

**Board Meeting  
Approved Meeting Minutes  
ROSS TOWNSHIP  
KALAMAZOO COUNTY, MICHIGAN  
January 16, 2023, at 6:00 pm**

<b>Attendee Name</b>	<b>Title</b>	<b>Roll Call Status</b>
Christina Hutchings	Supervisor	Present
Mary Stage	Clerk	Present
Amanda Wiersma	Treasurer	Present
Diana Langshaw	Trustee	Present
Michael Bekes	Trustee	Present
Lynn Harmon	Trustee	Present
Mike Sulka	Trustee	Present
Rob Thall	Attorney	Present

Also, in attendance were several interested people.

Supervisor Hutchings called the meeting to order at 6:07 pm with all rising for the Pledge Allegiance to the Flag.

Trustee Bekes moved to approve the agenda as written but to add the appointment of a Ross Township Board member to the Fire Board, before approval of the Consent Agenda. Trustee Langshaw supported. The motion carried unanimously.

### **APPROVAL OF AGENDA**

Trustee Langshaw moved for the Ross Township Board to appoint Amanda Wiersma to the Fire Board. Trustee Bekes supported. The motion carried unanimously.

### **CONSENT AGENDA**

Trustee Harmon moved for the following items to be pulled from the Consent Agenda, Draft Board Minutes from November 21<sup>st</sup>, Treasurer's Report, Draft Gull Lake Sewer and Water Authority (GLSWA) minutes from December 11<sup>th</sup>, Prein & Newhof Service agreement and the Draft PC minutes from September 25<sup>th</sup>. Clerk Stage supported. The motion carried unanimously.

Trustee Harmon November 21<sup>st</sup> minutes page 4, the last line should be struck from the record. Trustee Harmon thoughts were that the account should be verified and then come back to the Board for investment approval. Attorney Thall stated that this is what we will be doing at tonight's meeting. The line was stricken. Trust Langshaw had other items to change, page 2 Fire Department Report, second to last line should be "The Department had, should be has", and to strike the last line in the Fire Department Report concerning the Grass Truck.

Trustee Harmon continued with the Prein & Newhof increase in cost to the Township. She wanted to verify that the increase costs are a pass through so the Township is not incurring unwanted cost.

Attorney Thall stated there will be charges the Township will incur directly for work the Engineers do for the Township. In the case of a ZBA or Planning Commission review it will be a pass through funded through Escrow Funds.

Trustee Harmon asked the Township Board and/or Planning Commission Board review our fee structures to make sure the Township is not incurring unwanted cost. They will update any fees associated with the Planning Commission (PC). Attorney Thall stated the Township Board must approve all fee schedules. The Board agreed to review the fee structure in the upcoming budget meetings.

Trustee Harmon requested an update on the Sherman Lake Sewer connections. Attorney Thall said thirteen (13) residents have not connected as of November. In November, Attorney Thall sent them letters by certified mail and they have 90 days to connect. If they do not Ross Township can take legal action to have them connect. Of the thirteen letters sent, five (5) have been served, the other eight (8) are still out for delivery with the USPS. Of the five that have been served, if they do not connect, we can take legal action starting in February. Trustee Harmon states s-in the GLSWA meeting minutes John Crumb was going to have their Attorney get involved in the matter. She asked Attorney Thall if the Township could be impacted by GLSWA's action. Attorney Thall stated he does not know what GLSWA is pursuing, because they have not communicated with him. Trustee Harmon asked if the cost incurred by the Township could be passed on to the residents involved. Attorney Thall stated that we could ask the court to assess the cost to the residents; it is up to the discretion of the judge.

Trustee Harmon asked the status of The Bluffs occupancy. Attorney Thall stated they are not occupied at this time. Trustee Harmon continued that this ties into the PC minutes of September 25<sup>th</sup>, on page 5 under Public Comment a resident spoke about the removal of trees on the development site as well as off-site trees. She wanted to know if there was something the Township could do from an Ordinance stand point. Attorney Thall stated The Bluffs were submitting a new site plan to Rebecca Harvey & AGS, but he did not know where that was in the process. Landscape plans are part of the site plan; they must adhere to the site plan and if they did not that could be a violation on their part. The removal of neighbors' trees becomes a civil violation and the Township would have not part in that case.

Trustee Harmon asked Treasurer Wiersma to walk the Board through her report in the packet r. She is still reviewing all the accounts and updating them in BS&A so the reports reflect what is in the accounts.

Trustee Harmon stated if no one else has any other comments she moves forward to approve the Consent Agenda. Supervisor Hutchings stated there was a motion and support, The motion carried unanimously.

## **PUBLIC COMMENT**

Supervisor Hutchings opened Public Comment at 6:30 p.m.

Phoebe Moreo – Ross Township Community Volunteer, she has worked with the Township for over a year to change our payroll system, reconciling our bank accounts and developing a budget plan.

Attorney Thall added when they review site plans for commercial development, it is required they retain all water on site.

Supervisor Hutchings closed Public Comment at 6:39 p.m.

