

Ray Township Board of Trustees  
Meeting Minutes  
Tuesday, October 18, 2016 at 7:30 p.m.

Location: Ray Township Hall  
64255 Wolcott, Ray, Michigan 48096

Present: Charles Bohm, Supervisor  
Paula Artman, Clerk  
Douglas Stier, Treasurer  
Betty Grader, Trustee  
John Zoccola, Trustee

Also present - 23 residents.

**1. CALL TO ORDER – PLEDGE OF ALLEGIANCE AND ROLL CALL**

Supervisor Bohm called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited. Supervisor Bohm, Clerk Artman, Treasurer Stier, Trustee Grader, and Trustee Zoccola present.

**2. APPROVAL OF AGENDA –**

**MOTION by Mr. Zoccola to approve the agenda as presented, supported by Ms. Artman. Motion carried.**

**3. PUBLIC COMMENTS – none.**

**4. CORRESPONDENCE -**

a. **Richmond Lenox Monthly Report** – Ms. Artman read the report stating there were 10 runs, and they transported for three months 499 people on the SMART connector. Report available upon request.

b. **Letter from the Friends of Ray Township Library and Historical Society.** Ms. Artman read the letter including upcoming events. Next meeting is November 10, at 6 p.m. at the library, encouraging all to attend. Heritage Oakes event is October 27 from 6-8 p.m. the 2017 Calendar titled “Destination: Ray Township will be released during the After Hours Debut, calendars available for \$10. The event is \$15/person, \$25/couple, includes the calendar. Full report available.

**MOTION by Mr. Stier to receive and file the correspondence from October 19, 2016, supported by Ms. Grader. Motion carried.**

**5. APPROVAL OF MINUTES -** Mr. Bohm and Ms. Grader made minor corrections to the two sets of minutes.

**September 20, 2016 – Motion by Mr. Zoccola to approve the minutes as amended, from September 20, 2016, supported by Mr. Stier. Motion carried.**

**October 4, 2016 – Motion by Mr. Zoccola to approve the minutes as amended, from October 4, 2016, supported by Ms. Grader. Motion carried.**

**6. APPROVAL OF BILLS –** Mr. Stier stated there is an amendment to the Huntington National Bank bill originally \$4,224.66, reducing the bill to \$2,877.66.

**MOTION by Ms. Artman to approve the bills paid through October 6, 2016, as amended, totaling \$296,582.35, supported by Mr. Stier. Motion carried.**

**7. OFFICER’S REPORTS –**

**a. Supervisor –**

- Mr. Bohm said he prepared a list of the committee members for the year beginning January 1.
- A proposal has been received for a tower from Macomb County for emergency communications on the property where our current storage building is. Mr. Bohm has forwarded the agreement to the attorney; upon completion will be part of the Board Agenda. The County will be going to the Planning Commission for approval. Five towers will be built in surrounding this area.
- A second complaint was received concerning the Visnick Kennel. A letter has been written to them for them to come to the Planning Commission.
- A complaint was received in regard to Heritage Oakes building. They are hosting events, without adequate parking. Discussion followed regarding events held in their barn.

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Ms. Grader questioned the list of committee members. Mr. Bohm referred to the list of committee appointments of new officers.

Discussion continued concerning the new tower. Mr. Bohm clarified the location of the tower. Ms. Artman said it is to help with emergency calls reception. Mr. Bohm advised they will be coming to the Planning Commission in November. Discussion continued regarding the pole and the amount paid to the Township will be paid from the county. Mr. Bohm stated it will be approximately \$18,000. This is a communication tower, and the lease agreement is being reviewed by the attorney. Mr. Bohm said this tower is proposed for our benefit. Ms. Artman said there is no cost to us.

- b. **Clerk** - Election Day is Tuesday, November 8. The office will be open the prior Saturday, November 5, from 9 to 2. You may get an absentee ballot, as long as you have voted once in person.
- c. **Treasurer** – The offices will be closed November 8, but just open for voting.
- d. **Trustees** – none

