

OTISCO TOWNSHIP BOARD REGULAR MEETING  
Otisco Township Hall, 9663 W. Button Road, Belding, MI 48809  
July 11, 2023 @ 7:00PM  
AGENDA

- I. Call to Order. Roll Call. Opening prayer.
- II. Pledge of Allegiance to the Flag
- III. Approval of Agenda
- IV. Brief Public Comment (agenda topics only - 3-minute time limit)
- V. Approval of Minutes –
  - a. June 13, 2023 Board Meeting
  - b. June 15, 2023 Hall Expansion Meeting
- VI. Approval of Payables & Payroll (if applicable)
- VII. Treasurers Report
- VIII. Communications
- IX. Reports
  - a. Township Deputy
  - b. Assessor
  - c. Cemetery Committee
  - d. County Commissioner
  - e. Planning Commission
  - f. ZBA
  - g. Zoning Administrator
- X. Unfinished Business
  - a. Web Site Development
    - i. Wix Site
    - ii. FOIA Information – now back on [www.otiscotwp.org](http://www.otiscotwp.org)
  - b. Cemetery Committee – Cemetery Record Keeper – Cemetery Ordinance
  - c. Livestreaming – What equipment and services? Who sets it up? Who runs/posts it? What will it cost? Who manages data and archiving?
  - d. Township Hall Maintenance
  - e. Cemetery Records
  - f. Recycling
- XI. New Business:
  - a. Point and Pay
  - b. Hall Expansion
  - c.
  - d.
- XII. Extended Public Comment (any topic - 5-minute time limit)
- XIII. Final Board Comments
- XIV. Adjournment

Posting Date:

6-28-23  
DLP.

"The clerk is ultimately responsible for the minutes but how you get there is unclear, such as hiring of person to write stuff down and then turning over to the clerk to create official minutes. So, I think the board could hire someone to make /create draft minutes which can be used by the clerk to use as the minutes. The board would pay the person who it hires. The clerk could have her deputy clerk do the minutes and to be paid if board has agreed to pay, as the deputy clerk's pay is subject to board approval. The clerk could not hire someone else without board approval. She could designate deputy clerk to do such minutes but that person would have to take oath of office and pay is subject to board."

**James B. Doezema**

**Attorney**

**Foster Swift Collins & Smith PC**

## OTISCO TOWNSHIP BOARD REGULAR MEETING

### Preliminary Minutes

Otisco Township Hall, 9663 W Button Road, Belding, MI 48809

June 13, 2023, @ 7:00 PM

Supervisor Desmond Pike called the meeting to order and took roll call, in attendance were John Feuerstein, Joe Borek, Paula Byrne, and Desmond Pike, not present was Lynda Sower. Desmond followed with an opening prayer and then all stood for the Pledge of Allegiance.

The agenda was reviewed and approved with a few additions and passed 4-0

There was a brief discussion regarding hiring Laura Staats to take the minutes for tonight's meeting because Lynda Sower is absent and to be the recording secretary for any other meeting where Lynda Sower is absent. A vote was taken to pay Laura \$80.00 each time she is to take the minutes. A roll call vote was taken and, passed 3 - 1.

Opening public comment – Cara Johnson commented that she felt there was poor prior planning and that there were too many items added to the agenda at the last minute.

Recycling has been suspended for this summer. Desmond spoke with the township's insurance company regarding hazardous coverage which is not covered under the hall's insurance. It is being further discussed regarding liability. At this time individual residents may take their waste recycle materials to a drop-off point on 10 Mile Road in Rockford at no charge. It is hoped that something can be worked out by the fall.

Motion was made and approved for the minutes of the May 9<sup>th</sup>, 2023 meeting, passed 4-0

Motion was made and approved for the accounts payable, discussion regarding recycling payment, there was not supposed to be recycling in May but Gib Brown came anyway, and passed 4-0

Officer Teft was not in attendance. Desmond Read from the deputy's report that he went on 47 service calls there were 4r criminal calls.

Laura Staats gave a brief cemetery report the Smyrna and Otisco Cemeteries were having tree work done. The Cemetery Committee is still trying to work on moving forward with plans to identify the persons buried in both cemeteries. If the records have been returned to the Township Hall. The committee will also work to determine a labeling or tagging system for graves in both cemeteries using markers or software of some type. Cemetery Committee meeting on June 15 at 7:00 pm followed by the new Hall Committee meeting.

