

**REGULAR MEETING
LENOX TOWNSHIP BOARD OF TRUSTEES
MARCH 7, 2022**

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| 1. CALL TO ORDER: | 6:32 PM |
| MEMBERS PRESENT: | Reeder, Honold, Clifford, Gurley |
| MEMBER EXCUSED: | Kandell |
| ATTORNEY PRESENT: | Addis |
| RESIDENTS AND GUESTS PRESENT: | 43 |

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MEETING AGENDA

Supervisor Reeder explained that two items were to be added to the Agenda, being j. Fire Department Instructors Conference (FDIC) Request and k. Fire Department Extrication Tool Hydraulic Hose Purchase Request.

Motion: Gurley Support: Clifford

Motion to approve the Agenda, adding j. and k. for the Fire Department.

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

4. APPROVAL OF MINUTES

Motion: Gurley Support: Honold

Motion to approve the minutes of February 7, 2022, and February 28, 2022.

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

5. PUBLIC ANNOUNCEMENTS

There were no Public Announcements at this time.

6. PUBLIC COMMENT

T. Burgess, 27 Mile Road, voiced concerns about the terrible condition of 27 Mile Road, the ditches, and the culverts on that road.

D. Zysek, 58640 Frost Road, commented on the bad road conditions and a written report teaching people how to crown gravel roads.

T. Whittstock, 36570 27 Mile Road, remarked that the roads are worse after scraping during this time.

D. Wielinga, 35431 27 Mile Road, voiced aggravation about the lack of limestone and proper ditching.

M. Maurer, 57320 Place Road, spoke on the poor condition of Place Road.

J. Harris, 58450 Place Road, voiced concern about the condition of Place Road and the lack of knowledge Department of Roads has on grading the road.

J. Wolfe, 27603 29 Mile Road, voiced his displeasure on the current condition of the gravel roads and the process of maintaining them.

T. Hoisington-Maurer, 57320 Place Road, remarked that the gravel roads are undrivable, feels someone must be accountable.

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 a. Public Safety Report, 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, j. Supervisor's Report, k. Treasurer's Report, l. Orders and Bills, m. Trustees Report, n. Clerk's Report.

Motion: Clifford Support: Honold

Motion to accept the Consent Agenda with the Orders and Bills totaling \$245,047.69.

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

8. ITEMS REMOVED FROM CONSENT AGENDA

a. PUBLIC SAFETY REPORT

NEW FIREFIGHTER CEREMONY

Public Safety Director Jeff White explained that Dustin Krueger has passed the proper tests and completed the probationary period, he is now ready to be sworn in as a full-fledged firefighter for the Lenox Township Fire Department. Krueger was pinned by the Lenox Township Fire Chief Martin Hartway and was treated to a robust round of applause.

White detailed that the Macomb County Sheriff Department, Richmond Lenox EMS, and the Lenox Township Fire Department have gone through the toughest two years of their lives. They have dealt with the horrors of a pandemic that has taken lives, caused illness and economic suffering to possibly every person present. He expressed sorrow for not being able to do more. He recognized the men and women present, who selflessly responds to calls. Early on in the pandemic, they did not even know what they were dealing with, taking infection home to themselves, their families, and their children, after healing and coming back - some of them getting infected again. He requested a round of applause to show appreciation for the men and women First Responders in the room.

b. SUPERVISOR'S REPORT

2020-2021 UHY, LLC AUDIT PRESENTATION

Karen Shafik, partner of UHY, LLC., presented the report from the 2020-2021 Audit, stating that Lenox Township received an unmodified, clean opinion from the State of Michigan, meaning that Lenox Township's financial records are in compliance with the standards of the State of Michigan, this is what a municipality strives for each year.

