Location: Ray Township Hall

64255 Wolcott. Ray, MI 48096

Present: Joe Jarzyna, Supervisor

Doug Stier, Treasurer

Charlie Bohm, Trustee

Betty Grader, Trustee

Absent: Lori Lascoe, Excused

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

Supervisor Jarzyna called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited.

Jarzyna, Stier, Bohm and Grader were present. Lascoe was excused-absence.

2. APPROVAL OF AGENDA

**MOTION by Grader supported by Stier to approve the agenda as presented.**

**MOTION carried.**

3. CORRESPONDENCES: None

4. PUBLIC COMMENTS: Supervisor Jarzyna asked anyone that would like to speak to come to the podium and state their name and address.

There were no public comments.

5. PUBLIC HEARING: Reallocation of Community development Block Grant Funds

**MOTION by Bohm supported by Grader to open the public hearing at 7:01 p.m.**

**MOTION carried.**

There were no public input regarding the reallocation of CDBG funds.

**MOTION by Grader supported by Bohm to close the public hearing at 7:02 p.m.**

**MOTION carried.**

6. APPROVAL OF MINUTES – October 16, 2018

**MOTION by Bohm supported by Grader to approve the minutes from October 16, 2018 as presented.**

**MOTION carried.**

7. APPROVAL OF BILLS

Stier stated the bills list is through November 20, 2018 in the amount of $78,326.48.

**MOTION by Bohm supported by Stier to approve the bills list dated November 20, 2018 in the amount of $78,326.48.**

**MOTION carried.**

8. OFFICER’S REPORTS

1. Supervisor Jarzyna nothing to report.
2. Clerk Lascoe report was read by Supervisor Jarzyna, as follows: For the November 6th General Election, Ray Township had a turnout of 65.9%. 604 absentee ballots were issued and 594 were returned for processing. 1,341 residents voted at precincts 1 and 2 on election day. We had more seating available for voters due to the straight party being eliminated from the ballot. The precincts were continuously busy all day. The Election Inspectors and Deputy Clerk did an outstanding job processing the voters and I would like to thank each of them for working the election.
3. Treasurer Stier nothing to report.
4. Trustee Grader stated she liked the way the voting precinct was set up on election day. She complimented Clerk Lascoe and the Deputy Clerk on the efficient use of the space of the room.

Trustee Bohm commented that the Macomb County Department of Roads did a nice job on the 29 Mile Road bridge.

**MOTION by Bohm supported by Stier to receive and file the Officer’s Report as presented.**

**MOTION carried.**

1. DEPARTMENT REQUEST/REPORTS
   1. Budget Report- Stier stated that in December there will be a need to make adjustments to the budget especially the building department budget due to the increased number of building permits and required inspections.
   2. Building Department
   3. Fire Department Report
   4. Library Report
   5. Senior Report
   6. SMART/Richmond Lenox EMS Report

Jarzyna reviewed the department’s monthly reports for October 2018.

Stier advised there was no recreation report due to the lack of activity.

**MOTION by Stier supported by Bohm to receive and file the October 2018 Department Reports.**

**MOTION carried.**

1. UNFINISHED BUSINESS
   1. Consent Judgment for Four Star Development for proposed sewer connection to Shelby Twp./Macomb Interceptor Drain Drainage District (“MIDDD”)

Jarzyna advised he and Trustee Bohm attended a meeting with Shelby township Attorneys, Engineers and Ray Township Attorney and Engineer on Friday, November 16, 2018. He stated another meeting may be held on November 30, 2018 for continued discussion.

Bohm stated the meetings are going well and all concerned are being very thorough.

**MOTION by Bohm supported by Grader to Table 10) a. Consent Judgment for Four Star Development for proposed sewer connection to Shelby Twp./Macomb Interceptor Drain Drainage District (“MIDDD”).**

**MOTION carried.**

* 1. American Tower Lease Agreement Proposal for five additional years.