#### 8. DEPARTMENT REQUESTS/REPORTS

- a. **Assessing** – Mrs. Timm submitted a letter regarding her continuing education class she attended on September 15 regarding Computer Assisted Mass Appraisal. She now has all her credits for her assessing license approved. Ms. Artman commented she should follow the procedure as outlined in the employee manual, with prior approval by the Board. Also Mrs. Timm reported the property located at 60505 North Avenue, was sold for \$95,394. The new owner has met with Mr. Bohm and he plans to fix the house up.
- b. **Building Department** – Permits, Residential Finals and Temp Occupancy Report – Mr. Bohm summarized the monthly report dated 10/4/16. The amount collected was \$5,219 for 15 permits. The grand total construction value is \$947,840.
- c. **Fire Department Report** – Mr. Bohm read the report for September, detailing: 28 calls: 2 personal injury accidents, 3 motor vehicle accidents, 1 car fire, 2 barn/bon fires, 2 wires down, 1 lift assist, 1 burn complaint, 1 Mutual Aid to Lenox Township, 1 barrel fire, 1 pole barn fire, 1 emergency in a pond and 12 medical calls. Report available upon request.
- d. **Library Report** – The detailed report is available upon request.
- e. **Recreation Report** –The Trunk or Treat will be held Friday, October 21 and the Christmas tree lighting on December 7.
- f. **Budget Report** –The percentage to look at is 41%. The budget modifications approved last month have not been included yet. The September report will include them. If you have any questions, please call Doug or Mr. Bohm.

**MOTION by Mr. Stier to receive and file the department requests and reports as presented at the meeting of September 20, 2016, supported by Mr. Zoccola. Motion carried.**

#### 9. UNFINISHED BUSINESS

- a. **Taylor Blight** –Mr. Bohm said the Board voted to take this matter to Circuit Court. We have been advised by our attorney the Taylor's are in bankruptcy Court and no additional filing will be accepted by Circuit Court. A misdemeanor blight action has been filed in District Court.

**MOTION by Mr. Stier to table 9a, Taylor Blight, supported by Mr. Zoccola. Motion carried.**

- b. **Businesses in Residential Areas** -

Mr. Bohm advised a work session was held on this matter a week ago. He said the Board was sent a memo regarding what the attorney advised on how to proceed in this matter. Mr. Bohm explained if we choose to proceed, we will have to prepare a consent judgement with those businesses that are listed operating in residential zoning, have the attorney do a title search, and prepare a report on this. There are 12 businesses on the list. Mr. Bohm asked for a motion to go forward to have the attorney prepare a letter for this procedure with these businesses.

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Kevin Brown inquired about the businesses on the list. He asked how they were obtained, and if the internet was used. Discussion continued regarding the list obtained. Mr. Constantine asked for the list of businesses. Mr. Bohm read the list of 12 businesses.

Mr. Bohm explained we started with 40 businesses, picked by our planners and the attorney. He explained it is now down to these 12 businesses. The procedure started six to eight months ago.

Ms. Artman said we are talking about a consent judgement; one will be prepared for each individual business. Some will be simple and quick, some more difficult.

Mr. Zoccola said we are trying to make an agreement when their business ends; it will not go with the property. He said there may be more businesses. Mr. Bohm said Lisa has spent much time researching the businesses.

Ms. Grader read to the Board her input: "We acknowledge that this business, (the twelve on this list), in an effort to resolve the issue, so that both parties can move forward, without any further contact, Ray Township is interested in pursuing a consent judgement as to the nonconforming use at this address. We are not interested in taking anyone to court, and we wish to set up a meeting to pursue a mutual consent judgement."

Ms. Grader stated these people are our constituents, our neighbors.

Ms. Grader recommended, "The owner/operation will not increase; will not continue after the death of the current owner/operator. Further, the property cannot be sold as zoned commercial. And the Township of Ray will not obstruct or contact the owner/operator." Ms. Grader said the idea of these consent judgements are to simply recognize them, with conditions, sign and record them. She never understood adding other suggestions of Christine Anderson. Mr. Bohm said they are just suggestions of the attorney. We could have another work session to discuss if necessary.

Ms. Grader said she would like to have input in the letter and that it should come to the Board before it goes out. Mr. Bohm said the new Board will continue the work, set up the committee, etc.

**MOTION by Mr. Zoccola to allow the Township Attorney to go forward with obtaining title searches and construct a letter to the twelve businesses listed, that would meet all the legal requirements, subject to Board approval, then to be sent to these twelve people, supported by Mr. Stier. A roll call vote was taken:**

**Mr. Zoccola:    yes**

**Mr. Stier:       yes**

**Ms. Artman:    yes**

**Ms. Grader:    yes**

**Mr. Zoccola:    yes**

**Motion carried. Vote 5-0.**

In the future, if all this goes forward, Mr. Bohm said we will have to appoint a committee to discuss these consent judgements with the businesses. Also needed is a list of the conditions. Mr. Bohm said the cost of this procedure is something that must be considered and discussed tonight. The most recent consent judge was the Kukuk consent judgement, and the cost was \$3,450, per judgement. Ms. Grader feels this may cost more.

