

**Ross Township
12086 M-89
Richland, MI 49083
269-731-4888**

**Regular Board Meeting
August 17, 2021
6:00 P.M.**

The meeting was called to order at 6:04 pm by Supervisor Hutchings.

ROLL CALL

Present: Christina Hutchings Michael Bekes Syndee Genung
 Lynn Harmon Diana Langshaw Mike Sulka
 Carin Martinek

Absent: None

Also Present: Rob Thall – Township Attorney, Tim Snow, Deputy Clerk, approximately 30 interested residents.

The Pledge of Allegiance was recited.

A moment of silence was observed in honor Deputy Proxmire.

PUBLIC HANDOUTS

1. Consent Agenda for 8-13-21
2. 2021 Special Assessment Roll Labelle Terrace
3. Agreement for sharing of property taxes between Richland and Ross Townships
4. Labelle Terrace parcel listing
5. Kalamazoo County Sheriff's Department Contract Termination letter from Attorney Thall on behalf of Ross Township and response letter from Kalamazoo County Sheriff's Department.
6. Assessor's memo re: parcel split on Idlewild.

CONSENT AGENDA

- A. Draft Board Minutes: July 13 & July 20
- B. HHW Invoice 2nd Quarter
- C. Treasurer's July 2021 Report
- D. Clerk's July Report & Park Income Statement
- E. Sheriff Department July Reports, Attorney letters and Citizen's feedback.
- F. Fire Department July 2021 Update
- G. AGS May, June and July 2021 Report and Invoice.

Sulka moved, seconded by Harmon to add Medical Marijuana Ordinance review to the Consent Agenda under New Business. The motion carried unanimously.

Bekes moved, seconded by Langshaw to approve the Consent Agenda. The motion carried unanimously.

PARK COMMITTEE JUNE REPORT

Lynn Harmon was in attendance and spoke on behalf of the Park Committee. Harmon stated everything was running smoothly with the exception of storm damage to trees. She also stated that the park will close on September 7th 2021 and that a new sign and bench were installed.

PLANNING COMMISSION REPORT

Bekes stated that at the July 26, 2021 PC Meeting a review of revised master plan was conducted. He added that volunteers were needed for Water Resource Council. Harmon moved, second by Bekes to study a Water Resource Council in planning commission. Motion carried unanimously.

Martinek reviewed the July month end financial report.

SUPERVISOR'S REPORT/LEGAL UPDATE

Attorney Thall Stated that the Zoning Board of Appeals upheld the ordinance 17.3 and found that Carr's were in violation of said ordinance. It was agreed upon that the structures/trees do indeed impede view shed. Attorney Thall advised the Board that the Carr's indicated they would sue Ross Township. Furthermore, the Carr's have 30 days to file a case in Circuit Court, the Township's Insurance Company will defend and the Ordinance violation will not be enforced until the Court Case is resolved.

Hutchings spoke to the Termination of Kalamazoo County Sheriff's Department. Copy of Supervisor Hutchings' speech filed with minutes.

PUBLIC COMMENT

The floor was opened to public comments at 6:25pm.
Each person was allowed 3 minutes of time to speak.
The following citizens addressed the Township Board:

Michael Moore stated his disappointment about the termination of Contract with Kalamazoo County Sheriff and his concern about Speeding on 40th street.

Lt. Michael Boehme voiced his displeasure at a Board member's Facebook post. Boehme stated he was a member of 2 previous law enforcement committees and they had found that the Kalamazoo County Sheriff's Department was not the best value to Ross Township. Boehme supported the termination of the Kalamazoo County Sheriff's Department contract.

Todd White felt that the public had no information such as, budget, a plan moving forward, transparency and the need to share this information on Ross Townships website.

Karen Lavene stated she fully supported the Board and felt we would do what was right for our Township. She would support Ross having its own Police Department. She was disgusted with the Social Media released by a Board Member.

Gail Hurn a 31 year resident of Ross Township and Deputy of the Township Park stated that she has teenagers working the booth at the Park and experienced the lack of response from the Kalamazoo County Sheriff's Department.

Robin Anthony of 40th Street spoke her fear that the Board was defunding our police and the speeding issues on 40th street and the negative effects of not having law enforcement within the community. She stated a presence was needed and we must back the police.

Dan VanderMeulen of Fairview spoke to the Sand Bar and how he has contacted dispatch on numerous occasions and that he has been told there was no one who was on the lake to address his complaints. He expressed that Ross Township needs protection and from a department that can show up and enforce the law.

Michael King of E D Ave stated that he supported the Boards decision.

Jo of 43rd Street state speeding is a problem and funds should be used for better coverage.

