

RAY TOWNSHIP TOWSHIP BOARD OF TRUSTEES  
MEETING MINUTES  
TUESDAY, NOVEMBER 21, 2017 AT 7:30 P.M.  
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Location: Ray Township Hall  
64255 Wolcott. Ray, MI 48096

Present: Joe Jarzyna, Supervisor  
Lori Lascoe, Clerk  
Doug Stier, Treasurer  
Charlie Bohm, Trustee  
Betty Grader, Trustee

1. CALL TO ORDER – PLEDGE OF ALLEGIANCE AND ROLL CALL.  
Supervisor Jarzyna called the meeting to order at 7:30 p.m. The Pledge of Allegiance was recited. All members were present.
2. APPROVAL OF AGENDA: Added: 10.) n. Recreation Depart. Request to donate Sponge Bob Costume.  
10.) o. Library request for Building Use – May 12<sup>th</sup>, 2018  
10.) p. K9 & Kompany 4-H Club Request for Building Use – 2018.  
**MOTION by Bohm supported by Stier to approve the agenda as amended.**  
**MOTION carried.**
3. Correspondence: None.
4. PUBLIC COMMENTS: Supervisor Jarzyna asked anyone that would like to speak to come to the podium and state their name and address.  
  
Suzanne Graham, 63600 Indian Trail stated for the past ten years she participated in in the Wednesday exercise group and requested to be able to use the room and tv with their own exercise DVDs until a new instructor is hired.
5. APPROVAL OF MINUTES – October 17, 2017 & November 1, 2017  
**MOTION by Bohm supported by Grader to approve the minutes from October 17, 2017 as presented.**  
**MOTION carried.**  
  
**MOTION by Bohm supported by Lascoe to approve the minutes from November 1, 2017 as presented.**  
**MOTION carried.**
6. APPROVAL OF BILLS  
Stier stated the bills list through November 13, 2017 totaling \$87,622.87. Grader questioned the petty cash receipt. Bohm questioned the Goike Excavating. Jarzyna stated the work has been completed for the clean out of the Priest Drain.  
  
**MOTION by Stier supported by Lascoe to approve the bills list dated November 13, 2017 for \$87,622.87.**  
**MOTION carried.**
7. OFFICER’S REPORTS
  - a. Supervisor Jarzyna announced there will be a workshop meeting held on Wednesday, December 13, 2017 at 10:00 a.m. with a presentation from Anderson Eckstein & Westrick (AEW) and the Township Attorney for the proposed sewer pursuant to the consent judgment for the Four-Star Development at 26 Mile Road, to alleviate the batch plant, i.e., waste water treatment plant. Further stated the meeting is open to the public for anyone to attend.

- b. Clerk Lascoe reported on October 30<sup>th</sup>, 2017, the reimbursement check from CDBG was received for the Senior Hand Rail for \$2,990.00.

Lascoe thanked the election works for working the Armada Area School election on November 7, 2017. She stated 99 absentee ballots were issued and 95 absentee ballots were returned. 105 voters voted at the poll with a 21.9% voter turn-out.

- c. Treasurer Stier announced winter tax bills will be in your mailbox on December 1, 2017.
- d. Trustee Bohm had nothing to report.

Trustee Grader asked when the 29 Mile Road bridge over the Camp Brook Drain would be open.

Jarzyna stated the bridge should be open by December 5, 2017.

8. DEPARTMENT REQUEST/REPORTS

- a. Assessing
- b. Budget Report
- c. Building Department
- d. Fire Department Report
- e. Library Report
- f. Recreation Report
- g. Senior Report
- h. SMART/Richmond Lenox EMS Report.

Jarzyna reviewed the department reports for October 2017.

**MOTION by Lascoe supported by Stier to receive and file the Department Requests/Reports for October 2017.**

**MOTION carried.**

9. UNFINISHED BUSINESS

- a. Businesses in Residential Areas – Jarzyna reported the Township Attorney has approved the letter and he talked with her and the Planner and they recommended mailing the letter to the residents the first week of the new year.

**MOTION by Bohm supported by Lascoe to Table 9.) a. Businesses in Residential Areas to the next meeting.**

**MOTION carried.**

- b. Park Lighting and Security – Stier reported DTE added shields to the lights in the parking lot and he met with the neighbor and they are satisfied. He stated regarding security there has been discussion to budget next year for a gate. Further recommended removing the item from the agenda.

