

Johnstown Township Minutes

13641 South M-37 Highway. Battle Creek, Michigan 49017

Regular Board Meeting – November 8, 2023 – 6:30 p.m.

Meeting called to order at 6:31 p.m.

Pledge of Allegiance.

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

Absent: Motion by Powell to excuse Trustee Jeff Warren from the meeting. Seconded by Nickerson. All ayes. Motion carried.

Visitors: 31

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

Public Comments (3 minutes per person):

- John Lake discussed creating local resolutions in support of Second Amendment rights. The Board asked for time to review the information he provided before responding.

Minutes: A motion was made by Powell to approve the following minutes:

- Special Board Meeting of October 11, 2023, regarding Bristol Lake Channel Special Assessment
- Regular Board Meeting of October 11, 2023
- Special Board Meeting of October 26, 2023, for the Blight Ordinance.

Seconded by Nickerson. All ayes. Motion carried.

Treasurer's Report – Karmen Nickerson

- Winter 2023 Tax bills will be received first week in December. There are a number of continuing Special Assessments, and two new Special Assessments. Most millages remain unchanged from previous Winter tax bill. Contact the Treasurer with any questions on your bill.

A motion by Powell to accept the Treasurer's Report. Second by Babcock. All ayes. Motion carried.

Clerk's Report – Sheri Babcock

Pension Plan: Pension Plan effective date is December 1, 2023. The following changes are recommended:

- Change contribution from salary schedule-based to 15 % for all Elected Officials and Fire Department
- Change withdrawal age from 65 to 59 ½. The one-time per year withdrawal and 90% restrictions will remain.
- Create two separate classes: Elected or Appointed Officials and Fire Department employees
- Elected Officials: no waiting period and no vesting period.
- Fire Department: employees enrolled at employment with contributions beginning in the first year but with a five-year vesting period. If employment terminated prior to the five-year anniversary, all contributions would be forfeited, with funds reverting back to the Fire Department.

Motion by Nickerson to prepare the resolution as outlined. Seconded by Earl.

Ayes: Babcock, Earl, Nickerson. Nays: Powell. Motion carried.

Pension Plan, cont.

A brief Special Board Meeting will be set up to review these changes and process the resolution on a date and time to be determined.

Elections: Waiting for more information on the purchase of additional equipment order for early voting. Our order was held up to coordinate with the State Grant.

Public Act 2 of 2023 signed into law in 2023, moved the presidential primary date from the current statutory date of March 12, 2024, to February 27, 2024. However, the act will not take effect until 90 days after the legislature adjourns for the year. At this time, it is uncertain when the legislature will adjourn and accordingly, which date the change to the presidential primary will take effect. The calendar is aligned with a February 27, 2024, Presidential Primary date.

We are moving forward with plans of a February 27th election date with 9 days of early voting beginning on Saturday, February 17th through Sunday, February 25th. Voting will be open each day from 8:30 am to 4:30 pm.

By December 29, 2023, we will be sending out a presidential primary ballot selection form to all permanent mail ballot voters. We are still working on details for these notices as it appears that we will not be using our current Permanent Absent voter list per recent announcement from the Bureau of Elections. We will most likely opt to make these mailings to these residents that are still on this list. This mainly effects our Delton voters.

Budget Modifications:

All except last two are line-item modifications moving from one line item to another in the same Dept. with no change to budget numbers. The last two are for adding budget expenditures to Clear Lake SAD as approved in the public hearings.

Motion by Powell to accept the Budget Modifications as presented. Seconded by Nickerson. All ayes. Motion carried.

Playground: Installation of the playground is nearly completed.

FOIA Requests: Two FOIA requests this month. One for Bristol Lake Channel SAD asking for copies of all paperwork involved in the process including emails. A 10- day extension was processed with a deadline of tomorrow. A letter of response was sent today along with the Itemized Cost estimate.

The second FOIA request was for the CSV file of the e-pollbook for the November 8, 2023 election along with copies of the remarks pages in the pollbook. This request was denied, as we did not hold, or consolidate, a November 8, 2023, election.

218 Agreement: Still waiting, no response from the State.

Porta Potty: ADA-compatible unit very costly and hard to find for long-term use. After getting rental estimates from other vendors, our current vendor is best value.