Mr. Bohm said we will pay our attorney fees, the resident will pay for their portion.

Ms. Grader asked how much we have in our budget presently for attorney fees. Mr. Bohm said we will have to make a transfer of funds, and amend the budget. Mr. Bohm said \$12,000 is remaining. It was decided to look at the cost after the letter and title searches were completed.

## 10. NEW BUSINESS

- a. **Approval for Treasurer's and Deputy Treasurer's Training** – Mr. Stier advised he has submitted the request, and will make the discount if approved tonight. This is a one day seminar on November 30 in the amount of \$101 person.  
**MOTION by Ms. Grader to allow the Treasurer and Deputy Treasurer to attend the training session at the Bavarian Inn in Frankenmuth, in the amount of \$202, plus mileage, supported by Ms. Artman. Motion carried.**
- b. **Permission to advertise Senior Program Director Position** – Ms. Artman asked permission to establish a list of potential qualified persons for the Senior Program Director Position.  
**MOTION by Mr. Stier to allow the Clerk advertise and establish a list for the Senior Program Director Position, should the current director resign, supported by Mr. Zoccola. Motion carried.**
- c. **Approval of 2016 Recreation Committee By-Laws** – Mr. Stier commented they have been submitted to the Board for their review. The changes are adding the two additional members, from 5 to 7 members, updating wording within the bylaws, and changing the term expiration date to December 31.  
**MOTION by Mr. Stier to approve the 2016 Recreation Committee By-Laws as presented, supported by Ms. Grader. Motion carried.**
- d. **Letter from Michigan Department of Treasury – Corrective Action Plan** – Mr. Bohm said there has been a letter written in response to the State of Michigan's letter explaining the plan that will be implemented. Discussion followed concerning the budget modifications and notifications in the future. Mr. Bohm will forward a copy of the letter to each Board member for their information.  
**MOTION by Mr. Stier to table Item 10d. Letter from the Michigan Department of Treasury – Corrective Action Plan for their approval, supported by Ms. Artman. Motion carried.**
- e. **Request from Richmond Lenox EMS** – Richmond Lenox has asked to store their special operations trailer in Ray Township's Fire Storage building from November 1, 2016 to April 1, 2017, for \$250/month. They will maintain their own insurance through the Michigan Township Participation Plan.  
**MOTION by Mr. Zoccola to approve Richmond Lenox E.M.S.' request to store their special operations trailer in Ray Township's Fire Storage Building from 11/1/16 to 4/1/17, for \$250/month, and they will maintain their own insurance. Motion supported by Ms. Artman. Motion carried.**
- f. **Priest Drain Cleanup** – Mr. Bohm said this was advertised again, and we have one bid to clean the Priest Drain. The bid is from Erth-Con Excavating, Inc. in the amount of \$7,800.  
**MOTION by Mr. Zoccola to accept the bid from Erth-Con Excavation, Inc. in the amount of \$7,800 to clean out the sediments in the Priest Drain, based on the specifications in the bid, supported by Ms. Artman. Motion carried.**

## 11. PUBLIC COMMENT

- Bill Kehrer, 20015 30 Mile Road**, commented he felt it was important to have the tree lighting service on December 7. Decoration of the tree was discussed and the costs incurred. Mr. Kehrer commented on the Deputy Treasurer appointment and the residency of the Treasurer.
- Ed Constantine, 22600 29 Mile Rd.**, commented now that there is a deputy treasurer, hoping when the treasurer is not in the deputy will be present in the office. He also asked about real estate owned by the Township and the intent to do with these parcels. Mr. Bohm said it will be discussed shortly by the Board. The decision put to the board for the property is to use it for a fire station and/or parks.
- Jan Almada, 21211 31 Mile Rd.**, asked about an increase on her trash bill, and inquired if it was due to gas prices. She said gas prices are lower and she is inquiring why it is increased. Mr. Bohm said it is an annual escalator. Ms. Artman will get the information for Ms. Almada.

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**Kevin Brown** inquired if the Board had a problem with the Lion's Club soliciting. Mr. Bohm said it's between the state police and the county. Discussion followed. Mr. Bohm said the Board does not have authority to give the Lions permission; the Lions Club is at risk.

**12. ADJOURNMENT**

**MOTION by Mr. Stier to adjourn the meeting at 9:18 p.m., supported by Ms. Grader. Motion carried.**

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**Charlie Bohm, Supervisor**

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**Paula Artman, Clerk**

\_\_\_\_\_  
**Date**

**Respectfully submitted,  
Marcia Jamroz, Recording Secretary**