

**REGULAR MEETING
LENOX TOWNSHIP BOARD OF TRUSTEES
JUNE 5, 2023**

- | | |
|--------------------------------------|---|
| 1. CALL TO ORDER: | 6:30 PM |
| MEMBERS PRESENT: | Reeder, Kandell, Honold, Clifford, Gurley |
| ATTORNEY PRESENT: | Addis |
| RESIDENTS AND GUESTS PRESENT: | 7 |
- 2. PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF MEETING AGENDA**

Clerk Kandell explained that under New Business, **f.** 2023 Macomb County Department of Roads Limestone Program should be removed, as it had been previously approved, replacing it with the 2024-2026 Macomb Urban County Community Development Block Grant (CDBG) Fund Program. Several additions are necessary as well, being:

- n. Outdoor Gathering Permit Request
- o. SEMCOG 2023 Annual Membership Dues
- p. 2023-2024 User Charge Rates for Water Services
- q. 2023-2024 User Charge Rates for Wastewater Disposal Services

Motion: Gurley Support: Honold

Motion to approve the Meeting Agenda with the addition of **n.**, **o.**, **p.**, and **q.** and changing **f.** to CDBG Fund under New Business. All Ayes. Motion passes.

4. APPROVAL OF MINUTES

Motion: Honold Support: Clifford

Motion to approve the minutes from the Regular Meeting of May 8, 2023 and the Budget Workshop of May 15, 2023. All Ayes. Motion passes.

5. PUBLIC ANNOUNCEMENTS

There were no Public Announcements at this time.

6. PUBLIC COMMENT

There was no Comment from the Public at this time.

7. PUBLIC HEARING

1. 2023-2024 BUDGET PUBLIC HEARING

Motion: Kandell Support: Honold

Motion to open the 2023-2024 Budget Public Hearing at 6:33 PM.

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

Clerk Kandell read the Public Hearing Notice aloud.

Supervisor Reeder explained that the millage rate has not changed. For this Budget year, there is estimated Revenues in all funds of

\$12,669,608 and the total of Appropriations of \$12,107,498.

Motion: Honold Support: Gurley

Motion to close the 2023-2024 Budget Public Hearing at 6:36 PM.

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

8. 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. 9, 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, j. Supervisor's Report, k. Treasurer's Report, l. Orders and Bills, m. Trustees Report, n. Clerk's Report.

Clerk Kandell explained that during the month there were \$297,456.99 in bills paid during the month; currently there is \$688,862.94 to be paid, totaling \$986,319.93 that needs approval for at this meeting.

Motion: Gurley Support: Clifford

Motion to approve the Consent Agenda with the Orders and Bills in the amount of \$986,319.93.

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

9. ITEMS REMOVED FROM CONSENT AGENDA

There were no items removed from this Agenda.

10. UNFINISHED BUSINESS

There was no Unfinished Business to conduct at this meeting.

11. NEW BUSINESS

a. 2022- 2023 BUDGET AMENDMENTS

Supervisor Reeder reported that there was one line item that went over budget for the 2022-2023 Budget Year. Account 591-537-927, which is Sewer Treatment, went over Budget approximately \$80,000.00, and would be corrected in the new Budget Year.

Motion: Kandell Support: Honold

Motion to approve the 2022-2023 Budget Amendment as presented.

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

b. 2023-2024 BUDGET

Supervisor Reeder explained that the entire staff has been working hard on this 2023-2024 proposed Budget.

Motion: Kandell Support: Honold

Motion to approve the 2023-2024 Line Item Budget as presented.

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

c. 2023-2024 WAGE SCHEDULE

Supervisor Reeder stated that this proposed Wage Schedule was developed after comments and concerns during the Budget Workshops.

Motion: Kandell Support: Clifford

Motion to approve the 2023-2024 Wage Schedule as presented.