## **Police, Fire Committee Reports**

### **Police Department – Chief Brown**

Fared well with no accidents this past weekend. Chief Brown and the Fire Department responded to a single car accident on E Gull Lake Dr. near the Township Park. Supervisor Hutchings thanked the Chief for his photos from the field and stated she will help him post them to Police Department's area of the Township website.

Chief added there has been an increase in Resident checks in December. When Mary Carol receives the request form Residents, she forwards them to the Chief.

Ross and Richland Police Department assisted with a funeral that required traffic control getting the family to the cemetery on 42<sup>nd</sup> St.

Trustee Sulka asked about our relationship with the County, Chief indicated the relationship is strong, and that they handle most of the night incidences.

Chief is currently working on a counterfeit situation with the FBI. Also, recovered stolen items from residents on C Ave and 46<sup>th</sup> St with the assistance of the KCSD

**Life Care – Steve Frisbee** handed out response packet by the Ambulance service from October – December 2023. The handout shows things have not slowed down; their call volume has stayed steady. The reports they receive from the field help in reviewing their training protocols, making sure that the Paramedics have the training required to respond to a call.

**Fire Department – Chief Bogema** From 2021 to 2022 the number of calls increased 1%. Over the last year the calls have double from the previous year. The Township may consider a review to see if a full time Chief and Assist Chief is necessary. There was a fatal crash on M 89 east of 43<sup>rd</sup> St. The accident on E Gull Lake Dr., a probationary Firefighter with guidance from Chief, helped extricate the victim out of the car and on a back board and in the ambulance with in 5 minutes. Jake, and Rob do a great job and need a round of applause for the training they do with the Firefighters. The Department is waiting for Grant Money to come in. They did not get the DNR grant this year.

### **Old Business**

Supervisor Hutchings stated we will be reviewing the View Shed and Noise Ordinance in the Spring, with Attorney Thall's input.

### **New Business**

Supervisor Hutchings gave a review of the first line item. Which pertain to action taken by the Board to move items from the old Clerk's office to Supervisor Hutchings and now we need to undo that action. The floor to was handed Trustee Bekes

Agenda Item: Employee Personnel Files; Employee Benefits; FOIA

Motion: Trustee Beke moved to assign the duties of keeping employee personnel files up to date and managing employee benefits to Clerk Stage. Employee Benefits are described as Health Insurance, Pension, and HSA accounts. As Health Insurance will cease as of February 1, 2024, Clerk Stage will file the necessary cancellation forms for BCBS health insurance and the subsequent HAS. Clerk Stage would also enroll and manage contributions for Pension under One America and any unemployment cases that may arise in the future. Supervisor Hutchings would continue to handle all Workers Compensation claims, as this benefit is considered a State employee benefit. This motion is to reverse the prior board action of moving said responsibilities to Supervisor Hutchings in 2023 when it was determined to be in the best interest of the Township for unforeseen reasons that are no longer impacting our Township.

Motion as Amended: No amendments added.

Moved by: Trustee Bekes

Seconded by: Trustee Langshaw

Trustee Harmon asked Clerk Stage if there was any issue with taking these responsibilities back, the Clerk responded no. Supervisor Hutchings will assist in the transfer back to the Clerk.

Vote result:

Roll Call Vote, if necessary:

Sulka	Yes
Harmon	Yes
Stage	Yes
Langshaw	Yes
Wiersma	Yes
Bekes	Yes
Hutchings	Yes

The motion carried unanimously.

Agenda Item: Employee Benefits

Motion: Trustee Bekes moved to approve Clerk Stage to investigate and determine if a 457 (b) plan through OneAmerica, the Township's 401 (a) plan provider, is an appropriate benefit for our Ross Township employees. If she deems the 457 (b) plan is an appropriate benefit, the board approves up to \$1000/year for plan compliance review by Newport Group (currently estimated at \$600/year) and gives Clerk Stage authority to move forward with onboarding the benefit with OneAmerica and managing the respective communication of the benefit to all employees. There is no cost for the plan with OneAmerica. One caveat to this motion is if Clerk Stage finds the benefit appropriate but elects to onboard the plan outside of OneAmerica, she will need to

return to the board for further authority if the costs for the plan and compliance review are above the \$1000 approved amount.

Motion as Amended:

Moved by: Trustee Bekes

Seconded by: Treasurer Wiersma

Trustee Bekes added that a 457 is like a 401K plan.

Vote result:

Roll Call Vote, if necessary:

Sulka	Yes
Harmon	Yes
Stage	Yes
Langshaw	Yes
Wiersma	Yes
Bekes	Yes
Hutchings	Yes

The motion carried unanimously.

Clerk Stage made a motion to the Board to change the payroll from a 24-weeks to a 26-weeks yearly payroll. This will change the amount that salary employees get in their check each payroll, because it is spread over 26 weeks and that Basic will charges for two more payrolls a year. This will simplify the way payroll is done to every other Wednesday. Trustee Bekes supported the motion. The motion carried unanimously.