Laura Staats supplied Jeff Hunter with a diagram of a mapping system that would allow people arriving at the cemetery to have a way to locate a loved one's grave within the cemetery if they have not visited before and asked him to supply a quote to the Cemetery Committee at a future date.

Planning Commission reviewed the Wind and Solar survey to be mailed out to Otisco Township residents. They also reviewed a level one home-based business on Hawley Hwy.

Paula Byrne is working with internet provider WIX, they have been doing trial runs, and the website should be up and running soon.

FOIA request information had been added to the township website. This information has been removed from the website at the Clerk's request. The Supervisor will inquire why it was removed when the Clerk returns to the office from her vacation. The supervisor asked for a motion to have FOIA returned to the website. A motion was made and seconded and passed with a roll call vote of 4-0.

Ionia County Road Department assigns house numbers, driveways, and private road permits.

Seely and Ingles Roadway washout, culvert needs replacement at a cost of \$5936.60. A motion was made and seconded for the repair and passed 4-0.

Other preapproved road improvements were briefly discussed including gravel and brining. All road expenditures are within the budgeted amounts. Whites Bridge Road north of M 44 should be fog coated and chip sealed at a cost of \$45 a mile the road is approximately a mile and a half and would be about \$65,000. We have a balance of about \$71,000 in that account.

Resolution # 2023-07? Ionia County Road Department – Tabled requires Lynda's signature.

The position of Deputy Assessor has been given to Larry Mercer who is also the Zoning Administrator. He and one other person applied for the job. Sally Frain our current Assessor made the recommendation to accept Larry Mercer's bid for the position and asked the board to approve him. A motion was made to accept Larry Mercer as the Deputy Assessor. He will assess 200 properties at \$20 per property. He will do this on his own time and schedule.

Cemetery Committee has made it one of their goals to make sure that all the unmarked graves in both of the Otisco Township cemeteries are identified, if possible, to notify families still living in the area that they have family buried there. We hope to set up a system of identification and tracking of each burial to help families locate family members' graves.

Livestreaming of meetings, Paula Byrne will work with IT to set this up. It will be posted to the Townships webpage for viewing.

Roads have been Tabled until next month.

Lyle Schain's work as hall maintenance has been tabled until next month.

Cemetery Records has been tabled until next month.

Dillingham is being handled through the proper channels.

Octagon house is now in the hands of the Ionia County Health Department.

Roadside Mowing will be done twice this year.

Motion to adjourn was made and seconded and passed 4-0

Respectfully Submitted,  
Laura J Staats

## Otisco Township New Addition Committee Meeting

June 15, 2023

Present: Desmond Pike, Paula Byrne, Dala & Roger Granzo, Joe Borek, Laura Staats, Angie Bannister, James Conley, Jeff Hunter, Elizabeth Frisbee

Desmond Pike called the Hall Expansion meeting to order at 7:45 PM and ask for approval of the agenda as written. Motion made to accept the agenda as the written motion passed 6-0.

Pike asked if there was any brief public comment. There was none.

Pike contacted Dan Vos Construction to request a quote. Dan Vos said he was not interested; our project was too small for his business. Pike also contacted Integrated Architecture whose response was I'll help you find someone.

Pike had previously spoken with Tim Spitzley who is willing to manage and oversee the entire process of building the hall addition. James Conley, a township resident, suggested we consider Chris Breimayer and made a call to him. Desmond Pike spoke with Mr. Breimayer who said that he only draws plans and does not deal with construction.

A rough estimate based on previous numbers for the new addition was \$446,000.00. Paula Byrne township treasurer supplied the committee with the following numbers in the ARPA account as being \$246, 222.86. The building fund has a balance of \$61, 979.80. with a total balance for the two being \$308, 202.66. Some expenditures previously from this fund have been used for the purchase of playground equipment and the construction of the pavilion over the last couple of years. In the past, this fund had been about \$492,444.00.

At the end of the evening, Desmond Pike asked the Hall Expansion Committee to sign a statement that reads as follows "The Hall Expansion Committee recommends pursuing Tim Spitzley architect for the drawing of plans for building of the Otisco Township Hall expansion." It was then signed by everyone present. This statement will be presented to the Otisco Township Board at the next Otisco Township Board meeting to be held on July 11, 2023.

Paula Byrne submitted drawings of office layouts for the existing building. She will have input for the architect to make sure that her needs and the future treasurer's bookkeeping needs will be met.

