 Spartan S-180 Custom Pumper Truck. SO# 218068. The truck will be purchased from Spartan Motors after reviewing two additional bids, noted in the Fire Department report above. Chief Doug Bogema requests that the Board approve this purchase, with the Fire Department putting \$300K down on the purchase price of \$456,190.00 per purchase order No. FTP-112918. To lease the balance through Leasing 2, Inc. A motion to approve this purchase was presented by Trustee Langshaw, Supported by Trustee Harmon and carried unanimously.

Planning Commission/Township Board Joint Meeting in February 2019. Chairman Lauderdale to co- ordinate with Supervisor Baker.

Website Change: Clerk Kellogg discussed our Township options due to Shirley Lund's retirement effective Jan. 1, 2019. She has hosted the Township website in the past and is now formally retiring. A bid from I.T. Right our present hardware/server vendor was received by the township. Annual hosting fee is \$500 which is about what we paid Ms. Lund over the past few years. There was two set up options discussed, \$2,000 fee to keep what we presently have or a \$6,000 option to totally re-design our web site. Motion to approve the \$2,000 set up option with a \$500 annual hosting fee was presented by Clerk Kellogg, supported by Trustee Langshaw and carried unanimously. Trustee Sulka asked that if we upgrade the website within a year can we pay just the \$4000 difference instead of the full \$6,000 fee. Clerk Kellogg will make that request when the Township communicates its website approval.

Gull Lake Sewer and Water Authority: Ross Township Supervisor appointment to the GLS&W's Board of Directors as the Township representative. Due to the election on Nov. 6, 2018 the Supervisor position changed at Ross Township. Rob Baker as the new Supervisor needs to be formally appointed by the Board as the Ross Township Board representative. Motion by Clerk Kellogg, supported by Treasurer Genung, to appoint Rob Baker to the Gull Lake Sewer and Water Authority Board, as the Ross Township representative. The appointment carried unanimously.

HSA Account Funding Approval for 2019. The township in the past, funds this account for all elected officials under the Townships health plan to cover co-pays and deductibles. Clerk Kellogg does not need to be funded for 2019 as he did not use his HSA last year. Supervisor Baker has opted not to use the Township health insurance. Treasurer Genung has used her HSA account and needs to be re-funded up to the \$1,500 limit. Request that the Board approves the re-funding of Ms. Genung's account up to the \$1,500 limit for 2019. A motion was presented by Trustee Harmon, supported by Trustee Senkewitz and carried unanimously.

Law Enforcement Committee Appointments: A discussion ensued by Supervisor Baker. He has received 7 applications and resumes to join this committee. He will review and post the request to join this committee, and set up a time limit to accept any additional applications. Supervisor Baker will contact the remaining members of the committee to see if they want to continue to serve. Trustee Langshaw stated that she wants the committee to continue and more involvement from the community is good. Trustee Sulka and Supervisor Baker asked is there a need for change in coverage hours for the Township? A consensus among the Board was to set up and define the boundaries and scope to move forward. Also answer the question, should we increase/decrease or remain and 40 hours coverage per week for Ross Township.

New Start time for the January, February and March Board meetings. A request to start the meetings at 6pm instead of the stated 7pm was put before the Board. A motion by Trustee Harmon, supported by Trustee Senkewitz to change the start time for the next three Board meetings to 6pm. A roll call vote was as follows: Trustee Harmon-Aye, Trustee Senkewitz-Aye, Treasurer Genung-Aye, Supervisor Baker-Aye, Clerk Kellogg-Aye, Trustee Langshaw-Aye, and Trustee Sulka-Aye. The motion was carried unanimously.

Planning Commission Appointments: Supervisor Baker talked about several openings on the Planning Commission due to resignations/ and end of term resignations. The resignation of Victor Ezbenko seat needs to be filled within the next two weeks to abide by the 45 day time limit for Commission appointments. Supervisor Baker recommends the appointment of Michael Moore to the Planning Commission to fill Mr. Ezbenko's position. Mr. Moore gave a short bio to the Board and audience. He has lived in the area for 32 years and is a retired electrician. There being no further discussion, Trustee Sulka presented a motion, supported by Trustee Senkewitz to appoint Mr. Moore to the vacant Planning Commission seat. This position will be for a two year term to expire Dec. 31, 2020. The motion carried unanimously.

