

**REGULAR MEETING
LENOX TOWNSHIP BOARD OF TRUSTEES
AUGUST 7, 2023**

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| 1. CALL TO ORDER: | 6:30 PM |
| MEMBERS PRESENT: | Reeder, Kandell, Honold, Clifford, Gurley |
| ATTORNEY PRESENT: | Addis |
| RESIDENTS AND GUESTS PRESENT: | 14 |
- 2. PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF MEETING AGENDA**

Motion: Kandell Support: Honold

Motion to approve the Meeting Agenda as amended, moving the Supervisor's Report from the Consent Agenda to 8. Items Removed from the Agenda as amended. All Ayes. Motion passes.

4. APPROVAL OF MINUTES

Motion: Honold Support: Clifford

Motion to approve the minutes from the Regular Board of Trustees Meeting of June 5, 2023 as presented. All Ayes. Motion passes.

5. PUBLIC ANNOUNCEMENTS

Supervisor Reeder announced that a Tons O' Trucks and Classic Cars Event has been scheduled for Saturday, September 23, 2023, beginning at 3:00 PM to 7:00 PM.

6. PUBLIC COMMENT

There was no Comment from the Public at this time.

7. CONSENT AGENDA

All items listed under this Consent Agenda are considered routine by the Township Board and will be enacted by one motion. According to established Township meeting rules, there will be no separate discussion of these items, unless a member of the Board or public so requests at or prior to the meeting, in which event the chair of the meeting may remove such item(s) from the Consent Agenda for discussion and consideration under Agenda Item No. 8, below. Approval of the Consent Agenda shall be by a majority roll call vote of those present and voting. Under the Consent Agenda are items, b. EMS Report, c. DPW Report, d. Code Enforcement Report, e. Assessing Department Report, f. Engineer Report, g. Planner Report, h. Library Report, i. Senior Center Report, k. Treasurer's Report, l. Orders and Bills, m. Trustees Report, n. Clerk's Report.

Clerk Kandell explained that for the month of June there were \$599,337.66 in bills that were paid, for July there were \$624,427.04 in invoices that were paid, and there are \$357,439.63 in invoices to be paid, totaling \$1,581,204.33 that should be approved at this meeting.

Motion: Honold Support: Clifford

Motion to approve the Consent Agenda with the Orders and Bills in the amount of \$1,581,204.33.

Roll Call Vote: Honold- Aye, Clifford- Aye, Gurley- Aye, Kandell- Aye, Reeder- Aye. Motion passes.

8. ITEMS REMOVED FROM CONSENT AGENDA

j. Supervisor's Report

Supervisor Reeder explained that Reinhold (Ron) Zemens has recently announced his retirement. He was appointed to the Board of Review on December 5, 1994, and has remained an important part of the Assessing Department since that time. Zemens was presented with an engraved clock; the Board expressed their appreciation to Zemens for 28 years of exemplary service to Lenox Township.

9. UNFINISHED BUSINESS

There was no Unfinished Business to conduct at this meeting.

10. NEW BUSINESS

a. FIRE DEPARTMENT AUTOMATED EXTERNAL DEFIBRILLATOR PURCHASE REQUEST

Public Safety Director Jeff White explained that two Automated External Defibrillators (AED) were included in the budget for purchase this year. They would be placed on two pumper trucks that do not currently have defibrillators on them. OSHA Part 74 requires an AED on every firetruck. Stryker Medical is a single source vendor and is completely interchangeable with other Fire Department equipment.

Motion: Clifford Support: Honold

Motion to approve the purchase of two Automated External Defibrillators from Stryker Medical Sales, LLC. at the cost of \$5,389.00.