**MOTION Stier supported by Bohm to remove 9.) b. Park Lighting and Security from the agenda.**

**MOTION carried.**

- c. Bid for Clean out of Private Property for Priest Drain – Jarzyna reported the work has been completed for the clean out of the private property for the Priest Drain, which involved removal of the trees, brush and sediment affecting the natural flow of the drain of approximately 1,275 feet in length. Further stated he inspected the site and stated the job is complete.

**MOTION by Bohm supported by Lascoe to remove 9.) c. Bid for Clean out of Private Property for Priest Drain from the agenda.  
MOTION carried.**

d. CDBG Library ADA Door Opener – Lascoe reported the bid opening was to be held Wednesday, November 15<sup>th</sup>, 2017 but no bids were received. She stated possibly no bids were received since it was opening day of hunting season. She requested authorization to re-advertise the job and advertise on MITN.

**MOTION by Bohm supported by Lascoe to authorize the Clerk to re-advertise for the CDBG Library ADA Door Opener and to advertise on MITN.  
MOTION carried.**

Grader stated regarding businesses in residential areas. She would like to see the generic consent judgment the Township Attorney has proposed, and she would put her comments in writing.

#### 10. NEW BUSINESS

a. Request to Adopt Resolution Poverty Exemption Asset Test – Resolution Number 2017-09  
**The following preamble and resolution were offered by Bohm and supported by Lascoe.**

**The local unit policy must include an asset test. The purpose of an asset test is to determine the resources available: cash, fixed assets or other property that could be converted to cash and used to pay property taxes in the year the poverty exemption is filed. The local unit should require that claimants provide a list of all assets when applying for a poverty exemption. Following is a list of assets that may be included in the annual guidelines.**

- A second home, land, vehicles
- Recreational vehicles such as campers, motor-homes, boats and ATV's
- Buildings other than the residence
- Jewelry, antiques, artworks
- Equipment, other personal property of value
- Bank accounts (over a specified amount), stocks
- Money received from the sale of property, such as, stocks, bonds, a house or car (unless a person is in the specific business of selling such property)
- Withdrawals of bank deposits and borrowed money
- Gifts, loans, lump-sum inheritances and one-time insurance payments
- Food or housing received in lieu of wages and the value of food and fuel produced and consumed on farms
- Federal non-cash benefits programs such as Medicare, Medicaid, food stamps and school lunches

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the Supervisor/Assessor and Board of Review shall resolve that the asset level test shall meet the following requirements:

**The total value of cash and non-cash assets in the homestead may not exceed \$10,000; excluding the homestead property and one vehicle used for personal transportation.**

**For this Resolution: Yes: Bohm, Lascoe, Stier, Grader, Jarzyna.  
No: None.**

**RESOLUTION DECLARED ADOPTED.**

b. Request to Adopt Poverty Exemption – Resolution Number 2017-10  
**The following preamble and resolution were offered by Stier and supported by Lascoe.**

**WHEREAS**, the adoption of guidelines for poverty exemptions is required of the Ray Township Board; and

**WHEREAS**, the principal residence of persons, who the Supervisor/Assessor and Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u);

and

**WHEREAS**, pursuant to PA 390 of 1994, the Township of Ray, Macomb County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year;

To be eligible, a person shall do all the following on an annual basis:

- 1) Be an owner of and occupy as a principal residence the property for which an exemption is requested.
- 2) File a claim with the supervisor/assessor or Board of Review, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns filed in the immediately preceding year or in the current year or a signed State Tax Commission Form 4988, *Poverty Exemption Affidavit*.
- 3) File a claim reporting that the combined assets of all persons do not exceed the current guidelines. Assets include but are not limited to, real estate other than the principal residence, personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc.
- 4) Produce a valid driver's license or other form of identification if requested.
- 5) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
- 6) Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services or alternative guidelines adopted by the governing body providing the alternative guidelines do not provide eligibility requirements less than the federal guidelines.
- 7) The application for an exemption shall be filed after January 1, but one day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

The following are the 2017 federal poverty income guidelines which are updated annually by the United States Department of Health and Human Services. The annual allowable income includes income for all persons residing in the principal residence.

Federal Poverty Guidelines Used in the Determination of Poverty Exemptions	2017 Poverty Guidelines
Size of Family Unit	
1	\$ 11,880
2	\$ 16,020
3	\$ 20,160
4	\$ 24,300
5	\$ 28,440
6	\$ 32,580
7	\$ 36,730
8	\$ 40,890
For each additional person	\$ 4,160

NOW, THEREFORE, BE IT HEREBY RESOLVED that the supervisor/assessor and Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption, unless the Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these reasons are communicated in writing to the claimant.