9. UNFINISHED BUSINESS

A. GYPSY MOTH SUPPRESSION PRESENTATION

Terry Gibb, Senior Extension Educator for the MSU Extension - Macomb County, detailed the Gypsy Moth (now called Lymantria Dispar) Suppression Program. The hot spot in Lenox Township is 58-acres near County Line and 30 Mile Road, that caused extensive tree defoliation. Aerial spraying will be done when the new caterpillars begin to emerge. The spray sticks to the leaves and must be ingested in order to kill the young worms. The Extension is aware that the Lymantria Dispar cannot be eradicated, however, they hope to control the high numbers of some years to maintain a level that is manageable. The cost for spraying for Lymantria Dispar is approximately \$145 per acre, the total for Lenox Township would be \$8,418.70, which would include pre and post monitoring by Macomb County. Gibb requested that property owners go to www.macombgov.org for additional Lymantria Dispar information.

Motion: Reeder Support: Honold

Motion to approve MSU Extension - Macomb County's recommendation to spray the infested Gypsy Moth area near 30 Mile and County Line, at a cost not to exceed \$10,000.00.

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

10. NEW BUSINESS

a. TEJA ENTERPRISES, LLC., ANNUAL MINING PERMIT RENEWAL REQUEST

Township Planner Steve Cassin reported that the Planning Commission approved the renewal the Special Land Use for TeJa Enterprises, LLC, at the February Meeting. TeJa is required to provide detailed calculations on their mining operation for the Board.

Township Engineer Sermed Saif explained this is an annual renewal requested by TeJa under their mining permit. He has reviewed the sand volume data for the site, it appears that the current total removal volume is approximately 90%.

Motion: Clifford Support: Gurley

Motion to renew the Mining Permit for TeJa Enterprises, LLC as recommended.

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

b. DPW DUMP TRUCK PURCHASE REQUEST

DPW Superintendent Cam Trombly detailed the challenge he has faced in ordering a new dump truck, it has been in the budget for three to four years, however, demand is high, and stock is low right now. The current dump truck is a 2006 model with 66,000 miles, that has considerable rust due to salt exposure and daily use. The quotes for a cab and a chassis, dump body with a salt spreader and light kit are at \$92,000 presently.

Motion: Clifford Support: Reeder

Motion to allow Cam to get the dump truck for plowing at a cost not to exceed \$100,000.00.

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

c. FERTILIZATION PROGRAM RENEWAL

DPW Superintendent Cam Trombly explained that that TruGreen, Inc. has provided weed and feed fertilization at the Township Park, the Municipal Offices, and Fire Stations I and II for the past 11 years. He recommended approval of a three-year contract at the cost of \$2,696.38 for two applications annually at each location.

Motion: Honold Support: Clifford

Motion to approve TruGreen Inc., to provide fertilization for the park, the offices, and Fire Station I and II from 2022 to 2026 at the cost of \$2,696.38 for two applications annually at each location.

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

d. RESIDENT REQUEST FOR CONNECTION FEE DEFERMENT

DPW Superintendent Cam Trombly reported that in the past, Lenox has given residents the option to defer their lateral benefit fees and apply them to their property taxes over a ten-year period, with a written request to the Board for consideration. Lateral Benefit Fees vary since they are calculated by the foot frontage of the property. To lessen the burden on residents wishing to hook up to city water, he recommended that the Board consider deferring all fees associated with a connection, including installation in the right of way, system development fee, meter reader, and inspection for the property of 19-06-36-200-013, 58250 Frost Road.

Motion: Clifford Support: Gurley

Motion to approve Cam's recommendation and allow the resident to roll fees into the taxes, plus interest at the prime lending rate plus 1% spread over ten years.

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

Motion: Honold Support: Gurley

Motion to allow Mark Lavis at 58250 Frost Road, to defer the payments for ten (10) years, adding them on to his property taxes.