Roll Call Vote: Clifford- Aye, Honold- Aye, Reeder- Aye, Kandell- Aye, Gurley- Aye. Motion passes.

b. RICHMOND LENOX EMS AMBULANCE LOAN AGREEMENT PROPOSAL

Public Safety Director Jeff White detailed a proposal that would provide funds for Richmond Lenox EMS Ambulance Authority to purchase new/updated equipment. He is requesting the EMS borrow \$305,000.00, with an interest rate of 4.25%, over a six year period, that would provide \$41,075.00 in interest income to Lenox Township. This proposal would also provide for the early payoff of a 2019 ambulance, in the amount of \$58,668.00.

Motion: Kandell Support: Gurley

Motion to approve the Promissory Note with Richmond Lenox EMS Ambulance Authority in the amount of \$305,000.00, with monthly payments of \$4,807.00 beginning November 1, 2023, and ending with the final installment on or before October 1, 2029.

Roll Call Vote: Kandell- Aye, Gurley- Aye, Clifford- Aye, Honold- Aye, Reeder- Aye. Motion passes.

c. GREEN MACOMB ECO CONEXIONS GRANT AWARD AND TREE INSTALLATION APPROVAL REQUEST

Deputy Supervisor Mark Grabow explained that Lenox Township has been awarded a grant for 25 trees, through Green Macomb Eco Conexions Grant. It is understood that the trees would be planted at Lenox Township Hall, in consultation with the Macomb County Department of Planning and Economic Development. Because the Township had to take ownership of the trees before this meeting, a poll vote was emailed to the entire Board of Trustees, with four members responding favorably. The Township would be reimbursed \$175.00 per tree, up to \$3,750.00; installation charges would be the responsibility of the Township, with Meredith's Landscaping, LLC. coming in at a low bid of \$3,500.00.

Motion: Kandell Support: Gurley

Motion to reconfirm the acceptance of the Green Macomb Eco Conexions Grant in the amount of \$3,750.00, for 25 trees to be placed on Lenox Township property and approve hiring Meredith's Landscaping, LLC. to plant the trees at a cost not exceeding \$3,500.00.

Roll Call Vote: Kandell- Aye, Gurley- Aye, Clifford- Aye, Reeder- Aye, Honold- Aye. Motion passes.

d. KUSTER ROAD CEMETERY PLOT FEE REVISION

Deputy Supervisor Mark Grabow stated that recently, residents with burial rights in the Kuster Road Cemetery requested a cement foundation be installed in order to have a headstone placed there. When the burial rights were purchased, it was listed that the foundation would be included in the \$800.00 cost for each grave. The cement foundation ended up costing the Township \$795.60. It has been

recommended that the fees be reviewed and possibly updated.

Motion: Kandell Support: Honold

Motion to approve a review and update of the fees for Kuster Road Cemetery.

Trustee Clifford inquired if the fee update would be brought back to the Board of Trustees.

Clerk Kandell affirmed that it would return to the Board for their approval at a later date.

Roll Call Vote: Kandell- Aye Honold- Aye, Gurley- Aye, Reeder- Aye, Clifford- Aye. Motion passes.

e. BOARD OF REVIEW MEMBER APPOINTMENT

Deputy Supervisor Mark Grabow reported that due to Ron Zemen's Retirement, a replacement must be appointed to fill that vacant position on the Board of Review. Mr. Robert Breemeersch has been an alternate member on the Board of Review for some time and has expressed an interest in becoming a full member.

Motion: Honold Support: Clifford

Motion to approve the nomination of Robert Breemeersch to the Board of Review with a term expiring December 31, 2024.

Roll Call Vote: Honold- Aye, Clifford- Aye, Reeder- Aye, Kandell- Aye, Gurley- Aye. Motion passes.

f. MICHIGAN TOWNSHIP ASSOCIATION (MTA) PROFESSIONAL DEVELOPMENT RETREAT REQUEST

Deputy Supervisor Mark Grabow stated Supervisor Reeder has requested to attend the 2023 Michigan Township Association (MTA) Professional Development Retreat, in Harbor Springs, Michigan, scheduled for October 5 and 6, 2023, at the cost of \$365 registration fee. Lodging and mileage would be the responsibility of the Township.

