

Vassar Township Board of Trustees

Regular Meeting- May 14, 2024

Call to order: 7:00 pm

Pledge of Allegiance to the Flag of the United States of America

Roll Call:	Ben Partridge	Present
	Tom Borcharding	Present
	Bruce Foether	Present
	John Stack	Present
	Deborah Pounds	Present

Approval of Agenda

Motion to approve agenda by Tom Borcharding, seconded by Deborah Pounds.

Motion *passed* by unanimous vote

Approval of April 9, 2024 minutes

Bruce Foether **motion** to approve April 9, 2024, minutes and requested a line through attorney vehicle policy approved on page 2, seconded by Tom Borcharding

Motion *passed* by unanimous vote

Ben Partridge **motion** to approve April 30, 2024 minutes with one correction- add "coordinator" after (marijuana)

All in favor: (5) Ayes (0) Nay

Motion *carried*

Motion by Deborah Pounds, seconded by Bruce Foether to pay attorney \$233.00 and put on June 11 payables

Motion *passed* by unanimous vote

Motion by Deborah Pounds, seconded by Bruce Foether to upgrade MTA access package to \$1000 plus package

All in favor: (4) Ayes (1) Nay

Motion *carried*

Motion by Bruce Foether, seconded by Deborah Pounds to write check/pay R & R \$20,000.00 about half the cost for garage/pole barn and driveway per bid

Motion *passed* by unanimous vote

Approval of payroll

Motion by Bruce Foether, seconded by Tom Borcharding to approve payables but hold check 032990 for KCI until we have corrected invoice

All in Favor: (4) Ayes (1) Nay

Motion carried

New Hall-Park

May 22, put in paper for bids to build new hall deadline is June 20, at 4:30pm. Contact Bruce Foether, Supervisor

Motion by Bruce Foether, seconded by Deborah Pounds to accept prints and send out for bids.

All in favor (5) Ayes (0) Nays

Motion carried

Motion by Deborah Pounds, seconded by Tom Borcharding to approve extension for AT&T

All in favor: (5) Ayes (0) Nays

Motion carried

Garbage bids out to Republic, Waste Management, GFL, & Priority

Motion by Bruce Foether, seconded by Deborah Pounds to accept the resignation letters of Tobias McDonnell and Shaun McDonnell

All in favor: (5) Ayes (0) Nays

Motion carried

Motion by Bruce Foether, seconded by Tom Borcharding to appoint Todd Aymer to Planning Commission for a term ending Oct. 31, 2026

All in favor: (5) Ayes (0) Nays

Motion carried

Motion by Bruce Foether, seconded by Tom Borcharding to approve Resolution 06-2024, salary for Clerk

Roll Call vote: Ben, John, Bruce, Tom- AYE

Deb- NAY

Motion passed (4) to (1)

Motion by Tom Borcharding, seconded by Deborah Pounds to approve Resolution 07-2024, salary for Treasurer

Roll Call vote: Tom, Ben, John, Bruce, Deb- AYE

Motion *passed* (5) to (0)

Motion by Tom Borcharding, seconded by Deborah Pounds to approve Resolution 08-2024, salary for Supervisor

Roll Call vote: Tom, Ben, John, Bruce, Deb- AYE

Motion *passed* (5) to (0)

Motion by Ben Partridge, seconded by Bruce Foether to approve Resolution 09-2024 to keep Trustee pay the same

Motion and second *rescinded* by both parties

Motion by Bruce Foether, seconded by Deborah Pounds to increase Trustee's salary to \$6000.00

Roll Call: Tom Borcharding- yes, Deborah Pounds- yes, Bruce Foether- yes, John Stack- No, Ben Partridge- yes

Motion *carried*

Ordinance #49

Uncontrolled plant growth ordinance

Resolution 10-2024

Motion to adopt by Bruce Foether, seconded by Deborah Pounds

Roll Call: Tom Borcharding- no, Deborah Pounds- yes, Bruce Foether- yes, John Stack- yes, Ben Partridge- no

Resolution *adopted*

Publish in paper, Effective date June 28, 2024

Motion by Bruce Foether, seconded by Ben Partridge to approve up to \$100 for thank you plaques for Parks and Rec

All in favor: (5) Ayes (0) Nays

Motion *carried*

Motion by Deborah Pounds, seconded by John Stack to name a Municipal Maintenance person at \$600.00 per month, to perform all Parks & Rec duties and future Township Hall property

Roll Call: John, Bruce Deb- Aye

Ben, Tom – Nay

Motion *carried* (3) to (2)