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

e. RESIDENT REQUEST TO THE BUILDING DEPARTMENT

Lenox Building Official Dennis LeMieux explained that he received a request from Mr. & Mrs. Varga at 66011 Lowe Plank Road, to allow them to remain living in their existing home while they build a new home on the same property. LeMieux informed the resident that the Board of Trustees would be the proper group to approve that request, since two homes on one parcel is not permitted in the Agricultural District. The old home would be demolished after the new home has been completed. LeMieux suggested that if the Board would allow this Ordinance exemption, that the following stipulations be put in place:

1. A notarized and recorded agreement to remove the old home within 30 days of the issuance of a Certificate of Occupancy on the new home.
2. A bond be posted with Lenox Township in the amount approved by the Board. A typical bond for a new home is \$1,000.00.
3. The agreement approval is for one year. Homeowner would need to request an extension from the Township Board of Trustees.

Motion: Gurley Support: Honold

Motion to approve the Building Official’s Dennis LeMieux recommendation and allow the property owners of 66011 Lowe Plank Road to live in the existing home while a new home is being built on the same parcel, with the following stipulations:

- A notarized and recorded agreement to remove the old home within 30 days of the issuance of a Certificate of Occupancy on the new home.
- A bond be posted with Lenox Township in the amount approved by the Board. A typical bond for a new home is \$1,000.00.
- The agreement approval is for one year. Homeowner would need to request an extension from the Township Board of Trustees.

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

f. 2022 LIMESTONE PROGRAM LOCATION RECOMMENDATIONS

Deputy Supervisor Mark Grabow explained that Macomb County Department of Roads requires road selection for limestone application for the 2022 season to be submitted by March 15, 2022. To participate in this program, Lenox Township must select three (3) miles of gravel roads for limestone application, which is applied during the summer months, Macomb County covers 90% of the application, Lenox Township is responsible for the remaining 10%. Applying limestone is crucial to maintaining the Township’s gravel roads, keeping in mind that all the issues on the Township’s gravel roads cannot be fixed overnight. According to the Road Maintenance Map created by the Township Engineer in the early 2000’s, many gravel roads have been enhanced by adding limestone, but many are in dire need. The following roads have been recommended for further review of adding limestone:

- Place Road between 26 Mile Road and 27 Mile Road = 1.02 miles
- 27 Mile Road from the New Haven Village Border to Frost Road = 1.8 miles

Motion: Reeder Support: Gurley

Motion to approve the recommendations of the Supervisor’s Office to apply limestone to the following gravel roads:

1. Place Road between 26 Mile Road and 27 Mile Road – 1.02 miles
2. 27 Mile Road from the New Haven Village border to Frost Road – 1.8 miles

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

g. PLANNING COMMISSION APPOINTMENTS

Deputy Supervisor Mark Grabow reported that last month, two additional seats were added to the Planning Commission, therefore the Supervisor’s Office has recommended two residents for appointment:

- Eric Suddon, 25-year Lenox resident – partial term expiring December 31, 2024
- Tanya Muylaert, 45-year Lenox resident – partial term expiring December 31, 2023

Motion: Reeder Support: Honold

Trustee Clifford stated that the applications were laid on the table, they were not in the packet. He knows Ms. Muylaert but does not know much about Mr. Suddon.

Grabow remarked that Suddon has been a Lenox Township resident for 25 years.

Motion to approve the Supervisor's recommendation for Planning Commission and appoint Eric Suddon for a partial term expiring December 31, 2024, and Tanya Muylaert for a partial term expiring December 31, 2023.

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

h. NEW HAVEN FIREWORK PROPOSAL REQUEST

Deputy Supervisor Mark Grabow detailed the repeat request from the Village of New Haven regarding cost sharing for the fireworks for their Independence Day Celebration.

Motion: Clifford Support: Reeder

Motion to approve the request from the Village to participate in the Independence Day Fireworks, at the cost of \$5,000.00, that is open to all residents.

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

i. TOWNSHIP SEAL CONTEST WINNER

Deputy Supervisor Mark Grabow explained that in June 2021 the Board authorized a contest for the redesign of the Township Seal. An invitation was sent to the four school districts within Lenox. At last month's meeting, the Board did not declare a winner for the Contest. There was a single submittal from a New Haven High School student, who should be declared the winner and awarded the \$200.00 Grand Prize. Supervisor Reeder clarified that this is simply to declare a contest winner; the seal has not changed.