Peggy Statler of Heights Dr said that she is enjoying the improvements made to the park but has observed boundaries being tested and the township needs to enforce the laws. She feels further improvements can be made via grant funds.

Jean Hanson of E D Ave said that she supported the Board's decision to terminate the contract with the Kalamazoo County Sheriff's Department and was thankful for the moment of silence to honor Deputy Proxmire.

Connie Lavender was grateful that Sulka shared information and felt the public was being kept in the dark as well as wanted to know who would sit at the school, who can be deputized and speeding will get worse.

Tim Ondrcek of 40th street asked what is the plan.

Lyle Showerman of E D Ave wants the Board to be good stewards of the money involved in law enforcement contract. He stated that under the Kalamazoo County Sheriff's Department he viewed limited presence and increased foot traffic, noise, speed of vehicles and lack of parking in the bay area. He reiterated the need for the Board to be good stewards of the money.

Public Comment closed at 7:00pm

OLD BUSINESS

- A. Ross Township Master Plan -Public hearing scheduled for 9/27/21 at Planning Commission meeting.
- B. Short Term Rental Ordinance- Pending
- C. No Parking Ordinance in south bay-Pending
- D. Board to PC: Recommendations to include contingencies on large projects-Pending

NEW BUSINESS

A. Kalamazoo Solid Waste: Miller Road Transfer Station

Art Mulder from Waste Not C&D Recycling presented the expansion of Recycling and solid waste plan. Sulka moved, Langshaw 2nd to support the change and adopt the Resolution. Roll Call Vote was held. Bekes, Genung, Harmon, Hutchings, Langshaw, Martinek and Sulka voted Aye. No votes of nay cast, the motion carried unanimously.

B. Boundary Change: Parcels 3904-18-102-250 + 3904-18-102-260 + 3904-18-102-330

Bekes moved and seconded by Sulka to approve the Boundary Change as referenced in Assessor Story's Memo and documentation packet. Motion Carried unanimously.

C. Agreement for Sharing of Property Taxes Richland 03-13-230-051 + Ross 04-18-102-330

Sulka motioned, Genung seconded to approve Tax sharing agreement. Motion passed unanimously.

D. LaBelle SAD: Approval of Tax Roll (final step in establishing roll)

7:10 Public Hearing was opened up by Supervisor Hutchings.
 Kris Leroy stated she wrote a letter to the board and asked if it was taken into consideration.
 Attorney Thall stated if any residents effected by Tax Roll disagreed then it is in the hands of the Tax Tribunal.
 Public hearing/comments closed.
 Bekes moved, Langshaw seconded acceptance of Resolution.
 Roll Call vote was held: Sulka voted Nay. Martinek, Langshaw, Hutchings, Harmon Genung, Bekes voted Aye.
 Resolution adopted 6-1.

E. Repeal Ordinance 161 + Reactivate ORI with MCOLES to re-establish Ross Township Police Authority

Harmon moved, Bekes seconded to repeal Ordinance 161 reactivate ORI with MCOLES and reactivate Ordinance 28.
 Roll call vote was held: Sulka voted Nay. Langshaw, Hutchings, Harmon Genung, Bekes and Martinek voted Aye. Motion carried 6-1.

F. Evaluation and feed back on Medical Marijuana Caregiver.

A discussion was held by the board regarding the effects of Medical Marijuana Caregiver's and regulations/ordinances and the possible effect on the Master Plan.

Sulka moved, seconded by Harmon that the board will review the Legislative changes allowing restrictions on growth of Medical Marijuana by Caregivers within Residential Zoning. Attorney Thall will provide the Board with the most current Ordinances used in other Townships.

Motion carried unanimously.

MEMBERS TIME

Langshaw-no comments.

Bekes-no comments.

Genung-Michelle White has been appointed as the new Deputy Treasurer.

Hutchings-no comments.

Martinek-Abigail Snow has been appointed as the new Deputy Clerk. Planning to introduce our new Deputies (clerk/treasurer) at the next board meeting.

Requested approval for an Audit of the Accounts payable, Payroll and Tax documents as a review due to multiple people being involved in accounting over the last year.

Discussion as to cost and Auditors held by the Board. It was agreed upon that Estimates for the Audit will be brought to the next Board Meeting.

Harmon- Thanked the community members who attended the board meeting and shared their views. She stated that the community can reach out to Supervisor Hutchings in letter form. Asked about any unbudgeted numbers such as Labelle and the security updates.

Sulka- Thanked the public for coming out and the importance of them sharing and speaking to the Board.

Carin Martinek
Township Clerk