Treasurer Wiersma made a motion as follows:

Whereas, MCL 211.44 allows the Township Board to designate a Deputy Treasurer or other individuals acting on behalf of the Township Treasurer, who serves the Township as an employee or elected official, to be in the Township Office on the designated days for the collection of taxes: and

Whereas, the Township Board wishes to identify designees who, in addition to the Township Treasurer, may collect taxes on behalf of the Township.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. The following designees or Township positions shall be identified as authorized designees of the Township, in order to collect and receive taxes.
  - a. Deputy Treasurer
  - b. Mary Carol Wilkins
  - c. Mary Stage
2. All resolutions or parts of resolutions in conflict with this Resolution are hereby repealed.

Motion made by Treasurer Wiersma. Trustee Sulka supported.

Roll Call Vote, if necessary:

Sulka	Yes
Harmon	Yes
Stage	Yes
Langshaw	Yes
Wiersma	Yes
Bekes	Yes
Hutchings	Yes

The motion carried unanimously.

Treasurer Wiersma continued stating that the Township's investment policy would need to be reviewed by Attorney Thall if we are going to move forward with some of the investment options we are considering. Attorney Thall will review the policy and bring back to the Board in February. However, if the fund is covered under the policy the Treasurer and Clerk can move the funds into the MI CLASS Account.

Treasurer Wiersma made a Resolution to make MI CLASS as one of Ross' investment vehicles. Supervisor Hutchings supported.

Roll Call Vote, if necessary:

Sulka	Yes
Harmon	Yes
Stage	Yes
Langshaw	Yes
Wiersma	Yes
Bekes	Yes
Hutchings	Yes

The motion carried unanimously.

Clerk Stage made the motion to move Precinct 2 from the Yorkville Church to the Ross Township Office. Trustee Langshaw supported. This move would save time and money for the Township. Also, make handling issues during election time easier. The move will begin with the election following the February President Primary Election.

The motion carried unanimously.

Supervisor Hutchings asked Clerk Stage if she would like to move forward with the Vendors approval list. Clerk Stage did not have the list with her to review with the Board. Trustee Harmon asked if we are approving Vendors or checks. Trustee Bekes explained that during the audit it was suggested the Board approve common regular services and Vendors so they can be paid without ~~our~~ delay. Trustee Harmon asked if we could review the list at our February budget meeting. Clerk Stage say she could have the list ready for that meeting. We will discuss how the Board will handle this matter at the Budget Workshop next month.

Agenda Item: Cemeteries Perpetual Care Funding

Motion: I move to fund the Perpetual Care Fund (PCF) per the results of the 2023/2024 audit. Specifically, the Township needs \$101,084.70 in the PCF to become compliant to the promises to plot purchasers since 1965. This motion may be redundant in respect to an unsuccessful search for prior record of a Township PCF resolution. This motion is made in good faith to capture the promises of the prior 59 years of plot sales and will be managed with all PCF monies collected at the time of sale added to this \$101,084.70 PCF in the future. Any interest earned or investment income generated through investment of the PCF will be earmarked for cemetery care expenditures going forward. The current PCF was listed at \$40,510.10 as of 11/21/2023.

Motion as Amended:

Moved by: Trustee Bekes

Seconded by: Supervisor Hutchings

Discussion – Trustee Harmon stated that when the Township used money for the Perpetual Care Fund to do maintenance at the Cemeteries in previous year the Board had the understanding the Township is held to the same law as a Private Entity. Private Entities can only use the interest from a Perpetual Care Fund for maintaining Cemeteries. she thought a Township could those monies to maintain the Cemetery.

Attorney Thall agreed. However, if the Board decides with this motion to only use interest from the Perpetual Care Fund for maintaining the Cemeteries; that is how the Township will proceed.

Trustee Harmon suggested that if the Board decides to make the Fund whole ~~at~~, we do it in increments of \$6000.00 and not a lump sum and that decision can be made during our Budget meeting next month. It was a promise made and we have maintained the Cemeteries.

Supervisor Hutchings and Trustee Bekes believes the funds should be move immediately.

Vote result:

Roll Call Vote, if necessary:

Sulka	No
Harmon	No
Stage	Yes
Langshaw	Yes
Wiersma	Yes
Bekes	Yes
Hutchings	Yes

The motion carried 5 to 2.

**Set Budget Workshops & Public Hearing for 2024**

The Board set the date of Thursday, February 8, 2024 starting at 6:00 p.m. Clerk Stage will provide the Board with an updated Budget through January, 2024.

Attorney Thall suggested when we post the Special Meeting Agenda, it states a Budget Workshop and Associated Motions.

### **Second Citizen Comment**

Drain Commissioner stated that he did not think we could change our pay scale, the Township is not changing the pay scale only the number of pay periods. Clerk Stage will check with Jeff Rood.

### **Trustee Update**

Supervisor Hutchings stated the boiler is on it last leg, we need to purchase a sensor for the floor to prevent a flood situation. Trustee Sulka motion that Supervisor Hutchings could spend up to \$1,000.00 for the sensor. Trustee Harmon supported.

The motion carried unanimously.

### **Adjournment**

Trustee Harmon motion to adjournment at 8:10 p.m. Support by Clerk Stage.

The motion carried unanimously.