Trustee Clifford reported that a winner does need to be declared, however he is not fond of either submission

Motion: Reeder Support: Honold

Motion to approve the winner of the Township Seal Contest and award the \$200.00 Grand Prize to the New Haven High School student.

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

j. FIRE DEPARTMENT EXTRICATION TOOL HYDRAULIC HOSE PURCHASE REQUEST

Jeff White, the Public Safety Director, explained that the hydraulic hoses for the extrication equipment have reached the end of their useful life and must be replaced. This is a specialized piece of equipment that is not readily available from many vendors, it must be purchased from the manufacturer, therefore just one quote was received. This equipment is in the current fiscal year budget.

Motion: Clifford Support: Reeder

Motion to approve the purchase of the hydraulic hoses at the cost of \$4,816.00.

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

k. FIRE DEPARTMENT INSTRUCTORS CONFERENCE (FDIC) REQUEST

Public Safety Director Jeff White explained that the Fire Department owns a pumper truck that is nearly 20 years old, and it is time for it to be replaced. A new fire truck depending on the options could range between \$600,000.00 and \$1,000,000.00; the Fire Department may spend 12 months developing a design with the needs of the Fire Department. Funds for this apparatus have been set aside for several years, so as not to ask the Township for a large amount of money. The vendors that build fire trucks come together once a year to show their wares at the FDIC Conference in Indianapolis, Indiana. He is requesting that he, the Fire Chief, and the Assistant Fire Chief be allowed to attend the Fire Department Instructor Conference (FDIC) that is being held on April 28 and 29, 2022. White hopes to gather a large amount of information in order to begin the long process of designing a new fire apparatus for purchase.

Motion: Gurley Support: Honold

Motion to approve the Public Safety Director's request for the Fire Chief, the Assistant Fire Chief, and the Public Safety Director to attend the FDIC Conference in Indianapolis, Indiana on April 28 and 29, 2022, at the cost of \$75.00 per person for the conference, approximately \$200.00 per room for two nights, plus meals.

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

12. PUBLIC COMMENT

Resident inquired where the traffic would be rerouted when the 28 Mile Road Bridge is closed.

DPW Superintendent explained that he was not supplied a traffic plan for this project, however, Place Road, Bates Road, and Omo Road are possible bypasses during the construction.

Resident shared general information regarding purchasing vehicles together- this website assists with bundling purchases in order to save municipalities money - www.gsa.gov.

13. CALL FROM THE BOARD

Supervisor Reeder read a prepared statement regarding the gravel roads and their condition. Numerous calls have been made to the Department of Roads, as well as emails inviting them to be present to hear resident concerns. He understands the frustration and anger that every resident is feeling. He grew up on dirt roads and has never seen them in the condition that they are in presently. The ditches must be cleaned, and the roads must be graded properly for good drainage. The County Executive's Office and the Road Commission both stressed that the roads are under their jurisdiction; the residents should call them directly either by telephone (586) 463-8671 or online at www.macombgov.org. He shared that the telephone numbers and email addresses were copied and are available on the table near the entrance of the meeting room.

Trustee Clifford reported that he was a part of a committee that went to war with the Road Commission, it did not work well for the Township. Lenox took legal action and tried to sue, everything possible was tried and it did not work. The complaints must come from the residents, they have voiced their opinions, whether or not the current Board is re-elected or not, this is no fault of the Board. Everyone needs to bomb the County with phone calls. The Board is here to work together with the residents.

Comments inaudible.

Trustee Gurley stated that she lives on one of the dirt roads, she drives it every day and her kids drive it every day- three, four times a day. She has called the Department of Roads, explaining that she is a part of the Board- it makes no difference to them, they own the roads.

Comments inaudible.

14. ADJOURNMENT

Motion: Honold Support: Gurley

Motion to adjourn the Meeting at 8:01 PM. All Ayes. Motion passes.

Respectfully submitted,

Respectfully submitted,

LuAnne Kandell, Clerk

Carol A. Swantek, Recording Secretary