

RAY TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES
TUESDAY, FEBRUARY 16, 2021 AT 7:00 P.M.
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Location: Zoom Conference Meeting Id: Meeting ID: 597 725 0966
Password: 642075

Present: Joe Jarzyna, Supervisor
Lori Lascoe, Clerk
Betsy Bart, Treasurer
Betty Grader, Trustee
Doug Stier, Trustee

Absent: None

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES & ROLL CALL.
Supervisor Jarzyna called the Zoom meeting to order at 7:00 p.m. The Pledge of Allegiance was recited. Clerk Lascoe called roll; Jarzyna, Lascoe, Bart, Grader and Stier were present.

2. APPROVAL OF AGENDA –
MOTION by Stier supported by Lascoe to approve the agenda as presented.
FOR THIS MOTION: Yes: Stier, Lascoe, Bart, Grader, Jarzyna
No: None.

MOTION carried.

3. CORRESPONDENCES:

2-11-2021 Dolores Whiting submitted a Valentine thank you card for the surprise lunches which brought a smile to her lips and a thank you from her heart.

2-11-2021 Rosalie Debeaussaert provided a thank you card when picking up the Valentine's lunch treat. She looks forward to getting back to the senior program in some form and the exercise classes also.

2-12-2021 Valerie Matusz mailed a thank you card to the office and stated there was enough food for two meals. Further thankful to have some else provide a meal that she did not have to make herself.

2-12-2021 Paula Metz mailed a card to the office and wanted to say thank you for the meal she received. Further stated it is nice to know there are still good people who think of others and not just themselves.

Lascoe announced that Richmond Lenox EMS vaccines will be provided for covid-19 with a drive thru for 65 years and older who reside in Macomb County. Residents are encouraged to register for the vaccine waiting list hot line at (586) 421-6579.

MOTION by Lascoe supported by Grader to receive and file correspondence.
FOR THIS MOTION: Yes: Lascoe, Grader, Bart, Stier, Jarzyna
No: None

MOTION carried.

4. PUBLIC COMMENTS: - For Agenda Items – Members of the public will only be able to speak during the public comments portion of the meeting and such comment will be limited to three minutes per person. To provide for orderly public participation, a person wishing to speak must virtually raise their hand to be recognized by the Township Supervisor. The Supervisor will recognize all persons wishing to speak during public comments.

There were no public comments were heard at this time.

5. PUBLIC HEARING: Proposed 2021-2022 Budget; General Operating, Building and Fire Funds
MOTION by Lascoe supported by Bart to open the public hearing for the proposed Fiscal Year 2021-2022 Budget for General Operating, Building and Fire Funds at 7:05 p.m.
FOR THIS MOTION: Yes: Lascoe, Bart, Stier, Grader, Jarzyna
No: None

MOTION carried.

Board discussion of the proposed fiscal year 2021-2022 General Operating, Building and Fire Funds.

MOTION by Lascoe supported by Stier to close the public hearing for the proposed Fiscal Year 2021-2022 Budget for General Operating, Building and Fire Funds at 7:35 p.m.

**FOR THIS MOTION: Yes: Lascoe, Stier, Grader, Bart, Jarzyna
No: None**

MOTION carried.

6. APPROVAL OF MINUTES – January 19, 2021, February 2, 2021 & February 9, 2021

MOTION by Bart supported by Lascoe to approve the minutes from January 19, 2021, February 2, 2021 and February 9, 2021 as submitted.

**FOR THIS MOTION: Yes: Bart, Lascoe, Stier, Grader, Jarzyna
No: None.**

MOTION carried.

7. BUDGET MODIFICATION

Treasurer Bart explained the budget modification that were submitted to the Board dated February 9, 2021.

MOTION by Stier supported by Bart to approve budget modifications as presented.

**FOR THIS MOTION: Yes: Stier, Bart, Grader, Lascoe, Jarzyna
No: None.**

MOTION carried.

8. APPROVAL OF BILLS LIST

Betsy Bart, Treasurer stated the bill list dated February 10, 2021 totaling \$72,762.91. Further asked if the Board has any questions regarding the bills as submitted.

MOTION by Stier supported by Lascoe to approve the bills list totaling \$72,762.91 as presented.

