

Danby Township Regular Meeting  
September 26, 2013

The regular meeting was called to order at 7:00 p.m. at the Danby Township Hall, 13122 Charlotte Hwy.  
The meeting was opened with the Pledge of Allegiance.

**Roll Call Board Members:** Supervisor Pohl, Trustee Reisbig, Treasurer Kolarik, Clerk Platte

**Roll Call Board Members Absent:** Trustee McCormack

**Approval of Minutes Regular Meeting September 5, 2013**

Motion by Kolarik                      Seconded by Reisbig                      CARRIED  
    Approve the minutes of September 5, 2013 as presented.

**Approval of Agenda:** Under New Business add #2 Doug Meier PA116 add #3 AT&T Phone Service and  
Under Old Business #3 should be FEMA Ordinance to Join

Motion by Reisbig                      Seconded by Kolarik                      CARRIED  
    Approve agenda as amended.

**Communications:** The City of Portland will be issuing annual burn permits; the information will be sent  
to Clerk Platte and put on Danby Township's website.

Motion by Kolarik                      Seconded by Platte                      CARRIED  
    Place communications on file.

**Public Comment:** Portland Trail Riders asked why they hadn't received a bill for their brine. They stated  
what a nice job the brine company did with the application it put on Sandborn Road.

**Unfinished Business:**

**Fire Authority Update** - Nothing new to report.

**Fire Billing Ordinance** - This ordinance was passed October 2012 but needs to be readopted as it wasn't  
posted by Clerk Platte as required.

MOTION by Kolarik                      Seconded by Platte                      CARRIED

**DANBY TOWNSHIP  
FIRE SERVICE CHARGES ORDINANCE**

**ORDINANCE NO:   41**

**DANBY TOWNSHIP ORDAINS:**

**Section 1: Purpose**

This ordinance is adopted for the purpose of providing financial assistance to the Township in the  
operation of fire services from both residents and non-residents receiving direct benefits from fire  
services. The charges established herein are designed and intended to provide for full funding of the  
Township's fire services taking into consideration funding contributed to these services by the Township  
through other means.

**Section 2: Establishment of Charges**

- (a) Township Charge: The Township will charge fees to recipients of fire services provided within the Township which resulted from non-authorized (i.e. no burning permit) burning and those resulting from accidents involving non-residents.
- (b) Charges for Fire Services: The charges billed to each recipient of fire services shall be in accordance with the fee schedule attached hereto as Exhibit A and it may be amended from time to time and adopted by resolution of the Township Board.
- (c) Amendment of Fees: The fees set forth in the fee schedule attached hereto as Exhibit A, or as may be amended from time to time by resolution of the Township Board, reflect a reasonable estimate of the proportional cost to the township of providing fire service to the respective recipients.

**Section 3: Billing and Collection**

- (a) Charges Due: The Township will bill each recipient served. All charges are due and payable upon mailing and shall be paid within thirty (30) days.
- (b) Collection: The Township, through an elected official or employee, may proceed in small claims court and/or through its attorneys in district court or through a collection bureau to collect any fire service charges remaining unpaid thirty (30) days after the date of billing. For any amounts that remain unpaid after sixty (60) days, the Township may impose a late charge of one and one half percent (1 ½%) per month, or fraction thereof, plus court costs and collection expenses, including attorney fees. The Township shall have any and all other remedies provided for by law for the collection of said charges.

**Section 4: Non-exclusive Charge**

The fire service charges shall not be the exclusive means available to the Township to defray the costs and expenses of equipping and maintaining fire services, but may be supplemented through general taxation after vote of the electorate approving the same or by special assessment district established under Michigan states or by contribution from the general funds of the Township in its sole discretion.

**Section 5: Severability**

Should any provision or part of this Ordinance be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this Ordinance, which shall remain in full force and effect.

**Section 6: Effective Date and Repealer**

This Ordinance shall take effect immediately upon its publication as provided by law and all resolutions, ordinances or regulations or parts thereof inconsistent or in conflict with this Ordinance are hereby repealed to the extent necessary to give this Ordinance its full intended effect.