Motion by Deborah Pounds, seconded by Bruce Foether to accept Charlie Fabbro SR as the Municipal Maintenance person

Roll Call: John, Bruce Deb- Aye

Ben, Tom – Nay

Motion *carried* (3) to (2)

Motion by Bruce Foether, seconded by Deborah Pounds for Bruce have the key to the tractor and shed to brush hog the new hall property for park clean up day

All in favor: (3) Ayes (2) Nays

Motion *carried* (3) to (2)

Motion by Deborah Pounds, seconded by Bruce Foether to start Charles Fabbro on May 15th

All in favor: (3) Ayes (2) Nays

Motion *carried* (3) to (2)

Budget: budget hearing followed by Annual Meeting June 29 at 11:00am

1st budget meeting, May 28 at 5:00 pm

2nd budget meeting June 15 at 11:00 am

3rd budget meeting June 25 at 5:00pm

Public is invited

Roadside mowing- bids accepted until June 4

Motion by John Stack, seconded by Ben Partridge for 3 month extension for 880B fire run invoice for Sarah Rick (Aug 13)

All in favor: (5) Ayes (0) Nays

Motion *carried*

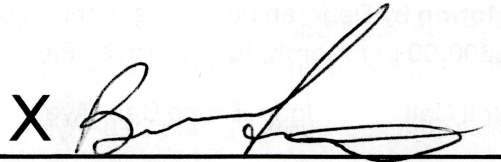
Public Comment: 3 minutes

Motion by Bruce Foether, seconded by Deborah Pounds to adjourn at 10:14pm

Passed by unanimous vote

X 

Deborah Pounds
Clerk

X 

Bruce Foether
Supervisor

RESOLUTION TO ESTABLISH CLERK SALARY

WHEREAS, MCL 41 95 authorizes the township board of Vassar Township to determine the salaries for the office of Clerk for the fiscal year 2024-2025 by adopting a resolution at least 30 days prior to the township annual meeting of the electors, and

WHEREAS, the township board deems that an adjustment in the salary of the office of Clerk is warranted in consideration of adjustments in the cost of living and responsibilities of the Clerk since township board member's salaries were last adjusted, now

BE IT RESOLVED, that as of July 1, 2024, the salary of the office of Clerk shall be as follows:

Clerk: \$22,248.00 salary

Be it also resolved that this resolution shall be submitted to the electors at the annual meeting to be held on June 29, 2024, at which time the electors may modify these amounts. Pursuant to MCL 41.95(7), such modification(s) that may be made by the electors cannot result in a reduction of salary during an official's term of office unless the responsibilities and requirements of that office are diminished, and the official agrees in writing to that reduction. If the electors fail not act on this resolution, the officer shall be entitled to the salary as established in this resolution, in accordance with state law.

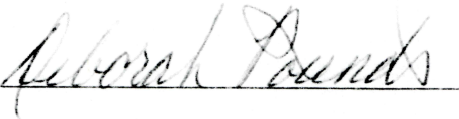
BE IT FURTHER RESOLVED, that this resolution, adopted on May 14, 2024, is properly adopted by the Vassar Township Board at least 30 days prior to the annual meeting, as required by law

BEIT FURTHER RESOLVED, that since the Clerk is paid in July for work done in June, the adjustment in pay will occur in the check received in August.

The foregoing resolution was offered by Board Member Foether and supported by Board Member Borcharding.

Upon roll call vote, the following voted "Aye" (4): Partridge, Stack, Foether, Borcharding
"Nay" (1): Pounds

The Supervisor declared the resolution adopted.


Vassar Township Clerk

I, Deborah Pounds, the duly elected and acting Clerk of Vassar township, hereby certify that the foregoing resolution was adopted by the Township Board of said Township at the Special meeting of said Board held on May 14,2024, at which a quorum was present, by roll call vote of said members as hereinbefore set forth; that said resolution takes effect July 1,2024 subject to adjustment by the Annual Meeting of Electors held on June 29, 2024 ,


Vassar Township Clerk

RESOLUTION TO ESTABLISH TREASURER SALARY

WHEREAS, MCL 41.95 authorizes the township board of Vassar Township to determine the salaries for the office of Treasurer for the fiscal year 2024-2025 by adopting a resolution at least 30 days prior to the township annual meeting of the electors, and

WHEREAS, the township board deems that an adjustment in the salary of the office of Treasurer is warranted in consideration of adjustments in the cost of living and responsibilities of the Treasurer since township board member's salaries were last adjusted, now

BE IT RESOLVED, that as of July 1, 2024, the salary of the office of Treasurer shall be as follows:

Treasurer: \$20520.00 salary

Be it also resolved that this resolution shall be submitted to the electors at the annual meeting to be held on June 29, 2024, at which time the electors may modify these amounts. Pursuant to MCL 41.95(7), such modification(s) that may be made by the electors cannot result in a reduction of salary during an official's term of office unless the responsibilities and requirements of that office are diminished, and the official agrees in writing to that reduction. If the electors fail not act on this resolution, the officer shall be entitled to the salary as established in this resolution, in accordance with state law.