Motion: Kandell Support: Honold

Motion to approve Supervisor Reeder's attendance at the 2023 Michigan Township Association Professional Development Retreat in Harbor Springs, Michigan at the cost of \$365.00 Registration Fee plus lodging and mileage.

Roll Call Vote: Kandell- Aye, Honold- Aye, Reeder- Aye, Gurley- Aye, Clifford- Aye. Motion passes.

g. ZONING ORDINANCE LEGAL REVIEW AUTHORIZATION REQUEST

Deputy Supervisor Mark Grabow explained that Supervisor Reeder has requested that the Township Legal Firm perform a legal review of Article 03.331, Tree and Woodland Protection in the current Lenox Township Zoning Ordinance.

Motion: Kandell Support: Honold

Motion to authorize Addis Law Firm to review the Lenox Township Zoning Ordinance, Article 03.331, Tree and Woodlands Protection, providing the Board with an opinion and amendments if possible.

Roll Call Vote: Kandell- Aye, Honold- Aye, Gurley- Aye, Reeder- Aye, Clifford- Aye. Motion passes.

h. TOWNSHIP ROAD LEGAL REVIEW AUTHORIZATION REQUEST

Deputy Supervisor Mark Grabow remarked that the Supervisor's Office has requested that the Township Legal Firm perform a legal review Section R. 28.1153 of the Michigan Administrative Code as well as the Uniform Traffic Code pertaining to Township control over County-owned roads and the regulation of traffic on such roads.

Trustee Clifford inquired what issue has brought this request on.

Supervisor Reeder stated that the after researching Michigan Township Association documents, the Township may have more authority over County Roads and the control of traffic through it than what the Township has been informed of.

Motion: Honold Support: Gurley

Motion to authorize Addis Law Firm to review Section R. 28.1153 of the Michigan Administrative Code as well as the Uniform Traffic Code, providing the Board with an opinion.

Roll Call Vote: Honold- Aye, Gurley- Aye, Clifford- Aye, Reeder- Aye, Kandell- Aye. Motion passes.

i. BAY RIVER PLANNED UNIT DEVELOPMENT AGREEMENT AMENDMENT

Recently, a developer was approved by the Planning Commission to construct a car wash business on 26 Mile Road in the Bay River Marketplace. The Planned Unit Development Agreement for Bay River had to be amended in order for that project to move forward. The Township Attorney, Addis Law Firm, has been working with the developer and their legal representation and have come up with an amendment to that agreement that is legal and appropriate, he has recommended that the document be approved.

Motion: Kandell Support: Honold

Motion to approve the second Amendment to the Bay River Marketplace Planned Unit Development Agreement, as recommended by the Township Attorney Albert Addis.

Roll Call Vote: Kandell- Aye, Honold- Aye, Gurley- Aye, Clifford- Aye, Reeder- Aye. Motion passes.

j. WASTEWATER TRUNK SYSTEM MASTER PLAN ADOPTION

The Lenox Township Engineer, Sermed Saif reported that the Wastewater Trunk System Master Plan must be reviewed and formally adopted every five years. The document has been reviewed and ready for the Board of Trustees approval.

Motion: Kandell Support: Honold

Motion to approve the Lenox Township Wastewater Trunk System Master Plan dated June 22, 2023, prepared by Tri-County Engineering Consultants.

Roll Call Vote: Kandell- Aye, Honold- Aye, Reeder- Aye, Clifford- Aye, Gurley- Aye. Motion passes.

11. PUBLIC COMMENT

There were no comments from the public at this time.

12. CALL FROM THE BOARD

There were no additional comments or information given at this time.

13. ADJOURNMENT

Motion: Honold Support: Kandell

Motion to adjourn the Meeting at 6:55 PM. All Ayes. Motion passes.

Respectfully submitted,

Respectfully submitted,

LuAnne Kandell, Clerk

Carol A. Swantek, Recording Secretary