

**Ross Township
12086 M-89
Richland, MI 49083
269-731-4888
Regular Board Meeting
December 15, 2020
6:00 P.M.**

The meeting was called to order at 6:03 p.m. by Supervisor Baker

Roll Call was as follows:

Present:	Mike Sulka	Diana Langshaw	Linda Walters
	Rob Baker	Cindy Genung	Michael Bekes
	Lynn Harmon		
Absent:	None		
Also Present:	Rob Thall – Township Attorney		

A motion to approve the amended agenda was presented by Trustee Bekes, supported by Trustee Harmon and carried unanimously.

Changes to the agenda were:

8. J. Roger Schweitzer – consulting fee for assessment

A motion to accept the new annual contract was presented by Trustee Bekes, supported by Trustee Harmon and carried unanimously.

8. K. For any other business

Reports:

Board Meeting Minutes Amendment for November 10, 2020 - Supervisor Baker would like to add the following to the Full Time Employee Compensation portion of the minutes: *Supervisor Baker discussed handouts showing compensation full-time employees received in lieu of taking health benefits from Richland and Bedford Townships. Supervisor Baker stated that our Office Manager, who is not receiving health care coverage from Ross Township, is paying approximately \$5,000 a year for personal health care premiums. Also, added under Members Time was Supervisor Baker – awarded to Trustee Langshaw for her 30 years of service to the Township.* Motion by Trustee Langshaw, Supported by Trustee Harmon. All voted – AYE except for Trustees Bekes and Clerk Walters who were not serving on the township board in November.

Treasurer’s Receipts for November 2020 – She reported that there were not a lot of new receipts. Trustee Sulka asked if someone else can process receipts in case she is not in office to process the receipts. Treasurer Genung replied “yes.”

Clerk's Bills Paid November 2020 – Clerk Walters provided three different formats of statements for bills paid in November. The question was then presented to Robert Thall, Township Attorney, for guidance on which format to use. He stated that either way is acceptable and whatever format the board wishes. All agreed to continue with monthly statements.

Sheriff's Department – Jeff Christensen, Sheriff's Department, reported the following:

- 1) There are traffic issues at the Kellogg elementary school on 40th street due to construction. Jeff shared recent changes resulted in much better traffic flow. Construction will last at least until Spring 2021.
- 2) Yesterday, December 14, 2020, a body was found at Three Lakes on 35th street. Foul play is assumed. There is a suspect in custody and charges are pending. No indication there is danger for any other party or Ross Township.
- 3) COVID vaccination is scheduled for the first responders December 21st and 29th. People who are in direct contact with patients are the first to be vaccinated. This will include the Ross Township Fire Department. Vaccinations will take place at the EXPO center in Kalamazoo. It is not open to the General Public. This is phase one.
Phases of the vaccinations are:
 - a. Phase 1 is high risk
 - b. Phase 2 is all adults
 - c. Following two weeks for all fire and rescue staff
 - d. Additional vaccines will be available on a later date

Fire Department – Trustee Harmon asked if there were any updates on ambulance service? Supervisor Baker stated “no” but “they are present in the building more often.” There was no new information to provide.

Park –

- 1) The Park Committee is working on the fourth draft for the Park Ordinance rewrite. It should be ready for the Board to review by January.
- 2) A meeting will be scheduled by Donna Tellam with Walters, Genung, and Harmon, and Jeff Rood, Township CPA, to figure out a simple way to generate a monthly Treasurer's Report for the Park Committee.
- 3) Supervisor Baker received a phone call from Jim Mishler who wants to do a virtual triathlon race on the Park property. Baker stated that this would not be a problem unless a COVID restriction was put into place.

Planning Commission -

- 1) Treasurer Genung did not receive any reports from Rebecca Harvey for the month of November.
- 2) Trustee Sulka reported that Allendale, LLC is off the PC agenda and we will wait for them to re-request. Rebecca Harvey has concerns for Gene's Marine but she will come up with a plan to make it acceptable for all.

AGS - Supervisor Baker reports that some enforcement action items have been closed out. There was a court case with Midlake Drive. It was postponed because the resident was not notified in time. Some items on the list are either closed or with the Planning Commission.