Stier stated he discussed the proposed lease agreement with Erasmo Nunez, Account Manager from American Tower, the reason they want to extend the agreement until 2059 is to attract companies seeking to add co-locators to an existing antenna. Any co-locaters added to the antenna will provide additional income for the Township. Any co-located additions would have to be approved by the Planning Commission. He stated the existing tower is behind the fire station. He stated Don Maertens signed the tower lease in the late nineties ensuring the Township would receive escalating payments through the end of the lease term.

Grader stated if the Board does not agree to the lease extension American Tower could build a new tower in the Township and pay the lease fees to a private person.

**MOTION by Bohm supported by Stier to approve the American Tower Lease Agreement as presented through 2059 with a $40,000.00 signing bonus upon full-execution of extension agreement.**

**MOTION carried.**

1. NEW BUSINESS

a. Reallocate Community Development Block Grant Funds

Jarzyna recommend reallocating the $7,500.00 CDBG funds: $6,106.00 to the Minor Home Repair Program and $1,394.00 for the purchase of a G3 Defibrillator for the Senior Center from Cardiac Science Corporation.

He explained the Minor Home Repair program is for $500.00 for residents that meet the income limits and no liens would be placed on the property. He advised that Macomb Community Action would handle the application.

Stier advised the CDBG money is free for residents who qualify.

**MOTION by Stier supported by Bohm to reallocate the $7,500.00 CDBG funds as recommended $6,106.00 to the Minor Home Repair Program and $1,394.00 for the purchase of a G3 Defibrillator for the Senior Center.**

**Roll Call Vote: Yes: Stier, Bohm, Grader, Jarzyna**

**No: None.**

**Absent: Lascoe**

**MOTION carried.**

b. Request to Approve 2019 Statutory Public Meeting Schedule

**MOTION by Stier supported by Bohm to Approve 2019 statutory public meeting schedule.**

**MOTION carried.**

c. Request to Approve 2019 Legal Holiday Policy as Employee Manual

Jarzyna advised he would like to add Monday December 23, 2019 as a paid holiday for the employees.

Stier advised that many other local municipalities are closed all week during the Christmas holidays. The

office would be open on Thursday, December 26, 2019 until 5 p.m. to accept tax payments.

Grader stated that would only leave the office open one day for the residents during the week.

Stier stated the office is not busy during the holiday season.

Bohm commented that is not in keeping with the employee manual.

Jarzyna stated many communities are closed for the entire week between Christmas Eve and New Years day. The Treasurer office must be open one day to accept taxes because the Townships does not have a bank to accept tax payments.

**MOTION by Bohm supported by Stier to Table 2019 Legal Holiday Policy as Employee Manual to allow the addition of December 23, 2019 as another holiday.**

**MOTION carried.**

d. Room Request & Pavilions 1 & 2; Ray Township Public Library for Trunk to Treasures

**MOTION by Stier supported by Grader to approve the Library room request and pavilions 1 & 2 for May 31, 2019 and June 1, 2019.**

**MOTION carried.**

e. Prohibition of Marihuana Establishment Ordinance/MI Regulation & Taxation of Marihuana Act

Jarzyna stated the Township Attorney has written and reviewed the ordinance.

**MOTION by Bohm supported by Stier to adopt the Prohibition of Marihuana Establishments Ordinance No. 78, as follows:**

**TOWNSHIP OF RAY**

**MACOMB COUNTY, MICHIGAN**

**ORDINANCE NO. 78**

**PROHIBITION OF MARIHUANA ESTABLISHMENTS ORDINANCE**

**TITLE**

AN ORDINANCE to prohibit marihuana establishments within the Township of Ray and repealing any and all ordinances and/or resolutions in conflict therewith.

**THE TOWNSHIP BOARD OF THE TOWNSHIP OF RAY,**

**MACOMB COUNTY, MICHIGAN, ORDAINS:**

**SECTION 1.** **SHORT TITLE**

This Ordinance shall be known and cited as the Ray Township Prohibition of Marihuana Establishments Ordinance.

**SECTION 2. PURPOSE**

The purpose of this Ordinance is to exercise the Township of Ray’s authority pursuant to the Michigan Regulation and Taxation of Marihuana Act, MCL \_\_\_\_\_\_\_, *et. seq*. (“Act”) to prohibit the establishment and/or operation of any and all marihuana establishments, as defined by the Act, within the Township of Ray.