**Section 1. AGENCY DESIGNATED.** Pursuant to the provisions of the state construction code, in accordance with Section 8b (6) of Act 230, of the Public Acts of 1972, as amended, the Ionía County Building Inspector . (position title i.e. Building Official or other entity) of the County (County, City, Village, or Township) of Ionía (Name of Unit of Government) is hereby designated as the enforcing agency to discharge the responsibility of the Township (County, City, Village, or Township) of Danby Township (Name of Unit of Government) under Act 230, of the Public Acts of 1972, as amended, State of Michigan. The County (County, City, Village, or Township) of Ionía (Name of Unit of Government) assumes responsibility for the administration and enforcement of said Act through out the corporate limits of the community adopting this ordinance.

**Section 2. CODE APPENDIX ENFORCED.** Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, Appendix G of the Michigan Building Code shall be enforced by the enforcing agency within the Township of Danby (County, City, Village, or Township) of Ionía, County (Name of Unit of Government).

**Section 3. DESIGNATION OF REGULATED FLOOD PRONE HAZARD AREAS.** The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) Entitled “ [a fis does not exist at this time] ” (Name) and dated NA (Date) and the Flood Insurance Rate Map(s) (FIRMS) panel number(s) of [there are no effective FIRMS at this time] \_ (Number(s)) and dated NA (Date) are adopted by reference for the purposes of administration of the Michigan Construction Code, and declared to be a part of Section 1612.3 of the Michigan Building Code, and to provide the content of the “Flood Hazards” section of Table R301.2(1) of the Michigan Residential Code.

**Section 4. REPEALS.** All ordinances inconsistent with the provisions of this ordinance are hereby repealed.

**Section 5. PUBLICATION.** This ordinance shall be effective after legal publication and in accordance with the provisions of the Act governing same.

Adopted this 26th (Date) day of September (Month),  
2013 (Year).

This ordinance duly adopted on September 26, 2013 (Date) at a regular meeting of the Danby Township Board (Name of Adopting Body) and will become effective October 14, 2013 (Date).

Signed on September 26, 2013 (Date) by Kristina Platte (Signature),

Kristina Platte (Printed/Typed Name), Clerk of the  
Township (County, City, Village, or Township) of  
Danby Township (Name of Unit of Government).

Attested on September 26, 2013 (Date) by Richard J. Pohl

(Signature), Richard J. Pohl (printed/Typed Name)

Supervisor Title: Chair, Mayor, Supervisor, or President of the  
Township (County, City, Village, or Township) of  
Danby Township (Name of Unit of Government).

**New Business:**

**Clerk's Resignation** - Supervisor Pohl had a few people call that were interested in the Clerk position, however none of them were township residents.

**Doug Meier PA 116 Program** - Doug Meier has 3 farms that he wants to put into the PA 116; technically it's two farms but three descriptions.

MOTION by Kolarik                      Seconded by Reisbig                      CARRIED

Approve the PA 116 program designation for Doug Meier.

**AT&T Phone Service** - The current AT&T phone bills have been costing the township a lot of money. Supervisor Pohl will look into the possibility of eliminating long distance and the fax line.

**Commission & Committee Reports:**

**Road Issues** - The gravel, limestone and brining for the roads is complete.

**Planning Commission Update** - The Planning Commission had their second meeting on the 5 year Master Plan update. Valerie Goodman was appointed to the Danby Township Planning Commission to take the place of Patrick Sprunger.

**Officer Reports:**

**Fire Runs** - There were zero fire runs for August for a total of 13 for 2013.

**Bills** - Clerk Platte presented the bills.

Motion by Platte                      Seconded by Reisbig                      CARRIED

    Pay bills as presented by Clerk Platte.

**Treasurer's Report** - Treasurer Kolarik presented report with an account balance of \$805,021.64.

**Cemetery Business:** Sexton Ron McDaniels gave checks and burial permits to Treasurer Kolarik and Clerk Platte. He stated he has 2 foundations to pour. A family called Treasurer Kolarik asking about a headstone that was damaged in the cemetery.

**Public Comment:** none

**Announcement:** Next regular meeting scheduled for October 24, 2013

**Adjournment:** Supervisor Pohl adjourned the meeting at 7:58 p.m..

Kristina Platte  
Danby Township Clerk