Supervisor –

- 1) **RCKC 5 Year Plan** - Supervisor Baker stated that money was left over from Sherman Lake Assessment District (SAD). Mark Worden was present to brief on the Five-Year Plan for the township. Mr. Worden stated that for Ross Township it is about protecting investments, but it is also about maintenance. The last three years, the hard work was done. In 2020, we basically did preventive maintenance. PAR money is likely to be what we had in 2020. Same amount of money has been set aside. Looking at \$187,400 for road maintenance and receiving approximately \$93,000 PAR.
- 2) **First Responder Checks:** 19 firefighters received a check for \$1,000 each for First Responder Hazard Pay.
- 3) **Newsletter went out with taxes** – The cost of the newsletter dropped drastically from 2019. Cost of newsletter for 2019 was \$1,640.75; 2020 was \$483. Rob Baker was complimented the Board for the cost savings.
- 4) **Michigan Township Association (MTA) Report** – There is a proposed sand and gravel mining pit by Gilmore Farm. Per Thall, it is “a problematic bill.” It will be pushed into next year. Good it was pushed back for now. Trustee Harmon stated, “any take on it? Does it have a good chance?” Thall responded by saying it “has some good support and there is some push back. 100% benefit for corporations but it’s bad for Michigan townships.” Need to let residents know to reach out. Thall stated that there is a lot of false information being put out in the community.

A motion was made to contact legislatures to advise township is against Bill 431. Thall stated a letter can come out of the supervisor’s office in support of Richland being against sand and gravel mining. Baker and Thall will work on the letter. Trustee Harmon encouraged residents to do the same. Trustee Harmon stated to put information on website. Board will also send a letter to Richland stating the impact it will have on township. Trustee Harmon motioned and Trustee Langshaw supported it. Trustee Harmon will draft a letter from residents against sand and gravel mining. The letter should come out of supervisor’s office. Trustee Harmon motioned and Trustee Bekes supported it. The motion carried unanimously.

- 5) **Servicemaster** – An employee of the Township had COVID. The building was disinfected. The cost was \$400. Nicole Bell, Township Custodial, stated it created more work for her to clean up after them. Contract cost was \$195 for first hour. Total for 2 hours is \$280. It was suggested that we use Nicole in the future as she does an excellent job.
- 6) **Upcoming Computer Awareness Training:** GLSWA purchased license for up to 100 users. Offered to Ross Township elected officials. Call John Crumb if interested.
- 7) **Ordinance and Enforcement Officer** – Deputy supervisor would be nice for transition. It would need to be considered for upcoming budget.

Public Comments –

Larry, Road Commission, was available. If there were any questions, he would find the answers.
Dave Carpenter – no questions, just listening
Martin – Labelle Road – will talk later
Ken Greenwood – No, just listening. He is interested in the Deputy Supervisor role.
269 491 4738 – No response
Ipad82 – No comment at the time

Old Business –

Local Watercraft Control Ordinance – Corporal Perez reported that a decision has not yet been made but that they are creating a wide enough pass to control wake. Nothing new to report.

Residential Rental Ordinance – Attorney Thall will work with Bert Gale (AGS) on Kalamazoo Ordinance and present to Trustees Sulka and Supervisor Baker. Agreement was talked through. The challenge is the scope. Is there a board preference for keeping it small or adding in all rental property in the township? Supervisor Baker will need to ask Angie Story for additional information.

Tax Tribunal - Supervisor Baker stated that the Board would table issue until Attorney Thall returned. There will be a closed board meeting held January 12, 2021. Township is responsible for collecting taxes. Thall had returned. Plaintiff supplied materials in support of reduction. It might be possible to negotiate a settlement. Other issues will be discussed in the closed session as well. Petition for Tax Tribunal received from Law Office.

Township Park Ordinance - A draft copy was submitted from park committee. It was forwarded to Thall to make necessary changes. It most likely will not be ready January; February is more reasonable.

Private Law Enforcement at Sand Bar - Treasurer Genung reported that the township has received \$11,000 so far with an additional \$5000 coming in. They would like to raise \$20,000 each year for the position. The township needs to know what they expect for the \$20000. Rob Baker and Michael Bekes volunteered to meet with the Sand Bar group to discuss their expectations.

Private Road (LaBelle) Repair Funding - Martin Ranly is heading up the committee. He has acquired 14 of 19 signatures from residents on the LaBelle proposal for improvement. Not all residents reside here full time. Table it for Attorney Thall. Splitting the cost based on residents and not lots. All deeded on the property must sign the petition. A motion was put forward by Trustee Harmon to allow Thall to proceed; Trustee Bekes supported All others AYE, Treasurer Genung – no (6 yes, 1 no)

Drains could cause a problem. Thall to set up a resolution of intent. Township will provide funding with 4% interest over a five-year period.

Full Time Employee Compensation - Resolution for Ross Township full time employee compensation. Trustee Bekes made a motion to pay a stipend of \$500 per month to employees who are not collecting insurance retroactive from December 1, 2020. The stipend would go until to April 1, 2021 pending

budget. Trustee Langshaw supported motion. All - AYE except for Trustees Sulka and Harmon. Motion carries 5 to 2. Supervisor Baker expressed his appreciation.

No Park Ordinance – No Parking Ordinance

Dock Length and Screening – The PC decided not to revise ZO text for docks. The ZO text is consistent with surrounding Townships for setbacks and is stronger than surrounding Townships for length and is consistent with the intent of the Master Plan.