**SECTION 3. ENABLING AUTHORITY**

This Ordinance is adopted pursuant to, and in accordance with Section 6(1) of the Act adopted by the voters of the State of Michigan on Tuesday, November 6, 2018.

**SECTION 4. MARIHUANA ESTABLISHMENTS PROHIBITED**

It shall be unlawful to operate a marihuana establishment within the boundaries of the Township of Ray. The term marihuana establishment shall include, but not be limited to:

A. Marihuana microbusinesses;

B. Marihuana retailers;

C. Marihuana processors;

D. Marihuana secure transporters;

E. Marihuana safety compliance facilities;

F. Marihuana growers (a person licensed to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments);

G. All marihuana related businesses licensed by the State pursuant to the Act.

**SECTION 5. VIOLATION; PENALTY**

Any individual or entity that violates any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a penalty not to exceed five hundred ($500) dollars or imprisonment for a period not to exceed ninety (90) days, or by both such fine and imprisonment.

Any violation of this Ordinance shall also constitute a nuisance per se and the Township shall have the right to seek abatement of the violation at law or in equity.

**SECTION 6. REPEAL OF CONFLICTING PROVISIONS**

All resolutions, ordinances or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

**SECTION 7. SEVERABILITY**

If any section, paragraph, clause or provision of this Ordinance is for any reason held to be invalid or unconstitutional, the invalidity or unconstitutionality of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

**SECTION 8. PUBLICATION**

This Ordinance or summary thereof shall be published in a newspaper of general circulation within the Township of Ray within fourteen (14) days after adoption by the Township Board of Trustees.

**SECTION 9. EFFECTIVE DATE**

This Ordinance shall take effect thirty (30) days after the date of publication as set forth in Section 8.

**FOR THIS MOTION: Yes: Bohm, Stier, Grader, Jarzyna**

**No: None**

**Absent: Lascoe**

**MOTION carried.**

f. Request Approval Agreement with Macomb Intermediate School District to collect summer property tax.

Stier stated this is a recurring request from MISD to collect the summer taxes and approve the Resolution to Impose a Summer Property Tax Levy for MISD.

**MOTION by Stier supported by Bohm to adopt summer property tax collection for Macomb Intermediate School District.**

**Resolution to Impose a Summer Property Tax Levy**

**Macomb Intermediate School District**

**Resolution Number: 2018-08**

**WHEREAS, pursuant to P.A. 333 of 1982, a school district or intermediate school district may impose a summer property tax levy for the total or one-half of the district’s property taxes: and**

**WHEREAS, it is in the best interest of the Macomb Intermediate School District to impose a summer property tax levy to collect all of the intermediate school property taxes;**

**THEREFORE, BE IT RESOLVED that the School Board of the Macomb Intermediate School District hereby imposes a summer property tax levy to collect all of the intermediate school property taxes in each city or township in which this district is located and in which a local school district or city/township is concurrently imposing a summer property tax levy to collect those summer taxes.**

**BE IT FURTHER RESOLVED that this shall constitute a request to each such city and /or township to agree to collect the summer property tax levy imposed pursuant to this Resolution.**

**BE IT FURTHER RESOLVED that the Superintendent or his designee is authorized and directed to forward to the governing body of each such city and/or township a copy of this Resolution and request in such a matter and by such a time as necessary to ensure that they are received by the appropriate governing bodies before January 1 of the tax collection year.**

**BE IT FURTHER RESOLVED that pursuant to and in accordance with Section 1613 of the School Code, the Superintendent or his designee is authorized and directed to negotiate on behalf of this district with each such city and/or township an agreement regarding the reasonable expenses for the collection of the district’s summer property tax levy that each such city and/or township may bill pursuant to MCL 380.1611, et. seq.**

**BE IT FURTHER RESOLVED that all Resolutions and parts of Resolutions insofar as they conflict with the provisions of this Resolution are hereby rescinded.**

**BE IT FURTHER RESOLVED that this shall remain in effect until revoked by the School Board of the Macomb Intermediate School District.**

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

**No: None.**

**Absent: Lascoe**

**The Supervisor declared the resolution adopted.**

g. Resignation of Staff Assistant

Jarzyna stated the Staff Assistant has submitted her resignation due to being elected Village Clerk of Romeo.