BE IT FURTHER RESOLVED, that this resolution, adopted on May 14, 2024, is properly adopted by the Vassar Township Board at least 30 days prior to the annual meeting, as required by law.

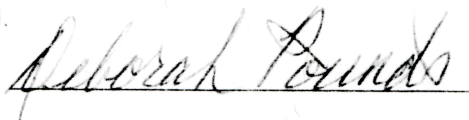
BEIT FURTHER RESOLVED, that since the Treasurer is paid in July for work done in June, the adjustment in pay will occur in the check received in August.

The foregoing resolution was offered by Board Member Borcharding and supported by Board Member Pounds


Upon roll call vote, the following voted "Aye" (5): Borcharding, Partridge, Stack, Foether, Pounds

"Nay"():

The Supervisor declared the resolution adopted.


Vassar Township Clerk

I, Deborah Pounds, the duly elected and acting Clerk of Vassar township, hereby certify that the foregoing resolution was adopted by the Township Board of said Township at a Special Meeting of said Board held on May 14,2024, at which a quorum was present, by roll call vote of said members as hereinbefore set forth; that said resolution takes effect July 1,2024 subject to adjustment by the Annual Meeting of Electors held on June 29, 2024 ,


Vassar Township Clerk

RESOLUTION TO ESTABLISH SUPERVISOR SALARY

WHEREAS, MCL 41.95 authorizes the township board of Vassar Township to determine the salaries for the office of Supervisor for the fiscal year 2024-2025 by adopting a resolution at least 30 days prior to the township annual meeting of the electors, and

WHEREAS, the township board deems that an adjustment in the salary of the office of Supervisor is warranted in consideration of adjustments in the cost of living and responsibilities of the Supervisor since township board member's salaries were last adjusted, now

BE IT RESOLVED, that as of July 1, 2024 the salary of the office of Supervisor shall be as follows:

Supervisor: \$20,520.00 salary

Be it also resolved that this resolution shall be submitted to the electors at the annual meeting to be held on June 29, 2024, at which time the electors may modify these amounts. Pursuant to MCL 41.95(7), such modification(s) that may be made by the electors cannot result in a reduction of salary during an official's term of office unless the responsibilities and requirements of that office are diminished, and the official agrees in writing to that reduction. If the electors fail not act on this resolution, the officer shall be entitled to the salary as established in this resolution, in accordance with state law.

BE IT FURTHER RESOLVED, that this resolution, adopted on May 14, 2024, is properly adopted by the Vassar Township Board at least 30 days prior to the annual meeting, as required by law.

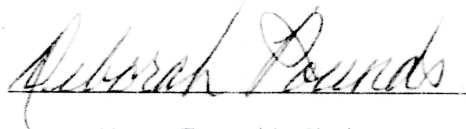
BE IT FURTHER RESOLVED, that since the Clerk is paid in July for work done in June, the adjustment in pay will occur in the check received in August.

The foregoing resolution was offered by Board Member Borcharding and supported by Board Member Pounds

Upon roll call vote, the following voted "Aye" (5): Pounds, Partridge, Stack, Borcharding, Foether

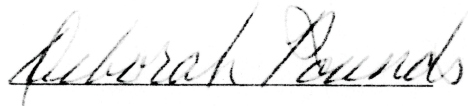
"Nay" ():

The Supervisor declared the resolution adopted.