Ross Township Board Representative to the Planning Commission: Due to the November election results the Board needs to appoint a new Board representative to the Planning Commission. Supervisor Baker recommends that Trustee Sulka be the Board representative to the Planning Commission. Being no further discussion: a motion to appoint Mr. Sulka to the Planning Commission was presented by Trustee Harmon, supported by Trustee Langshaw. The motion was carried unanimously.

An additional position to the Planning Commission needs to be filled starting January 1, 2019 to expire January 1, 2021, due to a year end resignation. Supervisor Baker recommended the appointment of Michael Bekes who previously served as a Ross Township Trustee and Planning Commission Board Representative. Being no further discussion a motion by Clerk Kellogg, supported by Trustee Harmon was carried unanimously to appoint Mr. Bekes to the Planning Commission for the above term.

Supervisor Baker spoke about the need for one more Planning Commission appointment due to the year-end resignation of Greg Pierce. This appointment would be a two year appointment from January 1, 2019 to Dec. 31, 2020. Applications will be accepted until 12/15/18 to fill this position.

Also Mark Markillie who was appointed to the Planning Commission due to a resignation. Has agreed to remain on the Planning Commission. His term expires 12/31/2018. Supervisor Baker recommends that Mr. Markillie be re-appointed to the Planning Commission to serve the term of January 1, 2019 to December 31, 2021. A motion by Trustee Langshaw supported by Clerk Kellogg to re-appoint Mr. Markillie to the above term on the Planning Commission. The motion carried unanimously.

Parks Committee Appointments:

Supervisor Baker stated that Jon Scott has resigned his position on the Parks Committee, effective immediately. Also Russel Fry is resigning from the Parks Committee effective Dec. 31, 2018. Also the status of Zach Klipsch as a committee member is to be determined. Supervisor Baker will reach out to Mr. Klipsch to see if he is interested in remaining on the Parks Committee. Supervisor Baker will put the two openings on our web site to look for interested applicants. The deadline for applications will be Dec. 15, 2018. A short discussion ensued about looking to focus on the Park maintenance/bathroom update issues going forward. Can we combine the Parks Committee with a Cemetery Committee? Clerk Kellogg stated that the Parks and Cemetery committees have different needs and maintenance issues and it would be best to have two separate committees if needed. The Township may be looking for 3 volunteers to be on a Cemetery committee to look at Cemetery issues and maintenance concerns.

Board Member appointment to the Ross/Augusta Fire Board. Due to the November election results the Township Board needs to have a Board representative appointed to the Ross/Augusta Fire Board. Supervisor Baker recommends that Trustee Diana Langshaw be appointed the Ross/Augusta Fire Board as the Township Representative. A motion by Trustee Senkewitz, supported by Trustee Harmón to appoint Trustee Langshaw to the Fire Board. Carried unanimously and approved.

Tentative Board meeting dates set for next fiscal years (April 1, 2019 to March 31, 2020,) budget meetings. January 12, 2019 was chosen for the initial public Budget meeting at the Township Hall from 9am to 12pm. The dates and times to be confirmed and publically noticed. Pre information packets will be provided to all Board members prior to the first meeting for review and comment.

Members Time:

David Senkewitz: Improve communications for Township issues. Can we have separate meetings to discuss issues and use our Township newsletter and email lists for the communication of Township information. Use a multi-prong approach – Multi media/Facebook, etc. Use community feedback for future direction. Look at other Townships/MSU, what are they doing to reach people.

Rob Baker: Has appreciated the Community and Office staff support since joining the Township as Supervisor. It has been enjoyable.

Norm Kellogg: Discussed the challenging Nov. Election and upcoming election audit. Discussed general Budget issues and the upcoming Budget meetings for planning for the next fiscal year.

Mike Sulka: Thanked the community for their support and feedback.

There being no further business or discussion a motion to adjourn was presented by Treasurer Genung, supported by Trustee Sulka and carried.

The meeting was adjourned at 9:37pm

Respectfully submitted,

Norm Kellogg
Ross Township Clerk