**For this Resolution: Yes: Stier, Lascoe, Grader, Jarzyna, Bohm.**

**No: None.**

**RESOLUTION DECLARED ADOPTED.**

10. c. Request Approval and Agreement with Macomb Intermediate School District to collect summer property tax  
Stier stated MISD is requesting acknowledgement from the Board to have Ray Township collect the summer tax bills.

**MOTION by Stier supported by Lascoe to Approve the Agreement with Macomb Intermediate School District to collect the summer property tax levy pursuant to the Resolution.**

**MOTION carried.**

- d. Request to Adopt Resolution to Oppose the 3% Late Penalty Fee for Tax Collection – Stier stated the Township could charge residents a 3% late penalty fee on all taxes collected after February 14 and before March 1<sup>st</sup>, The Township has always opposed the penalty fee because we collect the administration fee.

**The following preamble and resolution were offered by Stier and supported by Bohm.**

**WHEREAS, The Township Ray, Macomb County, Michigan is responsible for the assessing of ad valorem property taxes, the collecting of property tax levies and the handling of review and appeal matters arising there from, and**

**WHEREAS, PA 206 of 1893, MCL 211.44(3), provides for imposition of late penalty charge equal to 3% of the tax on all taxes paid after February 14 and before March 1**

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF RAY, MACOMB COUNTY, MICHIGAN THAT:**

**The Township board waives the imposition of a late penalty charge equal to 3% of the tax on all taxes paid after February 14 and before March 1.**

**RESOLUTION DECLARED ADOPTED.**

- e. Request to purchase a Utility Truck for the Fire Department – Jarzyna reported when the budget was prepared it was planned for the purchase of an F-350 Utility Truck. He stated three bids were received as follows: Imlay City Ford \$34,031.32, Suburban Ford \$37,031.19 and Romeo Ford stated they no longer participate in government bids.

Stier stated the Fire Department would give the old utility truck to the Township to replace the maintenance truck. Further stated the equipment from the utility truck would be put on the new utility truck.

Grader asked if the truck would be diesel or gas. The utility truck would be gas.

Bohm asked how the truck would be paid for. Stier stated the truck would be paid in cash from the Fire fund.

**MOTION by Lascoe supported by Stier to Approve the Purchase of an F-350 Utility Truck from Imlay City Ford in the amount of \$34,031.32.**

**MOTION carried.**

f. Senior Sit & Stitch Fundraiser Request for Building Use – March 10<sup>th</sup>, 2018 – Jarzyna stated Diana Sheldon is requesting use of the building on March 10<sup>th</sup>, 2018 from 9 a.m. – 9 p.m., with set up on Thursday afternoon.

**MOTION by Stier supported by Lascoe to Approve the Senior Sit & Stitch Fundraiser Request for March 10<sup>th</sup>, 2018 and with the building set up on Thursday afternoon at 3 p.m. – 8 p.m.**  
**MOTION carried.**

g. Discuss Hiring & Compensation for Fitness / Exercise Instructor – Stier reported the current Fitness Instructor no longer wants to teach the Wednesday evening class since it begins a 7:30 p.m. He stated he has contacted Macomb Community College to see if they have an intern that would be interested in the position. He asked the Board on direction on compensation, hiring an employee or having a contract employee.

Jarzyna suggested the salary compensation as the Senior Fitness Instructor as an employee otherwise a contract employee would have to provide workman's compensation liability insurance.

**MOTION by Stier supported by Grader to begin the recruitment process for a Wednesday evening Fitness / Exercise Instructor.**  
**MOTION carried.**

**MOTION by Bohm supported by Stier to Table 10.) g. Discuss Hiring & Compensation for Fitness / Exercise Instructor to the next meeting.**  
**MOTION carried.**

h. Exercise Group for Building Use Request for Wednesday Evening – Jarzyna stated Suzanne Graham is requesting use of the room on Wednesday evenings from 7:30 p.m. – 8:30 p.m. for exercise using the tv and bringing in her own DVDs.

**MOTION by Stier supported by Lascoe to Approve the Exercise Group for Wednesday evenings from 7:30 p.m. – 8:30 p.m.**  
**MOTION carried.**

Discussion was held the applicants would sign out a key for use of the building.

i. Request to purchase Anti-Spam Subscription – Stier stated the request is to purchase a monthly subscription for anti-spam for email to protect with a tighter filter of viruses. Further stated it is a monthly fee of \$31.00.