Desmond commented that the township lawyer stated that he wanted to see the building contract before the Township Board moves to sign it and go ahead with the construction as he feels that there will be a need to make some amendments to it.

Motion to adjourn was made and seconded and passed 10-0

Respectfully submitted  
Laura J Staats

User: DESMOND  
DB: Otisco

GL NUMBER	DESCRIPTION	2023-24 ACTIVITY	2023-24 ORIGINAL BUDGET	2023-24 REQUESTED BUDGET
Fund: 101 GENERAL FUND				
Dept 000 - ACCRUED PAYROLL				
101-000-402.000	TAX LEVY	4,600		87,000
101-000-410.000	PERSONAL PROPERTY TAX			
101-000-411.000	DELQ. REAL TAX			
101-000-412.000	DELQ. PERSONAL TAX			
101-000-425.000	425 AGREEMENT REVENUE			11,157
101-000-432.000	STATE OWNED LAND TAX			200
101-000-434.000	TRAILER PARK FEE	180		720
101-000-445.000	PENALTIES AND INTEREST ON TAXES			
101-000-445.002	PENALTY & INTERES PERSONAL PROPER			
101-000-447.000	ADMINISTR. FEE- TAXLEVY	1,601		20,000
101-000-447.001	ADMINISTR. FEE ON DELQ.			
101-000-447.002	PENALTY & INTEREST PERSONAL PROPE			
101-000-448.000	SUMMER TAX STATE REIM			
101-000-477.000	CABLE FRANCHISE	1,376		6,000
101-000-479.000	JUNKYARD FEE			50
101-000-490.000	ZONING PERMIT	340		3,000
101-000-567.000	CONSUMERS IND. SERVICES			
101-000-571.000	STCOMBINED STATUTORYTX			
101-000-573.000	PERSONAL PROPERTY TAX REIMBURSEME			7,737
101-000-574.000	STATE REVENUE SHARING	36,288		243,485
101-000-575.000	STATE METRO ANNUAL MAINTANCE			
101-000-628.000	GRAVEOPEN/CLOSE FEE	450		2,000
101-000-629.000	LAND DIV. APPLICATION FEE	130		910
101-000-642.000	CEMETERY LOT SALES	300		1,500
101-000-647.000	SALE ZBOOK & COPIES			
101-000-647.001	NFC			
101-000-655.000	FINES AND FORFEITURES			
101-000-656.000	DEMOLISH OF BUILDING	5,098		250
101-000-665.000	INTEREST - CHECKING	401		150
101-000-665.001	INTEREST - SAVING	66		300
101-000-665.005	INTEREST - MERCANTILE CD			5,500
101-000-665.009	BUILDING INTEREST			150
101-000-665.013	CD.MERCANTILE-ROADS			2,500
101-000-665.014	CD FROM SAV. ACCT.			
101-000-665.015	INTEREST ON CD CEM			
101-000-665.017	NEW ACCT. FROM GEN CKING INTERSSST			
101-000-665.018	BIKE RACE 2022 INT. (ESCROW)			
101-000-669.703	TRANSFER FROM TAX			
101-000-672.000	MISC. REVENUE	194		50
101-000-676.000	REIMBURSE EMSERVICE			
101-000-677.000	REIMBURSE SCHOOL ELEC			
101-000-678.005	BUILDING ACCT INDEP.BANK			
101-000-687.000	REIMBURSE & REFUNDS	2,181		
101-000-689.000	CASH OVER & SHORT			
101-000-699.001	TRANSFER FROM TAX COL INT			
101-000-699.002	PENSION TRANSFER			
101-000-699.003	TRANSFER FROM ESCROW FD			
101-000-699.101	TRANSFER FROM GENERAL FUND			
101-000-699.209	TRANSFER FROM CEM FUND			
101-000-699.230	TRANSFER FROM ROAD FUND			
101-000-699.500	TRANSFER FROM FIRE FUND			
NET OF REVENUES/APPROPRIATIONS - 000 - ACCRUED PAY		53,205		392,659
Dept 101 - TOWNSHIP BOARD				
101-101-702.000	SALARY & WAGES	419		8,600
101-101-707.000	SCHOOL			400
101-101-710.000	CONVENTION			3,000
101-101-712.000	MEALS			300
101-101-716.000	PENSION	475		650
101-101-716.002	PENSION PARTICIPATIONFEE	45		200
101-101-802.000	SNOW REMOVAL			
101-101-860.000	MILEAGE			500
101-101-950.000	IONIA CO. ASS'N DUES			
101-101-958.000	MI TWP ASS'N DUES			
101-101-959.000	SHERIFF SUPPORT			
101-101-967.000	GRANT PROJECT			
NET OF REVENUES/APPROPRIATIONS - 101 - TOWNSHIP BO		(939)		(13,650)
Dept 171 - SUPERVISOR				
101-171-702.000	SALARY & WAGES	1,583		19,000
101-171-703.000	DEPUTY SALARY & WAGES			12,000
101-171-707.000	SCHOOL			1,000
101-171-710.000	CONVENTION			3,000
101-171-712.000	MEALS			300
101-171-740.000	EQUIPMENT & SUPPLIES			1,000
101-171-750.000	SOFTWARE			400

