
NEWSLETTER – SUMMER 2022

Be on the lookout for the Slow, No Wake Buoys to return to Gull Lake! The full Ordinance is in effect!

Changes are happening in Ross Township! Did you know ...

- We have a new, redesigned website for better communication: www.rosstownshipmi.gov
- Agendas & approved Meeting Minutes can be found in “News” and “Meeting Agendas and Minutes”
- “Subscribe to our Newsletter” at the bottom of the Home Page to receive important notices and newsletters from the township right when it is posted
- Ross Township Police Department is nearly ready for 100% dedicated patrol right here in Ross!

Buoy Control - Ross Township does not have any ordinances on buoys. Buoys are regulated by the DNR. Questions should be routed to the District 7 DNR branch in Plainwell, by contacting:

DISTRICT 7 LAW ENFORCEMENT DIVISION

Plainwell Customer Service Center, Phone: 269-685-6851

Michigan Department of Natural Resources, 621 N. 10th Street Plainwell, MI 49080

Public Water? Public Sewer?

Please know that the Ross Township Board is not planning or pursuing public water within the Township. The Ross Township Board is the only authority that can approve new public water and public sewer systems in the Township. Gull Lake Sewer & Water Authority (*GLSWA*) does not have control over the Ross Township Board and has no legislative authority in Ross Township. There is NO public water ordinance in Ross Township, nor is there a water tower to support public water infrastructure.

Currently, Ross Township DOES have Ordinance No. 179 which governs residents connecting to available (*already in existence and within 200 feet*) public sewer. Again, Ross Township is not planning or pursuing new sewer infrastructure out into the country or into more rural places. Historically speaking, Ross Township officials required all residents of Gull Lake connect to available public sewer in the late 1980s; in 2004 Ross Township officials again required the residents of Gull Island connect to public sewer with a 15-year SAD (*Special Assessment District*). March 1, 2022 Ross Township officials noticed all Sherman Lake Residents not connected to available public sewer to connect within 18 months. According to Michigan Public Health Code Act 368 of 1978, as amended, Sec. 12752., the State of Michigan provides that the connection ... *“to available public sanitary sewer systems, at the earliest, reasonable date is a matter for the protection of the public health, safety, and welfare, and necessary in the public interest which is declared as a matter of legislative determination.”* Ross Township’s Ordinance No. 179 dated 2008, and Ordinance No. 168 dated 2005 both cite the requirement to connect to available public sewer within 18-month notice by Ross Township. All Ordinances & Resolutions relating to connecting to available public sewer, including DEQ’s statement on connecting to Sanitary Sewers, and Public Act 368 of Michigan, are all available on the Ross Township website: www.rosstownshipmi.gov/ordinances

Ross Township Policing Summary – In 1968, Ross Township created Ross Township Police Department, Police Ordinance No. 28. Our community was served for 35 years by our own dedicated law enforcement serving as Constables, Police Officers and Kalamazoo County Marine Deputies. The passing of our Police Chief Dennis Wilkins after serving 25 years, meant it was time to evaluate policing services for the right costs. The Township Board determined it was more cost effective to contract for additional police patrol with Kalamazoo County Sheriff’s Office (*KCSO*) in 2003 for 2 KCSO deputies. The Board entered into a new contract and repealed Ordinance No. 28, fully relying on purchasing contracted patrols for Ross. The original contract provided 2 deputies, with the annual cost split 50% with KCSO. Over time, as contracts do, changes occurred, and 100% of the costs were reallocated to Ross. This meant changing from 2 deputies to 1 deputy, and changing to 40 hours per week of dedicated patrol. For many years we had 1 deputy patrol Ross 40 hours, Monday – Friday, 8am-5pm. The contract cost Ross anywhere from \$100,000-\$128,000, included shift differential, overtime, and benefits (*insurance, retirement*) for the deputy who bid and was awarded the Ross contract. In 2021, the KCSO contract again changed to Thursday – Sunday, 3pm-11pm, in the hopes of providing better visibility in Ross. With an increase in concerns over speeding and nuisance crimes like thefts of cars, catalytic converters, boat gas tanks and

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personal property, again it became important to analyze budgeted costs and the actual return on investment. The Ross Township Board maintained its commitment to continue to provide local policing, but again looked to ways to get better return on tax dollars being spent. After careful analysis, it was clear, for the money budgeted for policing, it was time again to be a self-sustaining police department fully accountable to Ross Township Board and Ross citizens. It is a known fact that our contracted deputy was often called outside of Ross to other communities in need without any dollars refunded to our Township. Given a national shortage of law enforcement personnel, KCSO short staffing status, and incidents that occurred inside Ross Township, again led the Township Board to more scrutiny of the contract for dedicated patrol. In August 2021, with the guidance of the township's attorney, the Board voted to deliver a fully accountable, local policing product to Ross Township residents by reactivating our police department authority. Eliminating the KCSO deputy contract gives the Ross Township Police Chief the authority to determine who responds to calls in Ross. This is patrol and response in addition to MSP and KCSO general patrol.

Augusta Police, though situated in Ross Township, is supported by millage from Augusta Village tax payers. Augusta has been willing to help Ross as able, but Augusta tax payers don't want their dollars routinely covering outside their Village. According to MCOLES (*Michigan Commission on Law Enforcement Standards*), only an MCOLES-certified law enforcement officer can deputize another agency to respond to calls in Ross, and execute mutual aid arrangements allowing closest law enforcement to arrive in the absence of our own police officer. This is why the Township Board appointed our own Police Chief, Melody Rugg, a 22-year veteran from Kalamazoo County Sheriff's Office to provide police duties fully dedicated to Ross Township.