Vassar Township Clerk

I, Deborah Pounds, the duly elected and acting Clerk of Vassar township, hereby certify that the foregoing resolution was adopted by the Township Board of said Township at a Special meeting of said Board held on May 14, 2024, at which a quorum was present, by roll call vote of said members as hereinbefore set forth; that said resolution takes effect July 1, 2024 subject to adjustment by the Annual Meeting of Electors held on June 29, 2024 ,



Vassar Township Clerk

RESOLUTION TO ESTABLISH TRUSTEE SALARY

WHEREAS, MCL 41.95 authorizes the township board of Vassar Township to determine the salaries for the office of Trustee for the fiscal year 2024-2025 by adopting a resolution at least 30 days prior to the township annual meeting of the electors, and

WHEREAS, the township board deems that an adjustment in the salary of the office of Trustee is warranted in consideration of adjustments in the cost of living and responsibilities of the Trustee since township board member's salaries were last adjusted, now

BE IT RESOLVED, that as of July 1, 2024, the salary of the office of Trustee shall be as follows:

Trustee: \$6,000.00 salary

Be it also resolved that this resolution shall be submitted to the electors at the annual meeting to be held on June 29, 2024, at which time the electors may modify these amounts. Pursuant to MCL 41.95(7), such modification(s) that may be made by the electors cannot result in a reduction of salary during an official's term of office unless the responsibilities and requirements of that office are diminished, and the official agrees in writing to that reduction. If the electors fail not act on this resolution, the officer shall be entitled to the salary as established in this resolution, in accordance with state law.

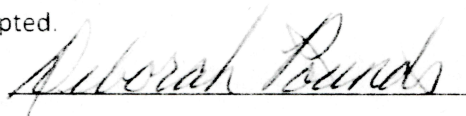
BE IT FURTHER RESOLVED that this resolution, was adopted on May 14, 2024, is properly adopted by the Vassar Township Board at least 30 days prior to the annual meeting, as required by law.

BEIT FURTHER RESOLVED, that since the Trustee is paid in July for work done in June, the adjustment in pay will occur in the check received in August.

The foregoing resolution was offered by Board Member Foether and supported by Board Member Pounds.

Upon roll call vote, the following voted "Aye" (4): Borcharding, Pounds, Foether, Partridge
"Nay" (1): Stack

The Supervisor declared the resolution was adopted.



Vassar Township Clerk

I, Deborah Pounds, the duly elected and acting Clerk of Vassar township, hereby certify that the foregoing resolution was adopted by the Township Board of said Township at the regular meeting of said Board held on May 14, 2024, at which a quorum was present, by roll call vote of said members as hereinbefore set forth, that said resolution takes effect July 1, 2024 subject to adjustment by the Annual Meeting of Electors held on June 29, 2024,



Vassar Township Clerk

RESOLUTION: To approve the Uncontrolled Plant Growth Ordinance #49.

WHEREAS, the purpose Pursuant to 1941 Public Act 359, as amended, and 1945 Public Act 246, as amended, to secure the health, safety and welfare of the people of the Township, to protect agriculture all crops from invasive plant species, and to avoid a blighting factor, by the control, regulation, and eradication of certain noxious weeds. And also certain plant growth of excessive height; to establish remedies, provide all ordinances or parts of ordinances in conflict therewith.

NOW, THEREFORE, BE IT RESOLVED, that the Vassar Township board of Trustees approve the Uncontrolled Plant Growth Ordinance #49.

The foregoing resolution was offered by Board Member Foether and supported by Pounds

Upon roll call vote, the following voted "Aye" (3) Pounds, Foether, Stack

"Nay" (2) Partridge, Borcharding

The Supervisor declared the resolution was adopted.



Vassar Township Clerk

CERTIFICATE

I, Deborah Pounds, the duly elected and acting Clerk of Vassar Township, hereby certify that the foregoing resolution was adopted by the Township Board of said Township at the regular meeting of Board held on 14th day of May 2024, and at which a quorum was present, by roll call vote of said members as hereinbefore set forth; was published in the Tuscola Advertiser. On the 22 of May 2024. This Ordinances Amendment.

TOWNSHIP OF VASSAR
COUNTY OF TUSCOLA, STATE OF MICHIGAN

ORDINANCE NO. 49

Adopted: May 14th 2024

Effective: June 28, 2024

UNCONTROLLED PLANT GROWTH ORDINANCE

An Ordinance adopted pursuant to 1941 Public Act 359, as amended, and 1945 Public Act 246, as amended, to secure the health, safety and welfare of the people of the Township; to protect agricultural crops, and to avoid a blighting factor, by the control and regulation of plant growth of excessive height; to establish remedies, provide for the enforcement, and fix sanctions for the violation of this ordinance; and to repeal all ordinances or parts of ordinances in conflict therewith.

THE TOWNSHIP OF VASSAR

TUSCOLA COUNTY, MICHIGAN

ORDAINS:

SECTION 1
TITLE

This ordinance shall be known and may be cited as the Vassar Township Uncontrolled Plant Growth Ordinance.