User: DESMOND

DB: Otisco

GL NUMBER	DESCRIPTION	2023-24 ACTIVITY	2023-24 ORIGINAL BUDGET	2023-24 REQUESTED BUDGET
Fund: 101 GENERAL FUND				
Dept 263 - ELECTIONS - SCHOOLS				
101-263-702.000	SALARY & WAGES			1,000
101-263-712.000	MEALS			200
101-263-740.000	EQUIPMENT & SUPPLIES			1,000
101-263-860.000	MILEAGE			100
NET OF REVENUES/APPROPRIATIONS - 263 - ELECTIONS -				(2,300)
Dept 265 - BUILDING AND GROUNDS				
101-265-740.000	EQUIPMENT & SUPPLIES	350		10,000
101-265-810.000	MAINTENANCE	300		25,000
101-265-920.000	UTILITIES	610		5,200
101-265-922.000	LAWN CARE	3,308		14,000
101-265-923.000	SNOW REMOVAL	280		2,000
101-265-924.000	HALL CLEANING	160		2,000
NET OF REVENUES/APPROPRIATIONS - 265 - BUILDING AN				(5,008)
Dept 272 - ACCRUED PAYROLL				
101-272-955.000	MISCELLANEOUS EXPENDITURE	101		23,000
NET OF REVENUES/APPROPRIATIONS - 272 - ACCRUED PAY				(101)
Dept 336 - FIRE PROTECTION				
101-336-766.000	BELDING FIRE DEPT. UTV			
101-336-970.000	FIRE CAPITAL OUTLAY			
101-336-995.206	TRANSFER TO FIRE FUND			50,000
NET OF REVENUES/APPROPRIATIONS - 336 - FIRE PROTEC				(50,000)
Dept 445 - DRAINS				
101-445-930.000	DRAINS			2,500
NET OF REVENUES/APPROPRIATIONS - 445 - DRAINS				(2,500)
Dept 448 - STREET LIGHTING				
101-448-920.000	STREET LIGHTS			2,800
NET OF REVENUES/APPROPRIATIONS - 448 - STREET LIGH				(2,800)
Dept 450 - ROADS				
101-450-802.000	ROADS OTHER MOWING SIDE OF ROADS			5,000
101-450-995.204	TRANSFER TO ROAD FUND			
NET OF REVENUES/APPROPRIATIONS - 450 - ROADS				(5,000)
Dept 567 - CEMETERY				
101-567-678.005	BUIILDING INDEP.BANK			
101-567-702.000	SALARY & WAGES CEMETERY	333		5,000
101-567-702.002	CEMETERY COMM.IMPROVEMENTS			5,000
101-567-702.003	MAINTANACE CEMETERY	2,082		50,000
NET OF REVENUES/APPROPRIATIONS - 567 - CEMETERY				(2,415)
Dept 651 - AMBULANCE				
101-651-836.000	LIFE EMS	3,575		16,000
NET OF REVENUES/APPROPRIATIONS - 651 - AMBULANCE				(3,575)
Dept 701 - PLANNING COMMISSION				
101-701-702.000	SALARY & WAGES	545		8,000
101-701-707.000	SCHOOL			1,000
101-701-712.000	MEALS			500
101-701-740.000	EQUIPMENT & SUPPLIES			150
101-701-860.000	MILEAGE			500
NET OF REVENUES/APPROPRIATIONS - 701 - PLANNING CO				(545)
Dept 702 - ZONING				
101-702-702.000	SALARY & WAGES	1,447		17,360
101-702-707.000	SCHOOL			500
101-702-710.000	CONVENTION			500
101-702-712.000	MEALS			150
101-702-740.000	EQUIPMENT & SUPPLIES			2,000
101-702-860.000	MILEAGE	170		1,250
NET OF REVENUES/APPROPRIATIONS - 702 - ZONING				(1,617)
Dept 703 - ZONING BOARD OF APPEALS				
101-703-702.000	SALARY & WAGES	110		3,000
101-703-707.000	SCHOOL			750
101-703-712.000	MEALS			500
101-703-740.000	EQUIPMENT & SUPPLIES			100
101-703-860.000	MILEAGE			400
NET OF REVENUES/APPROPRIATIONS - 703 - ZONING BOAR				(110)
Dept 858 - PAYROLL EXPENSE				