**FOR THIS MOTION: Yes: Stier, Lascoe, Grader, Bart, Jarzyna
No: None.**

MOTION carried.

9. OFFICER'S REPORTS

- a. Supervisor Jarzyna reported the Lake St. Clair/CISMA program for Phragmite spraying is currently trying to determine the areas to be sprayed, they hope to have the areas determined by May. Macomb County will be doing a 50/50 matching program and the Township amount would be \$3,500.00.
- b. Clerk Lascoe reported there was not a Planning Commission meeting in February due to lack of items.
- c. Treasurer Bart reported there are two weeks left for winter 2021 tax collection, the last day to pay is March 1, 2021. Further stated to date 75% of the taxes have been collected.
- d. Trustee Grader stated the Senior Valentine Luncheon was excellent and she appreciates the information regarding the Richmond-Lenox drive thru Covid-19 vaccination clinic.
- e. Trustee Stier – had nothing to report.

MOTION by Lascoe supported by Bart to receive and file the Officer's Report as presented.

**FOR THIS MOTION: Yes: Lascoe, Bart, Grader, Stier, Jarzyna
No: None.**

MOTION carried.

10. DEPARTMENT REQUEST/REPORTS

Jarzyna stated if anyone would like a copy of any report, they will need to call the office and arrange to pick it up since the office is currently closed to the public due to COVID-19.

- a. Assessing Report
- b. Budget Report
- c. Building Department
- d. Fire Department Report
- e. Library Report
- f. Recreation/Seniors Report

Jarzyna reported 185 seniors signed up for the Valentines Day Luncheon and the meal was catered by Achatz of Armada. He stated two more luncheons have been scheduled for Wednesday, March 10th and Thursday, April 22nd and they will be catered by Pamela's Catering of Romeo. The seniors who participated in the Valentines day luncheon have already been pre-registered to receive the upcoming lunches in March and April. Further stated all seniors that participated in the Valentines luncheon were given a survey to complete and return regarding what type of activities they would like when the senior programs can reopened.

Jarzyna stated the Recreation Committee has scheduled a drive through Easter Egg event for Saturday, March 22, 2021.

- g. SMART/Richmond Lenox EMS Report- no report was provided.

MOTION by Lascoe supported by Bart to receive and file the Department Reports as presented.

FOR THIS MOTION: Yes: Lascoe, Bart, Stier, Grader, Jarzyna

No: None

MOTION carried.

11. UNFINISHED BUSINESS – None.

12. NEW BUSINESS

- a. 2021 Limestone Program

Jarzyna stated the Macomb County Department of Roads is offering the 2021 Limestone program participation with the Township being responsible for ten percent of the cost. He recommended having the limestone applied to 31 Mile Road, east of Romeo Plank to about Hartway Road, for a total of three miles. The total cost for three miles is \$245,850.00 and the Townships cost would be \$24,585.00.

Stier asked why some municipalities cost are less?

Jarzyna stated the price is based on the trucking costs, some locations are closer to the yard in St. Clair County resulting in lower costs.

MOTION by Lascoe supported by Bart to allow Supervisor Jarzyna to proceed with the 2021 Limestone program submittal for 31 Mile Road, east of Romeo Plank for three miles to approximately Hartway Road for a cost of \$24,585.00.

FOR THIS MOTION: Yes: Lascoe, Bart, Stier, Grader, Jarzyna

No: None

MOTION carried.

- b. Commercial Cleaning Quote

Jarzyna stated the commercial cleaning quote for the senior center is \$250.00 for two cleanings. Further stated the quote is informational only.

MOTION by Lascoe supported by Stier to receive and file Commercial Cleaning quote.

FOR THIS MOTION: Yes: Lascoe, Stier, Bart, Grader, Jarzyna

No: None

MOTION carried.

c. Declaration of Zoning Compliance for an Accessory Building

Jarzyna stated the form would be for new residents when they submit the PRE (primary residential exemption). He stated the document addresses existing accessory buildings in residential areas that are for business purposes and will help maintain residential areas.

MOTION by Grader supported by Lascoe to ask property owners to complete the Declaration of Zoning Compliance for an Accessory Building and part of a homeowner packet.