Assessor's Report – Kara Dougherty, Deputy Assessor

- Building permit report: 6 new permits in October
- Disabled Veteran's Property Tax Exemption: Governor signed legislation expanding the disabled veterans exemption for properties of surviving spouses. Beginning in 2025, veterans and their surviving spouses will no longer have to file yearly.
- PA 108 and 109 were signed which are the Solar Energy Taxation Acts.
- Inflation Rate Multiplier will be the same in 2024: 1.05 as the capped value, or 1.051 for Headlee.
- Building permit inspections: continuing work on these, as well as waiting for the commercial and industrial reports from the county.
- Michigan Tax Tribunal: nothing to report.

Fire Report – Fire Chief Chris Jozwik

- 29 total calls for the month of October. Total calls for 2023: 351.
- 18 calls for the month of October were MFR calls. Total MFR calls for 2023: 223.
- Training completed: Power line safety. Flashover & live fire training.
- Personnel changes: none.
- Current Membership: 15 Active members; 2 on personal leave, 1 cadet;
- Department Activity: multiple Halloween activities. Several smoke detectors installed with more available.

Next Quarterly Board/Fire Meeting: January 8, 2024, at 6:00 PM.

Commissioner Report – Bruce Campbell

Commissioner Campbell provided a summary of actions during the October 24, 2023 Board of Commissioners meeting.

- Sheriff Dar Lear presented Annual Report
- Resolution recognizing contributions of departing County Clerk Pam Palmer. Welcome new County Clerk, Cynthia White.
- Michigan Department of Corrections proposal was rejected.
- Various Board appointments/reappointments.
- Dr. Joyce DeJong, D.O., Medical Examiner presented Annual Report
- Barry County Proposed 2024 Budget hearing
- Resolution #23-20 to adopt Barry County Budget, General Appropriations Act and Millage approved.
- Resolution #23-23 Opposing Any Legislation Preempting Local Control for Solar and Wind Development approved.
- New Enforcement Officer has been hired.

Old Business:

- Blight Ordinance: Supervisor Earl asked for a pause on this ordinance process while the new Barry County Enforcement Officer gets acclimated to new position and familiar with the issues in our township.

New Business:

- **Sylvan Court Special Assessment:** Resident Doug Morgan presented the two options the residents of the 8 parcels on Sylvan Court have come up with to see where to go from here. He was advised that whatever option is pursued, things need to be in place by October 1 to go on December tax bills. Suggested to get petition process underway and completed by February/March and get things moving in Spring to proceed with the Special Assessment.
- **Treasurer Additional Hours:** In order to have substantial earnings by December 31, 2023, the Treasurer must earn approximately \$350 by completing work for the Township outside of her statutory duties. Motion by Powell to allow Nickerson to work additional hours at the custodial rate performing tasks that are not part of the typical housekeeping regimen. Seconded by Earl. All ayes, Motion carried.
- **Annual Road Commission meeting:** January 11, 2024, time to be confirmed.

Pay Invoices & Payroll: A motion was made by Powell to pay the invoices in the amount of \$32,135.29 as presented. Seconded by Nickerson All ayes. Motion carried.

Additional Public Comments (3 minutes per person):

- Baltimore Township resident Kelli Case gave an update on recent legislative action in the Senate pertaining to solar farms.
- John Lake of Irving Township commented on results of elections creating vacancies in the legislature and the filling of those vacancies via a special election. Also resolutions pertaining to 2nd Amendment rights.
- Treasurer Nickerson thanked Case and Lake for their efforts.
- A resident commented that we need to be sharing information with our neighbors.
- Two guests representing Consumers Energy answered a few visitor questions pertaining to: solar panel placement, impact on federal protected endangered species. Brian stated that Consumers Energy is not seeking to purchase more land in the area, any communication received by residents is from another developer. The site map is still in development. They will abide by any local ordinances pertaining to screening and fencing, etc. and will work with neighbor. Additionally, Consumers Energy is seeking to source the panels here in the USA as domestic production increases. Recycling options for decommissioned panels is still in its infancy. Construction is tentatively planned for 2025.
- One resident voiced concern that his property value would drop being adjacent to solar farm.
- Another resident commented that a land owner she was familiar with, whose property would be surrounded by solar, is losing his right to hunt on his property.
- A resident expressed concern over the application of dairy manure. The planned biodigester at Swiss Lane Farms location was mentioned that will help reduce the amount of manure applied to land.

Adjournment: A motion was made by Powell to adjourn. Seconded by Earl. All ayes. Motion carried.

Meeting adjourned at 7:57 p.m.

Next Regular Board Meeting: December 13, 2023, at 6:30 p.m.

Attested to by:
Barbara Earl
Supervisor



Sheri Babcock, Clerk