**MOTION by Stier supported by Bohm to Approve the Anti-Spam Subscription with domain service, e-mail account services from SYO Computer Engineering Services.**  
**MOTION carried.**

j. Request to Approve 2018 Statutory Public Notice Meeting Schedule – Jarzyna stated the Armada, Bruce and Washington Townships all begin their meetings at 7:00 p.m.

Grader stated she prefers 7:30 p.m. to give residents an opportunity to get home from work to be able to attend the meeting.

**MOTION by Stier supported by Lascoe to Approve the 2018 Statutory Public Notice Meeting Schedule with all meetings for 2018 to begin at 7:00 p.m.**

**FOR THIS MOTION:     Yes: Stier, Lascoe, Bohm, Jarzyna.  
                              No: Grader.**

**MOTION carried.**

k. Request to Approve 2018 Legal Holiday Policy as Employee Manual – Jarzyna stated the legal holidays are according to the employee manual.

**MOTION by Bohm supported by Stier to Approve the 2018 Legal Holiday Policy as Employee Manual.  
MOTION carried.**

l. Supervisors recommendation of appointment to the Planning Commission – Jarzyna stated he interviewed several candidates for the opening and recommended the appointment of Justin Marberg to fill the remaining term of Tom Hancock, expiring January 1, 2020.

**MOTION by Bohm supported by Stier to Approve the Supervisors recommendation and Appoint Justin Marberg to the Planning Commission filling the remaining term of Tom Hancock with his term ending on January 1, 2020.  
MOTION carried.**

m. Township owned property status for 2018 – Jarzyna stated the Assessor is requesting the Boards status for the Township owned property.

**MOTOION by Bohm supported by Stier to keep the Township owned parcels off the Tax Roll for 2018.  
MOTION carried.**

n. Recreation Department Request to Donate Sponge Bob Costume – *Added to the Agenda*  
Stier stated the Recreation Leader is requesting to donate the Sponge Bob Costume at this time and since it is Township owned it would require Board action. He stated he contacted Ray and Shelby Township Libraries and they did not want the costume. He stated the Royal Oak Library would happily take the donation.

**MOTOION by Stier supported by Grader to donate the Recreation Departments Sponge Bob Costume to the Royal Oak Library.  
MOTION carried.**

o. Library Request for Building Use for May 12, 2018 – *Added to the Agenda*  
Jarzyna stated the Library and the Historical Society are requesting to conduct a Trunk to Treasurers event on May 12<sup>th</sup>, 2018 in the building and the three pavilions from 10 a.m. – 2 p.m.

**MOTOION by Stier supported by Grader to Approve the Library Request for the Building Use on May 12, 2018 including the three pavilions.  
MOTION carried.**

p. K9 & Kompany 4-H Club for Building Use for 2018 - *Added to the Agenda*

Jarzyna stated the 4H group is requesting to use the building on January 4, February 1, March 1, March 22, September 6, October 4, November 1 and December 6<sup>th</sup>, 2018 from 6:00 p.m. – 9:00 p.m.

**MOTION by Stier supported by Bohm to Approve the K9 & Kompany 4-H Club for Building Use for 2018, as requested.**

**MOTION carried.**

Discussion was held on signing out keys for the building and having the security cameras in the facility to go back and view in case there is a problem.

11. PUBLIC COMMENTS:

Michelle Kouri, 20861 30 Mile Road, asked if the Board would consider the annual burn permit as it was discussed earlier in the year. Further stated she calls the Township every two weeks to re-new her burn permit which creates additional work for the staff.

Chief DiMaria stated the Board was not in favor of the annual burn permit. Further stated he would review the issue and submit it to the Board for consideration.

Suzanne Graham, 63600 Indian Trail stated if there is an issue with keys to the building she suggested having a Board member open and close the building and remain in the facilities when the building is being used.

Bohm stated the Board received a county drain map for Ray Township and stated the map is incomplete. He stated the Priest Drain from its location on the map down to its exit into the Tupper Brook which is the portion left out in the cleanout project started back in 2000.

Jarzyna reported the map was provided from the Macomb County Drain Commissions office and the drains shown are what the County would participate in a 50-50 clean out program. Further stated he would contact Public Works regarding the Priest and Tupper Brook drains.

12. ADJOURNMENT

**MOTION by Stier supported by Grader to adjourn the meeting at 8:51 p.m.**

**MOTION carried.**

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Joe Jarzyna, Supervisor

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Lori R. Lascoe, Clerk  
Recording Secretary

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Date