**FOR THIS MOTION: Yes: Grader, Lascoe, Stier, Bart, Jarzyna
No: None**

MOTION carried.

d. Request to attend Michigan Association of Municipal Clerks Seminar

Lascoe stated the conference cost was paid in 2020 but the seminar was cancelled due to covid-19. Further requested the Board approval for the lodging cost of \$471.75 plus mileage to attend the Municipal Clerk's Institute from June 6, 2021 through June 11, 2021.

MOTION by Grader supported by Bart to approve Clerk Lascoe's request to attend Michigan Municipal Clerks Institute, June 6 through June 11, 2021 and to pay lodging costs of \$471.75 plus mileage.

**FOR THIS MOTION: Yes: Grader, Bart, Stier, Lascoe, Jarzyna
No: None**

MOTION carried.

e. Resignation to the Board of Review member

Jarzyna stated Art Beier has submitted his resignation from the Board of Review as the alternate member.

MOTION by Stier supported by Bart to accept Art Beier's resignation from the Board of Review.

**FOR THIS MOTION: Yes: Stier, Bart, Grader, Lascoe, Jarzyna
No: None**

MOTION carried.

f. Resolution to Allow Local Residents to Protest to Board of Review in Writing – Resolution Number 2021-6

Jarzyna stated the Resolution would allow residents to protest their assessment in writing to the Board of Review due to covid-19.

MOTION by Stier supported by Bart to approve Resolution to Allow Local Residents to Protest to Board of Review in Writing -Resolution Number 2021-6 as follows:

WHEREAS, the General Property Tax Act, MCL 211.30(4) states that, when appealing to the Board of Review, “a nonresident taxpayer may file his or her appearance, protest, and papers in support of the protest by letter, and his or her personal appearance is not required”; and

WHEREAS, MCL 211.30(8) states that “The governing body of the township or city may authorize, by adoption of an ordinance or resolution, a resident taxpayer to file his or her protest before the board of review by letter without a personal appearance by the taxpayer or his or her agent. If that ordinance or resolution is adopted, the township or city shall include a statement notifying taxpayers of this option in each assessment notice under section 24c and on each notice or publication of the meeting of the board of review”; and

WHEREAS, under the Open Meetings Act, MCL 15.263a, a meeting of a public body may be held electronically through March 30, 2021, and “a public body may use technology to facilitate typed public comments during the meeting submitted by members of the public participating in the meeting that may be read to or shared with members of the public body and other participants to satisfy the requirement under this subsection that members of the public be heard by others during the electronic meeting and the requirement under section 3(5) that members of the public be permitted to address the electronic meeting”;

THEREFORE BE IT RESOLVED that, in order to ease the burden on taxpayers, the assessor and the Board of Review, and to ensure that all taxpayers have an equal opportunity to be heard by the Board of Review, the Ray Township Board hereby resolves, according to provisions of MCL 211.30(8) of the General Property Tax Act, that the Board of Review shall receive letters of protest regarding assessments from resident taxpayers from the first Tuesday in March until it adjourns from the public hearings for which it meets to hear such protests.

Letters from both residents and nonresidents may include those submitted by (*options: handwriting, typewriting, fax, email, text, and in a chat or Q&A option provided by the Board of Review in an electronic meeting service*).

All notices of assessment change and all advertisements of board of review meetings must include a statement that the resident taxpayers may protest by letter to the board.

FOR THIS RESOLUTION: **Yes: Stier, Bart, Grader, Lascoe, Jarzyna**
 No: None

RESOLUTION DECLARED ADOPTED.

- g. Adoption of 2018 International Fire Code Ordinance No. 2021-72A
Jarzyna stated the Board also received a Fire Prevention Bulletin dated February 10, 2021 by Fire Marshall Harold DeMan Jr. which addresses the 2018 International Fire Code. Further stated the ordinance addressed electrical services over 200 amps.

MOTION by Stier supported by Lascoe to adopt the 2018 International Fire Code Ordinance No. 2021-72A as follows:

**TOWNSHIP OF RAY
MACOMB COUNTY, MICHIGAN
ORDINANCE NO. 2021-72A
ADOPTION BY REFERENCE OF 2018 INTERNATIONAL FIRE CODE**

TITLE

AN ORDINANCE of Ray Township adopting the 2018 Edition of the International Fire Code regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the shortage, handling and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in Ray Township; providing for the issuance of permits and collection of fees; and repealing any and all other ordinance and parts of the ordinances in conflict therewith.

