

Johnstown Township Minutes

13641 South M-37 Highway. Battle Creek Michigan 49017

Special Board Meeting
Blight Ordinance and other pertinent business
May 22, 2023

Special Board Meeting called to order at 2:00 p.m.

Pledge of Allegiance

Present: Supervisor Barbara Earl, Clerk Sheri Babcock, Treasurer Karmen Nickerson, Trustee Jeff Warren, Trustee Deana Powell & Township Attorney, Catherine Kaufman

Absent: None

Visitors: One (1)

Agenda: Addition to the agenda for Budget Modification for Elections needs to be added to new business.

A motion was made by Warren to approve the agenda as amended. Seconded by Powell. All ayes. Motion carried.

It was noted as questioned in prior meeting that we are not allowed to add to the items to agenda, in checking with MTA, we have a printout, that states the board can add to the agenda items not listed in the notice, as long as all board members are present. If any board member is absent, the board is restricted to only the items posted in the notice.

Public Comments:

- A resident is present representing Winan's Drive resident's concern over one property with junk and seeing no progress in resolving this situation over the past year. They want a Township Ordinance put into place to get compliance in these types of cases. Residents in the area that have not been able to sell their property due to the neighboring junk issue. This home has young children that are causing concerns to the point of Child Protective Services calls being made but nothing is changing. There has been contact with the Health Department, Police, and many reports to Johnstown Township Board with no progress towards compliance. They are in favor of a Blight Ordinance in our Township and having a compliance order, not just fines as previously discussed by the Township lawyer.

Supervisor Comments: Introduction of our Attorney, Catherine Kaufman. This meeting is being held to discuss the need for a **Blight Ordinance** and how this might be accomplished.

- Overall discussion on how we go about establishing an ordinance. What we may and may not want in our ordinance, how it would prioritize and enforced. It is clear that the board does not want a complicated, far reaching, ordinance but concentrate on "junk" that is a concern with public health and safety. The enforcement process would be complaint driven with the enforcement officer reporting to the board each month. If there is no compliance after the stated process, the Township could provide clean-up of the property and attach that cost to the property tax bill.
- The Attorney will send the Township several DRAFT ordinances for review by the end of next week which can be forwarded to the board before the next board meeting.

- Once the Ordinance is adopted, we will need to publish it in the local newspaper and after the 30-day waiting period, it would become effective.
- Hiring an enforcement officer would also have to happen. An individual would need to have very good social skills in dealing with people, the ability to issue tickets, appear in court and report to the board. The ideal candidates are retired law enforcement personnel. Trustee Warren will seek information from Dar Leaf to determine if deputies could be employed to that with our township or if he has recommendations of a retired officer. Other board members should also seek recommendations for candidates.
- The Board could contact Yankee Springs or Hope Township to see how enforcement is working for them in their Township.
- The board will need to have further discussions on the budgeting of the costs associated with this ordinance and the employment of an Enforcement officer. Rough estimates discussed at an average of 5 to 10 hrs. per week at a rate between \$18.00 to \$25.00 per hour. It was further recommended that one individual from the Township go with the enforcement officer to build up a process initially.
- The Critical Path determined: We want a litter ordinance tailored to our Township, an enforcement officer with the ability to have work well with people but yet strong in getting compliance, we want compliance over fines, and when nothing else works, having the ability to clean up and attach this cost to the property tax bill.
- **Audit Engagement Letter** – assign the Clerk as responsible part to sign. The audit is scheduled for June 19th through June 21st. A motion was made by Warren to allow the Clerk to sign the engagement letter for this year's audit. Seconded by Powell. All ayes. Motion carried.

A motion was made by Powell to require an RFP for the audit for next year. Seconded by Warren. Ayes: 2, Nay 3. Motion denied.

Discussion: Clerk and Treasurer feel very confident that current Auditor is great to work with and brings in other staff members to audit a portion of the work. Other board members feel we should seek RFP for costs but not necessarily change auditors.

- **Joyce Foondle, Assessor**, would like to change the job title of Kara, Assistant Assessor to Deputy Assessor to be consistent with what she is doing in other Townships. The State refers to them as Assistants and that was also advised by the law firm as there is no statutory deputy for the assessor. It was deemed that there is really no difference in the title and we will allow the change as requested. A motion was made by Warren to change Kara Dougherty's job title to Deputy Assessor, effective immediately as discussed. Seconded by Powell. All ayes. Motion carried.
- **Elections:** It has been determined by the State that the Township will need to purchase an additional tabulator and E-Poll book for use Only on early voting days. Additionally, we will need to purchase new printers for the VAT's (2) that will allow for printing of the full-size ballots. It was asked if we could only get one printer instead of two, but that is allowable. The cost of the equipment will be approximately \$10,000. A motion was made by Warren to authorize the purchase of this equipment, not to exceed \$10,000. Seconded by Powell. All ayes. Motion carried.
- The next APRA Meeting is scheduled for June 7th at 2:00 p.m.
- The next board Meeting is scheduled for June 14th at 6:30 p.m.


- **Consumers Power/Solar Power- Barry County Master Plan.** In a phone conversation with Jim McManus by the Clerk and Treasurer regarding the Barry County Master Plan, it was concluded that it is very important that the Township Board provide input on the Ordinance that will be drafted after the finalization of the Master Plan. We need to have them address our concerns, i.e., equity of numbers between townships, set-backs, decommission/surety bonds, and wildlife fencing. We need to attend tonight's meeting and provide our concerns in writing.

The Township Attorney will help us prepare that letter for tonight's meeting.

Adjournment: A motion by Powell to adjourn the Special Board Meeting at 4:16 p.m. Seconded by Warren. All ayes. Motion carried.

Attested to by:

Barbara Earl, Supervisor



Sheri Babcock, Clerk

Next Regular Board Meeting: June 14, 2023

APPROVED