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

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

d. MASTER PLAN PROPOSAL

Clerk Kandell reported that the Board has solicited the Township Planner, Mr. Steve Cassin, from the Cassin Planning Group to submit a proposal for a Master Plan, as the current Master Plan is somewhat outdated. Cassin has offered a proposal for a total cost of \$13,200.00 to prepare a new five-year Lenox Township Master Plan. This proposal states that this project would take approximately one year to complete. Mr. Cassin would be responsible for writing the plan, including maps, charts, and undertaking of the survey. Publication and printing costs would be the responsibility of the Township and billing is proposed to occur in six equal payments of approximately \$2,200.

Motion: Clifford Support: Honold

Motion to accept the proposal from the Cassin Planning Group, LLC for the Master Plan at \$13,200.00, with billing that occurs with \$2,200.00 payments every two months, six payments.

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

e. FIRE DEPARTMENT ALERT PAGER PURCHASE REQUEST

Public Safety Director Jeff White detailed that the Fire Department replaced half of the emergency pagers in the last budget year, this proposed purchase would replace the second half ensuring that all firefighters would have new pagers. This request is from a single source vendor for the total cost of \$3,822.75.

Motion: Kandell Support: Honold

Motion to approve the purchase of ten pagers for the Fire Department at the cost of \$3,822.75 from P & W Paging and Wireless Service Center.

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

White took the opportunity to introduce Macomb County Sheriff Department Lieutenant Jeff McPherson, the Lenox Township Liaison, who was in the audience.

f. 2024-2026 MACOMB URBAN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

Deputy Supervisor Mark Grabow stated that the United States Department of Housing and Urban Development (HUD) has been delegated the responsibility of administering the Community Development Block Grant (CDBG) Program. Macomb County has requested that Lenox Township join a consortium that would change what most communities have known as CDBG Fund Program and transfer everything into the Urban County CDBG Program.

Motion: Kandell Support: Honold

Motion to approve the cooperative agreement Urban County Community Development Block Grant Program for fiscal years 2024 through 2026.

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

Clerk Kandell detailed the proposed Resolution 2023-5 that is in conjunction with the Macomb Urban County CDBG Program.

Motion: Honold Support: Gurley

Motion to authorize the 2024-2026 Macomb Urban County Community Development Block Grant Fund Program Resolution, number 2023-5, as presented, after corrections have been completed.

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

g. 2023 MACOMB COUNTY DEPARTMENT OF ROADS DUST CONTROL PROGRAM

Deputy Supervisor Mark Grabow explained the Macomb County Department of Roads Dust Control Program consists of two applications of

well brine to the Township gravel roads at no cost to Lenox whatsoever. Additional applications of well brine if requested, would be charged 100% to the Township at the cost of \$47,328.00 each application, a significant increase from past years. One application has been put on the roads thus far, the second application would come at a later date.

Motion: Kandell Support: Gurley

Motion to approve two well brine applications to the Township gravel roads, at the expense of the Department of Roads- no cost to Lenox Township. The Township reserves the right to request additional applications at a later date.

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

Grabow advised the Board that the Department of Roads has been actively looking for a substitute for well brine completely, as the State of Michigan has been cracking down on communities that are utilizing well brine to reduce dust on gravel roads.

h. TOWNSHIP INSURANCE POLICY RENEWAL

Deputy Supervisor Mark Grabow remarked that the Board authorized this item to go out for bid in May, posted on the Lenox Township Website for 30 days, as well as distributed to all interested, certified, insurance providers. Four companies contacted the Supervisor’s Office for items of information, as follows:

Krotokin Insurance Group, Southfield, Michigan	declined to bid, could not provide bid in time given
Nickel & Saph Insurance Group, Mt. Clemens, Michigan	responded with bid on time
Sweet Insurance, West Bloomfield, Michigan	declined to bid, as premiums would be high due to new policy
Provision Insurance, Royal Oak, Michigan	declined to bid, could not provide bid in time allotted

Grabow stated that Nickel & Saph submitted a proposal with the total cost of \$109,596 for the year, an increase of 11.18%, which includes \$106,663, and incorporates Terrorism coverage. There is a \$2,933 premium that could be added to cover data compromise and cyber-attacks. Lenox Township has had a developmental loss ratio of 32%, a 40% loss ratio overall, between Workman’s Compensation and overall liability.