User: DESMOND

DB: Otisco

GL NUMBER	DESCRIPTION	2023-24 ACTIVITY	2023-24 ORIGINAL BUDGET	2023-24 REQUESTED BUDGET
Fund: 207 POLICE FUND				
Dept 000 - ACCRUED PAYROLL				
207-000-665.000	INTEREST - CHECKING	16		20
207-000-669.703	TRANSFER FROM TAX			
207-000-673.001	INTEREST INDEP. BANK SHERIFF			
207-000-699.101	TRANSFER FROM GENERAL FUND			
207-000-959.000	SHERIFF SUPPORT	7,076		44,000
NET OF REVENUES/APPROPRIATIONS - 000 - ACCRUED PAY		(7,060)		1,141
ESTIMATED REVENUES - FUND 207				
APPROPRIATIONS - FUND 207				
NET OF REVENUES/APPROPRIATIONS - FUND 207		(7,060)		1,141
BEGINNING FUND BALANCE				
ENDING FUND BALANCE				
Fund: 209 CEMETERY FUND				
Dept 000 - ACCRUED PAYROLL				
209-000-699.101	TRANSFER FROM GENERAL FUND			
209-000-740.000	EQUIPMENT & SUPPLIES			
NET OF REVENUES/APPROPRIATIONS - 000 - ACCRUED PAY				
Dept 200				
209-200-665.002	INTEREST- CD CEM			
209-200-813.000	GRAVE OPENING& CLOSING			
209-200-995.101	TRANSFER TO GENERAL FUND			
NET OF REVENUES/APPROPRIATIONS - 200 -				
ESTIMATED REVENUES - FUND 209				
APPROPRIATIONS - FUND 209				
NET OF REVENUES/APPROPRIATIONS - FUND 209				
BEGINNING FUND BALANCE				
ENDING FUND BALANCE				
ESTIMATED REVENUES - ALL FUNDS		69,496		760,232
APPROPRIATIONS - ALL FUNDS		65,734		1,238,949
NET OF REVENUES/APPROPRIATIONS - ALL FUNDS		3,762		(478,717)
BEGINNING FUND BALANCE - ALL FUNDS				
ENDING FUND BALANCE - ALL FUNDS				



## Assessor's JUNE 2023 Report for JULY Board Meeting

During the month of June, 2023 I did the following:

- 1) Answer questions from property owners – from calls, email, voicemail
- 2) Receive PTA's, PRE's in the mail and from county, and place them in the database (note: sales are currently down from prior years)
- 3) Scan copies of the PRE's and attached them to the property owners parcel
- 4) SCAN the deeds to the parcel it belongs to
- 5) Processed a couple building permits in the database
- 6) Printed and sent out postcards for this years re-appraisal work starting in section 4, 5 and 6
- 7) Training being done for the Field Re-appraisal: with Larry
- 8) Worked on PRE adjustments for prior years
- 9) Took 2 education classes this month
- 10) Back up my database weekly and send it to an county ftp website
- 11) Back up my attachments each weekly
- 12) Update my database monthly

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Sally Frain  
Assessor

OTISCO TOWNSHIP ORDINANCE NO. 2017-01

Township of Otisco

County of Ionia, Michigan

Adopted: July 11, 2017

Effective: Aug. 26, 2017

An ordinance to protect the public health, safety and general welfare by establishing regulations relating to the operation, control, and management of cemeteries owned by the Township of Otisco, Ionia County, Michigan; to provide penalties for the violation of said ordinance; and to repeal all ordinances in conflict therewith.

Township of Otisco

County of Ionia, Michigan

Ordains:

Section I

Title

This ordinance shall replace Ordinance # 2015-03 and shall be known and cited as Otisco Township Cemetery Ordinance.