SECTION 2
DEFINITIONS

As used in this ordinance the following words and terms shall have the meanings stated herein:

- A. "Uncontrolled Plant Growth" means any non-woody vegetation exceeding a height of 10 inches; except where such vegetation is not out of character with the development of and landscaping in the surrounding area, except all small grain or food crops, such as wheat, corn, oats, barley or rye, and garden vegetables.

- B. "Owner" and "occupant" shall mean any person or entity with any ownership or possessory right or interest, including deed holders and land contract vendees (whether recorded or unrecorded), mortgagees, lessees, and other tenants, residents, and any agent of any of same.

SECTION 3
DUTY TO CUT UNCONTROLLED PLANT GROWTH

- A. The owner and occupant of the following described lands shall keep uncontrolled plant growth thereon cut to a height of not more than 10 inches, provided that these requirements shall not apply to any incidental uncontrolled plant growth in fields devoted to growing any small grain or vegetable crop or wooded and forestry areas:
- (1) lots within platted subdivisions and condominium subdivisions, including vacant lots.
 - (2) unplatted lands with a dwelling or other building thereon, whether such building is occupied or not, for a 60-foot perimeter surrounding the building(s) and paved surfaces (parking areas, if any). Not including wooded or forestry areas.

SECTION 4
PUBLIC NUISANCE

All uncontrolled plant growth in violation of the provisions of this ordinance are hereby declared to be a public nuisance.

SECTION 5
ADMINISTRATIVE PROCEDURES AND REMEDIAL ACTIONS
TO ENFORCE ORDINANCE

- A. The Township shall give notice of the application of this ordinance by both of the following means:
- (1) publish in a newspaper of general circulation in the Township during the month of March a Notice that weeds and/or plant growth in violation of this ordinance not cut by May 1 of that year as required by this Ordinance may be cut by the Township, and that the owner of any such land shall be charged with the expenses incurred by the Township to cut such plant growth as many times as is necessary to keep the land in compliance with this ordinance, and that the Township shall have a lien against the land for the amount of such

expenses, and that such lien shall be enforced in the manner provided by state law for the enforcement of real property tax liens; and

(2) mail by certified mail, with return receipt request, a notice to the owner, occupant, or agent of any lands in violation of this ordinance, describing the methods of complying with this ordinance and giving notice of those matters referenced in subsection (1) immediately above. Failure to give such notice shall not constitute a defense to any action to enforce the payment of any penalty or debt provided for in this ordinance.

B. If the owner/occupant/agent has failed or refuses to comply with the ordinance after either form of notice provided for in Section 5.A. above, the Township or its agent/designee may enter upon such land with or without mechanical equipment and cut the plant growth thereon in violation of this ordinance.

C. All expenses incurred in such cutting shall be paid by the owner of such land. The Township shall have a lien upon such land for the full amount of such expenses, which may be enforced in the same manner as the enforcement of real property tax liens through entry upon the next tax roll of the Township and assessment as a general Township tax. Such expenses shall be subject to all interest and penalties provided for taxes due and collectible within the Township under the general tax laws of the State of Michigan. In addition to the foregoing, the Township may sue the owner in an appropriate court of law for the collection of such expenses.

SECTION 6 VIOLATIONS AND ENFORCEMENT

A. Any person or entity who violates, disobeys, neglects, or refuses to comply with any provision of this Ordinance or any order issued under the Ordinance, including any conditions imposed thereon, or who causes, allows, or consents to any of same, shall be deemed to be responsible for a violation of this Ordinance.

Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists may constitute a separate offense.

B. Any violation of this Ordinance shall constitute a basis for such judgment, writ, or order necessary to compel compliance with the Ordinance and/or to restrain and prohibit continuation of the violation, or other appropriate relief in any court of competent jurisdiction, in addition to any other relief or sanction herein set forth or allowed by law.

- C. A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute and shall be punishable by a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
--- 1st offense	\$ 150.00	---
--- 2nd offense	\$ 250.00	---
--- 3rd offense	\$ 350.00	---
--- 4 th or subsequent	\$ 500.00	---

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township has incurred in connection with the municipal civil infraction.

- D. This ordinance shall be administered and enforced by the person designated by the Township Board as the Ordinance Enforcement Officer(s) of the Township or by such other person(s) as the Township Board may designate from time to time.

SECTION 7
SEVERABILITY

The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

SECTION 8
REPEAL

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 9
EFFECTIVE DATE

This ordinance shall take effect 30 days after publication as required by law.

Deborah Pounds

Vassar Township
Deborah Pounds, Clerk