Clifford inquired if it was legal to post a Request for Proposals (RFP) online to invite interested persons to bid. He finds it hard to believe that just one company submitted a quote out of the four that were contacted.

Attorney Addis commented that sending out RFP’s by email as well as posting them online is an acceptable form of advertising. The insurance business is very competitive, it is a whole new world, and all costs are increasing.

Motion: Kandell Support: Honold

Motion to approve Nickel & Saph, Inc. for 2023-2024 Township insurance needs beginning July 1, 2023 in the amount of \$109,596.00.

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

i. TECHCARE COMPUTER TIME BLOCK PURCHASE REQUEST

Clerk Kandell recommended the purchase of one 100-hour time block, at the cost of \$14,500.00, that would save the Township from paying full hourly price of \$200 per hour for computer maintenance and support. The Township has done extensive work recently, the installation of a new server, new monitors, new telephones, and a new door entry program, which has consumed all the time that was banked.

Motion: Honold Support: Kandell

Motion to approve the purchase of one 100-hour TechCare Computer Time Block from Hi-Tech at the cost of \$14,500.00.

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

j. BS & A SOFTWARE UTILITY BILLING TRAINING REQUEST

Clerk Kandell stated that this request would bring BS & A Software Instruction to the Code Enforcement Officer and the Deputy Treasurer in the Utility Billing Module. Training would allow the Deputy Treasurer to take responsibility for Utility Billing with the Code Enforcement Officer as the backup person. The cost for this one-day instruction is \$1,000.00.

Motion: Honold Support: Kandell

Motion to approve BS & A Software to train several Lenox Township Employees on Utility Billing at the cost of \$1,000.00.

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

k. RECORDING SECRETARY APPOINTMENT REQUEST

Deputy Supervisor Mark Grabow reported that the Supervisor's Office has a recommendation for a Recording Secretary for the Planning Commission and the Zoning Board of Appeals. One resume was received from Ms. Diane Brohl, who is extremely well qualified for this position. She has agreed with the compensation of \$60.00 per diem for each meeting attended and transcribed.

Motion: Kandell Support: Gurley

Motion to appoint Diane Brohl to the position of Recording Secretary for the Planning Commission.

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

Motion: Kandell Support: Honold

Motion to appoint Ms. Diane Brohl as the Recording Secretary for the Zoning Board of Appeals.

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

l. FOOD TRUCK ORDINANCE AMENDMENT

Deputy Supervisor Mark Grabow explained that the Supervisor's Office has proposed an amendment to the Food Truck Ordinance that would allow registered and legitimate 501(c)(3) organizations to be exempt from the permitting fees for Food Truck Permits. This amendment would not exempt them from the Inspection requirements or other provisions in the Ordinance.

Motion: Gurley Support: Clifford

Motion to approve the Amendment to the Food Truck Ordinance, to allow registered and legitimate 501(c)(3) Organizations to be exempt from the permitting fees.

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

m. RESOLUTION IN OPPOSITION TO HOUSE BILLS INVOLVING SAND AND GRAVEL MINING

Deputy Supervisor Mark Grabow remarked that the Supervisor's Office is recommending that a Resolution be approved in opposition to House Bills 4526, 4527, and 4528, that are aimed at stripping any and all authority from local governments in regard to Sand and Gravel Mining Operations, both existing and future developments. These bills would override and vacate any previous judicial and administration opinions related to mining permit applications, including those previously submitted to a local unit of government, limit local government, and resident input only through public comment periods, codify operation hours and allow for hours beyond that time for state and county contracts, and will undemocratically remove the right of referendum by impacted residents. Supervisor Reeder testified recently in Lansing in opposition to these House Bills.

Motion: Clifford Support: Reeder

Motion to pass Resolution 2023-6 in Opposition to House Bills involving Sand and Gravel Mining.

