

Johnstown Township Minutes

13641 South M-37 Highway, Battle Creek Michigan 49017

Special Board Meeting
Blight Ordinance and other pertinent business
August 28, 2023 – 3:00 p.m.

Special Board Meeting called to order at 3:01 p.m.

Pledge of Allegiance

Present: Supervisor Barbara Earl, Clerk Sheri Babcock, Treasurer Karmen Nickerson, Trustee Deana Powell

Absent: Trustee Jeff Warren, excused

Visitors: Five (5)

Due to the absence of one trustee, we will need to remove the added items #3 & #4 from the agenda as they were not included in the posting notice of the meeting.

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

Public Comments: None

A copy of the Draft Blight Ordinance was emailed to the board for review. Draft looks ready to be able to submit to the lawyer for review once we have other concerns addressed.

Concerns and considerations:

Budget: Do we have the ability to budget this expense. Payroll for enforcement officer, initially legal expense, on-going legal expense, court costs, mileage, etc. May be \$40,000 to \$50,000.

Enforcement Officer: How much can we afford to pay an enforcement officer, what qualifications would we expect from them and where might we find candidates.

Policies & Procedures: Need to develop policies for enforcement officer, tickets, personnel and procedures for case extensions, collection of fees, reporting process, complaint driven policy, etc.

Current Enforcement Cases: How does this change the process. Cases will need to start over once the ordinance is effective.

County Enforcement Officer: Still no new enforcement officer. In process of interviews. Is it possible to work with a new enforcement officer before going forward with the ordinance?

Resident input: Included but not limited to: Can we share an enforcement officer with another township? Case on Winans Drive was dropped due to improvement by moving things from front yard to back yard. Time line on moving forward?

Additional action: The board needs to attend BOC meeting on Tuesday to question time line of hiring new enforcement officer and set up a workgroup meeting to develop policies and procedures.

218 Agreement Resolution, Retroactive Payments, Pension Plan

During the August 14, 2023 Special Board Meeting there was extensive discussion on the 218 Agreement Resolution and consideration of Retroactive payments of social security.

- The Board is unanimous in the agreement in moving forward with the 218 Agreement to pay social security on all employees;
- Retroactive payments – can be retroactive up to 5 years. The breakdown of cost provided for each year. A 5 year retroactive payment would cost the township over \$50,000.
- Both the Treasurer and the Clerk are subject to the Windfall Elimination Provision and will lose a majority of the retirement money through reduction to their previously earned social security benefit. Currently this reduction is 50% of ss benefit or \$657.00 which is adjusted each year.
- The Treasurer advised the board that she ask the board to consider paying social security back in about 2000 or 2001 but was told no at that time.
- The board did approve going forward with this about 5-6 years ago but the process was abandoned when the State lost their employee and was not restarted after that point.

Due to the amount of information and conflicting feelings, it was determined that additional time was needed to review before making a decision. The next meeting was scheduled for today, August 28, 2023.

Many comments have surfaced regarding the previous discussion of this process making this decision even more harmful and difficult.

A motion was made by Nickerson to approve the Resolution to proceed with the 218 Agreement, retroactive to include all of 2023 only. Seconded by Powell.

Ayes: Nickerson, Babcock, Powell Nays: Earl

Supervisor declared the Resolution Adopted.


Next steps include changes to the Referendum (instructions to follow once today's documents are submitted) and changes need to the Pension Plan. Plan documents will be provided to the board along with cost estimates.

Public Comments: A resident commented that he worked for years in payroll but was not aware of the Windfall Elimination Provision.

Adjournment: A motion by Nickerson was made to adjourn the Special Board Meeting at 4:29 p.m. Seconded by Powell. All ayes. Motion carried.

Attested to by:

Barbara Earl, Supervisor



Sheri Babcock, Clerk