THE TOWNSHIP BOARD OF THE TOWNSHIP OF RAY, MACOMB COUNTY, MICHIGAN, ORDAINS:

SECTION 1 - CODE AND APPENDICES ADOPTED

Subsection 1.1

The 2018 Edition International Fire Code, copies of which are on file in the office of the Township Clerk of the Township of Ray being marked and designated as the 2018 International Fire Code, Including all Appendix Chapters, as published by the International Code Council, is adopted as the Fire Code of Ray Township, for regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises; providing the Issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of the 2018 International Fire Code on file in the office of Ray Township are hereby referred to, adopted and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, set forth in subsections 1.2 and 1.3 of this Ordinance.

Subsection 1.2

The following sections of the 2018 International Fire Code on are revised accordingly:

Section 101.1, Insert: the Township of Ray.

Section 110.4, insert: misdemeanor punishable by a fine of \$500.00 and/or 90 days in jail.

Section 112.4 insert; not less than \$500.00 for each day the violation occurs.

Subsection 1.3

The geographic limits referred to in section of the 2018 International Fire Code are established as follows:

Section 5704.2.9.6.1 (geographic limits in which the storage of Class I and Class II liquids in above ground tanks outside of buildings is prohibited): storage of Class I and Class II liquids in above ground tanks outside of buildings is permitted with the Township of Ray after special land use approval in compliance with the Ray Township Zoning Ordinance and compliance with all NFPA requirements.

Section 5706.2.4.4 (geographic limits in which the storage of Class I and Class II liquids in above ground tanks is prohibited): storage of Class I and Class II liquids in above ground tanks is permitted with the Township of Ray after special land use approval in compliance with the Ray Township Zoning Ordinance and compliance with all NFPA requirements.

Section 5806.2 (geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited): storage of flammable cryogenic fluids in above ground tanks is permitted with the Township of Ray after special land use approval in compliance with the Ray Township Zoning Ordinance and compliance with all NFPA requirements.

Section 6104.2 (geographic limits in which the storage of liquified petroleum gas is restricted for the protection of heavily populated or congested areas): storage of liquified petroleum gas in the above ground tanks outside of buildings is permitted with the Township of Ray after special land use approval in compliance with the Ray Township Zoning Ordinance and compliance with all NFPA requirements.

SECTION 2 – REPEALING 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 3 - 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 4 - PUBLICATION.

A true copy of this Ordinance or a summary thereof shall be published in a newspaper of general circulation in the Township of Ray within 15 days after its adoption.

SECTION 5 – EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days from and after the date of publication of a summary or a true copy of the Ordinance as provided in Section 4.

FOR THIS MOTION: Yes: Stier, Lascoe, Grader, Bart, Jarzyna

No: None

MOTION carried.

h. Laptop / Electronic Device Policy

Jarzyna stated with the CARE funds Toughbooks have been purchased for the Inspectors and the need for an electronic devices policy.

Grader stated she would like edits made to the policy to include board members and inspectors.

MOTION by Grader supported by Lascoe to adopt the Township Laptop Computer/Electronic Devices Policy with addition of board members and inspectors.

FOR THIS MOTION: Yes: Grader, Lascoe, Stier, Bart, Jarzyna

No: None

MOTION carried.

i. Attorney fees increase – *Added to Agenda*

Jarzyna stated the attorney fees has not been increased since 2018.

Lascoe stated the increase would take effect March 1, 2021.

MOTION by Grader supported by Lascoe to approve the attorney fee increase to \$115.00 per hour from \$100.00 per hour beginning March 1, 2021.

FOR THIS MOTION: Yes: Grader, Lascoe, Bart, Stier, Jarzyna

No: None

MOTION carried.

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11. PUBLIC COMMENTS - None

12. ADJOURNMENT

MOTION by Stier supported by Grader to adjourn the meeting at 8:09 p.m.

FOR THIS MOTION: Yes: Stier, Grader, Bart, Lascoe, Jarzyna

No: None.

MOTION carried.

Joe Jarzyna, Supervisor

Lori R. Lascoe, Clerk

Date

Lisa Hall, Recording Secretary