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

n. OUTDOOR GATHERING REQUEST

Clerk Kandell explained that the Township has received an Outdoor Gathering Permit Request from Mark Phillips, who owns the property at 61705 Gratiot Avenue for a fireworks show on June 23, 2023 from 6:00 PM until 10:30 PM. They are expecting 1000 people to attend, and would have parking attendants, restroom facilities, and security personnel. There would be no alcohol beverages onsite, a catering company would provide food and an ice cream truck would be on the premises. The Public Safety Director has vetted the application and has spoken to the person who would be handling the fireworks portion of the event. If the application is approved, the fees will be paid.

Trustee Clifford inquired if there would be fire protection on the property at the time of the event.

Public Safety Director Jeff White reported that there has been no request for fire protection onsite. Historically, the Fire Department does not provide fire protection for private events, and it is not required under the statutes. An inspection is required ahead of the event, the Fire Chief would review and inspect the actual devices that shoot the fireworks, as well as the firework manifest itself. Should there be a request to have a fire apparatus onsite, there would be a fee involved.

Kandell stated that her concern is the number of vehicles that would be converging on the site, as well as all of the vehicles trying to get to Gratiot Avenue leaving the event at the same time.

Supervisor Reeder commented that the Macomb County Sheriff's Department might be able to assist in routing the vehicles properly, making sure there are no backups.

Macomb County Lieutenant McPherson reported that he could make sure the Deputy on duty monitors the situation and addresses issues accordingly.

Motion: Kandell Support: Honold

Motion to approve the Outdoor Gathering Permit to Mr. Mark Phillips for the June 23, 2023 Employee Appreciation Fireworks Show.

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

o. 2023 SEMCOG ANNUAL MEMBERSHIP DUES

Clerk Kandell remarked that the 2023 SEMCOG Membership dues were due in the amount of \$1,354.00.

Motion: Honold Support: Clifford

Motion to approve the 2023 Annual Membership Fees for SEMCOG at the cost of \$1,354.00.

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

p. 2023-2024 USER CHARGE RATES FOR WATER SERVICES

The Township Engineer Sermed Saif explained that the rates for water and sewer rates are reviewed annually. Effective July 1, 2023, Great Lakes Water Authority (GLWA) has increased the water rates by 9%. As the Lenox Township Water Rates are able to absorb some of that increase, the DPW Department and the Township Engineer are recommending a 4.4% increase for this year, from \$57.20 TCF to \$59.70 per TCF.

Motion: Kandell Support: Clifford

Motion to set the new Township Water Supply User Rate Charge at \$59.70 per TCF as recommended by the Township Engineer and the DPW Superintendent effective July 1, 2023.

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

q. 2023-2024 USER CHARGE RATES FOR WASTEWATER DISPOSAL SERVICES

Sermed Saif, the Township Engineer, remarked that the sewer rates for Macomb County have increased .9% from \$117.40 per TCF to \$118.40 per TCF.

Motion: Kandell Support: Clifford

Motion to approve the Wastewater Disposal Service User Charge increase from \$117.40 per TCF to \$118.40 per TCF effective July 1, 2023, as recommended by the DPW Superintendent and the Township Engineer.

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

12. PUBLIC COMMENT

There were no comments from the public at this time.

13. CLOSED SESSION

A. TO DISCUSS CONFIDENTIAL ATTORNEY CLIENT INFORMATION WITH THE TOWNSHIP ATTORNEY

Motion: Kandell Support: Honold

Motion to enter into Closed Session at 7:23 PM.

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

Motion: Kandell Support: Gurley

Motion to return to Open Session at 7:30 PM.

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

Motion: Kandell Support: Honold

Motion for the Township Board of Trustees follow the directives of the Michigan Secretary of State in reference to FOIA Requests.

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

14. CALL FROM THE BOARD

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

15. ADJOURNMENT

Motion: Honold Support: Kandell

Motion to adjourn the Meeting at 7:33 PM. All Ayes. Motion passes.

Respectfully submitted,

Respectfully submitted,

LuAnne Kandell, Clerk

Carol A. Swantek, Recording Secretary