Section II

Definitions of Cemetery Lots and Burial Spaces

- A. A burial space shall consist of a land area 4 feet wide and 8 feet in length.
- B. A resident is defined for purposes of this ordinance: One residing within Otisco Township only; not within the City of Belding.

Section III

Sale of Lots or Burial Spaces

- A. Residents of the Township may purchase no more than two spaces for burial of such residents or his or her heirs at law, if such heirs are residents of said Township. The cost of these spaces shall be set by the Township Board.
- B. Nonresidents of the Township shall be sold no more than 2 burial spaces and only at time of need; for the purpose of the burial of such purchaser or his or her heirs at law. No sale shall be made to funeral directors of any burial space except as permitted by the ordinance, and then only at time of need.
- C. ~~The Township Clerks office, however, is hereby granted authority to vary the aforesaid restrictions on sales where the purchaser discloses sufficient personal reason for burial within the Township through previous residence in the Township or relation to persons interred therein.~~

- D. All such sales shall be made on a form approved by the Township Board, which grants a right of burial only and does not convey any title to the lot or burial space sold. Such forms shall be executed by the Township Clerks office.
- E. Burial rights may only be transferred to those persons eligible to be original purchasers of cemetery lots or burial spaces within the Township and may be effected only by endorsement of an assessment of such burial permit upon the original burial permit form issued by the Township Clerks office, approved by said Clerk, and entered upon the official record of said Clerk. Upon such assignment, approval and record, said clerk shall issue a new burial permit to the assignee and shall cancel and terminate upon such records, the original permit thus assigned.
- F. At the time of purchase from the Township, each cemetery plot shall be assigned the name of the specific person who shall be interred in that cemetery plot upon death. Each such person must be a resident or taxpayer of the Township, or be a member of the immediate family member of a qualified purchaser. If the owner of a cemetery plot desires to effectuate a name change regarding the assigned cemetery plot, that person must sell the cemetery plot back to the Township and repurchase that space in the name of another eligible person, since cemetery plots are not otherwise transferrable.
- G. The Township shall have the right to correct any errors that may be made concerning interments, disinterment's, or in the description, transfer or conveyance of any cemetery plot, either by canceling the permit for a particular vacant plot or plots and substituting and conveying in lieu thereof another vacant cemetery plot or plots in a similar location within the cemetery at issue. In the event that an error involves the interment of remains of any person, the Township shall have the right to remove and transfer the remains so interred to another cemetery plot in a similar location in the same Township cemetery in accordance with law.
- H. The owner of every cemetery plot shall be responsible for notifying the Township whenever that person's mailing address changes.

#### Section IV

##### Purchase Price and Transfer Fees

- A. Each burial space shall be at a cost to be determined from time to time by resolution of the Township Board and payable to the Township.
- B. Any transfer of one or more burial spaces from an original purchaser to a qualified assignee shall be at a cost to be determined from time to time by resolution of the Township Board and payable to the Township. The space in question must be sold back to the Township and resold in the new designated name.

#### Section V

##### Grave Opening Charges

- A. The opening and closing of any burial space, prior to and following a burial therein, and including the interment of ashes, shall be at a cost to be determined from time to time by the resolution of the Township Board and payable to the Township.
- B. No burial spaces shall be opened and closed except under the direction and control of the Township Clerks office. This provision shall not apply to proceedings for the removal and re-interment of bodies, remains, and cremains under the provision of the Ionia County Health Department, Medical Examiner, or the Circuit Court.
  - i. It is the responsibility of the Sextant to contact the Township Clerk's Office prior to burial to verify the plot and gravesite number. Failure to contact the Township Clerk's office prior to burial may result in non-payment for that burial.
  - ii. All payments should be made directly to the Township Clerk's office, in the event that the Sextant accepted the payment he must deliver it and the burial records to the Township Hall within 7 business days.

## Section VI

### Markers and Memorials

- A. The footing or foundation upon which any monument, marker or memorial must be placed shall be constructed by the Township at a cost to the purchaser in an amount to be determined from time to time by resolution of the Township Board and payable to the Otisco Township Clerks office.
- B. All markers or memorials must be of stone or other equally durable composition.
- C. Any large upright monuments must be located upon a suitable solid foundation to maintain the same in an upright position. Said foundation to be approved by the Township Clerks office.
- D. Only one monument, marker or memorial shall be permitted per burial space, any exceptions must be approved by the Township Clerks office.
- E. New foundations will create a ribbon of concrete the full width of the cemetery plot, allowing sufficient space for the addition of an urn. All urns must be located on the same foundation as the monuments or memorials.
- F. Foundations for military veterans will have an appropriate location for insertion of the American flag in honor of their service to the United States of America.
- G. Large family monuments are required to have their own space purchased and to be erected upon that space only, placement of large monuments must be in-line with the headstones, and cannot occupy any other portion of the burial space.
- H. All gravesites shall have a permanent marker placed within one year of interment.