**MOTION by Bohm supported by Grader to accept the resignation of Kathryn Trapp with deep regret.**

**MOTION carried.**

h. Request for Staff Assistant

Jarzyna stated he received a letter of interest in the position of Staff Assistant from Betsy Bart, who has filled in for that position and has been training with the previous Staff Assistant. He recommended hiring Betsy Bart for the Staff Assistant position.

Bohm asked if she is willing to accept the pay rate of the Staff Assistant? Further stated she would not receive the Deputy Clerks pay when working as the Staff Assistant.

Jarzyna stated a previous employee held both positions and kept record of hours separately.

Stier stated there are no large elections until 2020.

**MOTION by Stier supported by Grader to accept the Supervisors recommendation to hire Elizabeth Bart for the staff assistant position at the current rate of $14.00 per hour.**

**MOTION carried.**

i. Annexation of properties along 32 Mile Road, East of Powell Road

Clark Andrews, Legal Counsel for Chet Zochowski stated his client has requested the Village of Romeo annex his Ray Township property to provide water and sewer to his parcels along 32 Mile Road, east of Powell Road. He stated the Village of Romeo is supportive of the annexation and the Macomb County Board of Commissioners would like input from Ray Township.

Jarzyna stated he would like the Village of Romeo to mimic the annexation from Washington Township and annex the north side of 32 Mile Road including the Proctor Cemetery and the parcel east of the cemetery. He stated the Township would lose the Fire and Library millage for those parcels but would continue to collect the operating tax.

Bohm agreed, first and foremost the Proctor Cemetery and the parcel to the east of the cemetery needs to be included in the annexation. He stated there is no perpetual maintenance fund for the cemetery.

Jarzyna advised that the MDOT has an avigation easement over the cemetery.

Mr. Zochowski stated he is aware of the easements and MDOT has easements over his property.

Mr. Andrews stated the cemetery and the parcel east of the cemetery was not included in the request for annexation as all the parcels have to be contiguous. He stated he will advise the Village of Romeo Attorney, Mark Clark of the terms that the cemetery and parcel to the east need to be included.

**MOTION by Bohm supported by Stier to receive and file the annexation communication.**

**MOTION carried.**

j. Room Request; Bluewater Storage

Jarzyna stated Bluewater Storage is requesting to use the room to have an open house with the neighbors on December 4th, from 3 p.m. to 8 p.m.

**MOTION by Bohm supported by Stier to approve room use for Bluewater Storage on December 4, 2018 from 3:00 P.M. to 8 P.M.**

**MOTION carried.**

1. PUBLIC COMMENTS:

Michelle Kouri, 20861 30 Mile announced the 2019 Ray, Romeo, Washington Historical Society Calendar is available for sale. She stated the bottle donations can be dropped off at the library and the money collected from bottle donations will be used for the second phase for the library renovations. Further stated the library will be creating a perpetual plaque to recognize donations to the library.

Bill Kehrer asked why Wolcott Road was closed north of 30 Mile on Tuesday, November 20, 2018.

Jarzyna advised DTE was working on the power lines in the area.

Jarzyna read a correspondence from Fire Chief, Jim DiMaria advising the Fire Assistant Chief, Peter Schoenherr has decided to retire on December 31, 2018. A retirement sendoff will be held at the Fire Hall on December 19, 2018 from 5:00 p.m. to 7:00 p.m., everyone is invited to attend.

Jarzyna announced the Christmas Tree Lighting will be held on Wednesday, December 5, 2018 at 7:00 p.m. and Santa will be arriving by horse drawn sleigh.

1. ADJOURNMENT

**MOTION by Stier supported by Grader to adjourn the meeting at 8:01 p.m.**

**MOTION carried.**

Joe Jarzyna, Supervisor Lori R. Lascoe, Clerk Date

Lisa Hall, Recording Secretary