AGS will ask the ZBA for their opinion on the overall meaning of fencing sightlines in the ZO Text and Master Plan relative to the ZO Text. The perspective of the ZBA will direct the PC as to the best path forward. This process allows the PC and ZBA to work in concert relative to both interpretation of the intent of the Text (ZO and Master Plan) and the effectiveness of ZO Text communication.

Any other Business – There is no other business.

New Business –

Interlocal Assessor Agreement for Kalamazoo County - Attorney Thall stated that every township needs an interlocal agreement. Trustee Bekes made a motion and Treasurer Genung supported it. The motion carried unanimously.

3 BOR Resolutions –

Resolution to provide for alternate starting dates for March 2021 Board of Reviews. Trustee Genung made a motion and Trustee Bekes supported the motion. The motion carries unanimously.

Resolution updating state required poverty level income standards for property tax poverty exemption. Motion to approve by Trustee Langshaw; supported by Treasurer Genung. The motion carried unanimously.

Resolution to provide for acceptance of letters of protest from taxpayer residents. Trustee Bekes stated that it should be standard every year. He made a motion which was support by Trustee Harmon. The motion carried unanimously.

Consumers Energy Resolution – Consumers Energy is replacing suspended lights with new LED lights. Approval to change contract to add light at 40th and M-89 to yearly contract. Genung stated each light will cost \$120 in electric costs per year. Trustee Bekes makes a motion to accept. Trustee Harmon supports. The motion carried unanimously.

Board Appointment to PC –

Steve Maslen to replace Mike Bekes for 1 year (September 2021). Motion made by Trustee Langshaw with Treasurer Genung supporting motion. The motion carried unanimously.

Supervisor Baker nominated Trustee Bekes for PC Board. Trustee Harmon stated that Trustee Sulka did a great job and should stay on the PC Board. Clerk Walters agreed with Trustee Harmon. Supervisor Baker makes motion to support Trustee Bekes. Treasurer Genung supports motion. Aye – Baker, Genung, Langshaw, Bekes, Walters. No – Sulka and Harmon. ***Note: Clerk Walters changed her vote***

and did show her support for Trustee Sulka. The final vote was 4-yes and 3-no. Attorney Thall stated it was fine for Clerk Walters to change her vote.

Kalamazoo Area Transportation Area (KATS) - Discussion regarding KATS wanting money contributions or in-kind contributions. Trustee Harmon made a motion to approve the in-kind contributions. Trustee Sulka supported the motion. Supervisor Baker stated that we would not be sending money and that we support their cause. The motion carried unanimously.

Boiler – There was a problem with boiler and the thermostat in the Township office building. Technician highly recommended that we also have a water softener. The boiler is a lower quality one. Trustee Harmon made a motion to get more quotes; Trustee Bekes supported. Supervisor Baker will get more quotes as well as quotes on annual service. The motion carried unanimously.

Supervisor Resignation – Supervisor Baker will resign effective January 31, 2020. Position must be filled within 45 days after effective date or 30 days prior. Trustee Bekes makes motion to accept Baker’s resignation, Clerk Walters supports motion. The motion carried unanimously with regret expressed by all trustees.

Trustees Bekes, Langshaw, and Sulka will form a committee to shepherd the process to hire the next supervisor. Trustee Langshaw prefers interview process and Trustee Harmon stated that she wants the board to have final approval; no pre-screening and have face-to-face interviews. Trustee Sulka stated that the township has had trouble finding a long-term person. Rob Thall recommended to all Trustees that they have a township email address for all communication regarding the interview process. All emails subject to FOIA whereas legal questions are not. Trustee Harmon stated that the board should lower the number of applicants we would interview. Reducing number of applicants selected for interviews is to be done in the open meeting. The motion carried unanimously.

2021-2022 Budget – The Board will need to schedule a meeting in preparation for 2021-2022 budget. Compare budget for previous year (2019 and 2020 forecast for a full year).

Fee Assessment - Roger Schweitzer – consulting fee for assessment. Per Attorney Thall, “Payments are subject to availability of such funds through the Sherman Lake Special Association District” was added to contract. A motion to accept the new annual contract was presented by Trustee Bekes, supported by Trustee Harmon and carried unanimously.

Any Other Business – No other business.

Members Time –

Baker – Things have changed. Family situation is trying, raising three small kids. He needs to be available for family.

Harmon – Sherman Lake apartment complex. Was AGS following up on that?

Bekes – Nothing

Langshaw – Nothing

Walters – Four weeks and I am still here.

Genung - Jeff Rood to talk to trustees about budget. Wants to schedule a meeting again. Sand Bar need new fund. Will provide fund balance. She will send out emails. It will be extremely helpful to have Jeff Rood at the first budget meeting.

Adjournment: 09:19 p.m. adjourned

Respectfully submitted,

Linda Walters
Township Clerk
December 22, 2020