## Section VII

### Internment Regulations

- A. Only one person may be buried in a burial space, any exceptions consistent with Michigan Law and shall be approved by the Township Clerks office.
- B. Up to eight (8) cremains may be buried in one burial space, monument(s) large enough to contain all names; said monument(s) must be on a foundation and in-line with the other markers.

- C. Not less than 36 hour notice shall be given in advance of the time of any funeral to allow for the opening of the burial space.
- D. The appropriate permit for the burial involved, together with appropriate identification of the person to be buried therein, where necessary; shall be presented to the Township Clerks office prior to internment. Where such permit has been lost or destroyed, the Township Clerks office shall be satisfied, from his or her records that the person to be buried in the burial space is an authorized and appropriate one before any internment is commenced or completed.
- E. All grave shall be located in an orderly and neat appearing manner within the confines of the burial space involved.

### Section VIII

#### Ground Maintenance

- A. No grading, leveling, or excavating upon a burial space shall be allowed without the permission of the Township Clerks office.
- B. No flowers, shrubs, trees or vegetation of any type shall be planted in the ground without the approval of the Township Clerks office. Any of the foregoing items planted without such approval may be removed by the Township Clerks office, or at the direction of the Township Clerk's office to the ground maintenance personnel, or the Cemetery Committee Member(s).
- C. The Township Board reserves the right to remove or trim any tree, plant, or shrub located within the cemetery in the interest of maintaining proper appearance and the use of the cemetery.
- D. Mounds which hinder the free use of a lawnmower or other gardening apparatus are prohibited.
- E. The Cemetery Committee, ground maintenance personnel or others appointed by the Township Board shall have the right and authority to remove and dispose of any and all growth, cut flowers, plants, emblems, displays or containers therefore or any item whatsoever which becomes unsightly, a source of litter, or a maintenance problem. Any decorative items placed on or near a headstone or marker must be in-line with the headstone or marker; those not meeting this requirement will be removed at the direction of the Township Clerk's office to the ground maintenance personnel, or Cemetery Committee Member(s).
- F. Surfaces over the burial space other than earth or sod are prohibited.
- G. All refuse of any kind or nature including, among others, dried flowers, wreaths, papers, and flower containers must be removed or deposited in containers located within the cemetery.
- H. Floral arrangements; whether they be fresh flowers, dried flowers, wreaths, papers, shall not be placed on graves prior to May 1 of each year. All arrangements, including fresh flowers, dried flowers, wreaths, papers, and flower containers shall be removed not later than October 1 of each year.
- I. The Township Board's determination as to any action taken under the authority granted by this section shall be final and conclusive, and any person purchasing a burial space shall be presumed to consent to such action.
- J. No dogs allowed in the cemetery; except for service for service dogs.

### Section IX

#### Forfeiture of Vacant Cemetery Lots or Burial Spaces

All burial spaces acquired after the effective date of this ordinance and remaining vacant 40 years from the date of their acquisition shall automatically revert to Otisco Township upon occurrence of the following events:

- A. Notice shall be sent by the Township Clerk by first-class mail to the last known address of the owner of record and informing him of the expiration of the 40 year period and that all rights with respect to said lots or spaces will be forfeited if he does not affirmatively indicate in writing to the Township Clerk within 60 days from the date of mailing of said notice his desire to retain said burial sites.
- B. If no written response to said notice indicating a desire to retain the cemetery lots or burial spaces in question is received by the Township Clerks office from the last owner of record of said lots or spaces or his heirs or legal representative within 60 days from the date of mailing of said notice, said lots or spaces shall revert to the Township and be available immediately for re-sale.

### Section X

#### Repurchase of Lots or Burial Spaces

Otisco Township will repurchase any cemetery lot or burial space from the owner for the original price paid the Township, upon the written request of said owner or his legal heirs or representative provided that the lot has not reverted to the Township pursuant to Section IX.

### Section XI

#### Records

The Township Clerk shall maintain records concerning all burials, issuance of burial permits, and any perpetual care fund, separate and apart from any other records of the Township and the same shall be open to public inspection at all reasonable business hours.