Over several meetings, the Board received valuable input from residents and freely shared information. The following dates the Board met openly on policing and also had Town Hall meetings inviting citizen input in 2021: July 13 & 20, August 17 & 30, September 21, October 11. In 2022, the Board continued discussions about law enforcement options beginning: January 18, in Budget Workshops in March, April 19, May 17, June 20 & 21. The Board again budgeted \$100,000 for policing services in 2022-2023 and remains committed to providing 100% dedicated, local policing via resurrecting the Ross Township Police Department. The Police Chief is ultimately responsible to the Ross Township Board, who will have input to the Police Chief's schedule, hours, salary and ensure that Ross citizens get the swift response their call need dictates. We will look to Chief Mel to determine the policing needs of all of Ross Township. Recently, Chief Mel was met with a warm welcome and Ross Township has had very positive communications from KCSO's Administration including inviting her to police chief meetings and offering to partner with Ross to patrol Gull Lake over Pirate's Day weekend. We are eager for Chief Mel to get out into areas where we've heard speeding is prevalent, attend neighborhood association meetings and help patrol vulnerable areas.

To date:

- Ross Township purchased a used, fully outfitted police cruiser for \$12,500.
- Ross Township purchased a patrol boat with trailer for \$29,990: \$10,000 donation from Gull Lake Ministries, \$16,000 donation from Gull Lake residents, leaving \$3,990 from Ross Township.
- Boat lift, annual maintenance for removal and installation by anonymous donors.
- ARPA funding requires distribution of funds to benefit all of Ross Township. By following this requirement, we were able to use ARPA funds for the patrol cruiser and the remaining amount for the patrol boat purchase, which will also be used to patrol Sherman Lake.
- \$250 donation from a Sherman Lake resident to pay for supplies needed to operate the boat such as first aid kit, lifejackets, fire extinguisher, and mooring ropes and bumpers.

It will be important for citizens to attend meetings in the future to help build the Ross Township Police Department according to the needs of our own community. Your voices matter.

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Have a safe & enjoyable Independence Day!

Ross Township does not have an ordinance on fireworks. Residents may safely enjoy celebrating with fireworks 11am to 11:45pm June 29 through July 4.

See the MICHIGAN FIREWORKS SAFETY ACT (EXCERPT) Act 256 of 2011 28.457 Local ordinances. Sec. 7:

(1) Except as provided in this act, a local unit of government shall not enact or enforce an ordinance, code, or regulation pertaining to or in any manner regulating the sale, display, storage, transportation, or distribution of fireworks regulated under this act.

(2) A local unit of government may enact an ordinance regulating the ignition, discharge, and use of consumer fireworks, including, but not limited to, an ordinance prescribing the hours of the day or night during which a person may ignite, discharge, or use consumer fireworks. **If a local unit of government enacts an ordinance under this subsection, the ordinance shall not regulate the ignition, discharge, or use of consumer fireworks on the following days after 11 a.m.: (a) December 31 until 1 a.m. on January 1. (b) The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days. (c) June 29 to July 4 until 11:45 p.m. on each of those days. (d) July 5, if that date is a Friday or Saturday, until 11:45 p.m. (e) The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.**

More information can be found online.

History: 2011, Act 256, Eff. Jan. 1, 2012; Am. 2013, Act 65, Imd. Eff. June 19, 2013; Am. 2018, Act 635, Imd. Eff. Dec. 28, 2018.

A Special Board Meeting is scheduled for Monday, September 19th at 6 pm at the Township Hall. The Board wants to hear from you! The subject matter is dedicated to community input on how the Township best spends money from ARPA (American Rescue Plan Act) over the next four years.

Our Township has already received half of the expected \$428,304K from ARPA. Ideas on expenditures already being floated are Park facility improvements, Yorkville Cemetery fence repair/replacement, tree removals, updated equipment for our Fire Department, and a Master Plan rewrite which would involve surveys, townhalls and community input.

What are your ideas? The Board wants your input before decisions on how the Township uses the majority of our ARPA funds are made. Please go to [Federal COVID-19 relief funding \(michigantownships.org\)](https://michigantownships.org) to learn more about ARPA and how ARPA money can be lawfully used. Also, please sign up for the Township's newsletters by going to rosstownshipmi.gov/news/ and then hovering the mouse over the NEWS tab at the top of the sheet and then click the NEWSLETTERS link from the drop-down list to get to the sign-up link. Once signed up, you will be on the Township's distribution list for all shared information and keep abreast with the upcoming ARPA Special Board Meetings.

Medical Marihuana Caregiver Plant Cultivation Update - In 2020, the Michigan Supreme Court in *DeRuiter v Byron Township* reversed a Court of Appeals Opinion, that had ruled that medical marihuana caregivers licensed under the Michigan Medical Marihuana Act to cultivate medical marihuana plants for their patients were **exempt** from local zoning regulations. A medical marihuana caregiver is authorized by statute to cultivate up to 72 plants (*i.e., 12 plants for up to five patients with an additional 12 plants if they are also a patient*).

In *DeRuiter*, the Michigan Supreme Court ruled that **local zoning may be used to regulate medical marihuana caregivers' cultivation of medical marihuana plants as long as the municipality does not prohibit the cultivation and does not impose regulations that are unreasonable or in conflict with the state law.**

The Ross Township Planning Commission is now working on language to impose zoning restrictions on medical marihuana caregiver cultivation operations within the Township, to combat the negative impacts on neighboring properties. The Township is NOT allowing for new marihuana operations, but rather, **placing restrictions on caregiver cultivation which was previously unrestricted by law.**

Have a wonderful Summer!