### Section XII

#### Vault

All burials shall be within a standard concrete vault installed or constructed in each burial space before internment. Exceptions being approved by the Township Clerks office for those meeting "green" burial practices.

### Section XIII

#### Cemetery Hours

- A. The Cemetery shall be open to the general public from hours of dawn to dusk of each day. Cemetery Gates may be locked from time to time at the discretion of the Township Board.
- B. No person shall be permitted in the Township Cemeteries at any time other than the foregoing hours; except upon the permission of the Township Board or the Township Clerks office.

### Section XIV

#### Penalties

Any person, firm or corporation who violates any of the provisions of this Ordinance shall be guilty of a civil infraction and shall be subject to a fine up to \$100 and/or imprisonment for up to 90 days in jail. Each day that a violation continues to exist shall constitute a separate offense. Any criminal prosecutions hereunder shall

not prevent civil proceedings for abatement and termination of the activity complained of or for damages occasioned thereby.

#### Section XV

##### Disclaimer of Township Liability and Responsibility

Every person who enters, remains in and travels within a Township cemetery does so at their own risk. The Township is not responsible for any injury, accident or other calamity that might occur to any person present in a Township cemetery. Furthermore, the Township is not responsible for any damage or vandalism to, theft of or deterioration of any burial monument, headstone, flower urn or other item placed at or near a cemetery plot, burial site or anywhere in a Township cemetery. The purchaser or transferee of any cemetery plot or the equivalent (and all subsequent transferees, assigns, heirs, or beneficiaries) hereby releases, waives, indemnifies and holds harmless the Township for, from and against any injury, damages, causes of action, claims, costs and expenses associates with, relating to and/or involving the cemetery plot or similar right, any headstone, monument or similar items, and any matter related to the cemetery involved. Such waiver, release and hold harmless provision shall apply not only to the Township, but also as to the township Sextant and any Township employee, officer, official, committee member or agent.

#### Section XVI

##### Interpretation/Appeals to the Township Board

- A. The Township Board shall have the authority to render binding interpretations regarding any of the clauses, provisions or regulations contained in this Ordinance and any rule or regulation adopted pursuant to this Ordinance, as well as their applicability. The Township Board (or its designee) is also authorized to waive application of the strict letter of any provision of this Ordinance or any rules or regulations promulgated under this Ordinance where practical difficulties in carrying out the strict letter of this Ordinance or any rules or regulations related thereto would result in hardship to a particular person or persons or the public. Any such waiver, however, must be of such a character as it will not impair the purposes of this Ordinance.
- B. Any party aggrieved by any interoperation of decision made by the Township Board pursuant to this Ordinance, as well as any matter relating to a Township cemetery, rights to a cemetery plot, or other matter arising pursuant to this Ordinance, shall have the right to appeal that determination/decision or matter to the Township Board. Any such appeal shall be in writing and shall be filed with the Township within thirty (30) days of the date of the decision, determination or other matter being appealed from. The Township shall give the aggrieved party who filed the written appeal with the Township at least ten (10) days' prior written notice of the meeting at which the Township Board will address the matter unless an emergency is involved, in which case the Township shall utilize reasonable efforts to notify the aggrieved party who filed the appeal of a special or emergency meeting of the Township Board at which the matter will be addressed. Pursuant to any such appeal, the decision of the Township Board shall be final.
- C. The Township Board may set a fee or fees for any such appeal from time to time by resolution.

The above Otisco Township Cemetery Ordinance was offered for adoption by the Township Board Member Lynda Sower and was seconded by Cara Johnson Township Board Member,

The voting was as follows:

Yeas: - 5

Nays: - 0

Absent/Abstain"

ORDINANCE DECLARED ADOPTED.

#### CERTIFICATION

I hereby declare that the above is a true copy of an ordinance adopted by the Otisco Township Board at a regular meeting held on July 11, 2017, at the Otisco Township Hall, pursuant to the required statutory procedures.

Dates: \_\_\_\_\_, 2017

Respectfully submitted,

By Lynda Sower, Lynda Sower, Township Clerk



The Hall Expansion Committee recommends  
pursuing Tim Spitzely Architecture for  
drawing of plans for building of the Otisco  
Township Hall expansion.

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Laura J. Straits  
via  
Dalea Searge  
Rogee Searge  
Angie Bannister  
Called By  
James Cooley