

**ROSE TOWNSHIP BOARD OF TRUSTEES
REGULAR MEETING
October 12, 2011**

The following residents and guests signed in as present:

| | | | | |
|-------------|------------------|------------------|--------------------|--------------|
| Nancy Hanks | George Skufca | Tom Willwerth | Patty Smith | G.E. Noble |
| Jim Porter | Robert Hauxwell | Alton Gray | Jim Weil | Don Walls |
| Pat Walls | Chester Koop | Mike Holowecki | Stephanie Neuwirth | Dawne Claus |
| Tim Claus | Krystal Bastello | Rev. Terry Claus | Darlyne Stanczyk | Bruce Proper |

Supervisor Kalcec called the regular meeting of the Rose Township Board of Trustees to order at 7:30 p.m. at the Rose Township Hall, 204 Franklin Street, Holly, Michigan and led in the Pledge of Allegiance.

Board Members Present: Kalcec, Miller, Slaughter, Gordon, Scheib-Snyder
Board Members Absent: None

Others Present: Susan Weaver (recording secretary), John Mulvihill, Esq. (township attorney).

Communications available for review.

APPROVAL OF AGENDA:

A. Approval of Proposed Agenda for October 12, 2011

Supervisor Kalcec removes line item 6(A) from the agenda/Candice Cataldi-Nationwide Retirement Systems unable to attend.

Supervisor Kalcec adds New Line Item **10(H)(A) Approve Compensation for Extra Duties**

Supervisor Kalcec adds New Line Item **(10)(H)(B) Correct Typo in the Budget Amendment Resolution.**

Moved by Slaughter, seconded by Miller, motion carried to approve the Agenda as amended.

**Voting Yes: Scheib-Snyder, Kalcec, Gordon, Slaughter, Miller
Voting No: None**

CONSENT AGENDA:

Supervisor Kalcec pulls 9/19/11 Meeting Minutes.

Moved by Slaughter, seconded by Gordon, motion carried to approve the Consent Agenda as amended.

**Voting Yes: Kalcec, Slaughter, Scheib-Snyder, Miller, Gordon
Voting No: None**

A. Approval of Minutes of September 7, 2011, September 14, 2011 September 19, 2011

Supervisor Kalcec (Minutes/Special Meeting 9/19/11) strikes as redundant, 1st paragraph after

“Returned To Open Session 5:37 p.m.

Moved by Slaughter, seconded by Miller, motion carried to approve the Minutes of the September 19, 2011 Special Meeting as corrected.

**Voting Yes: Kalcec, Slaughter, Scheib-Snyder, Miller, Gordon
Voting No: None**

B. Receipt of Monthly Reports

- Building Department
- Constable
- NOCFA
- HAYA
- Financial Reports (Revenue and Expense Reports and Balance Sheets by Fund)

C. Payment of Bills

PRESENTATIONS:

None.

PUBLIC COMMENT ON AGENDA ITEMS:

Tom Willwerth, Resident states as to Assessor’s comments in her response letter, Assessor believes information was misread. Resident states his information was gathered from Supervisor and Deputy Treasurer, printed from Township system. Resident asks for Assessor’s contract with the Township and believes she should be in the office from 10:00 a.m. – 3:00 p.m. Slaughter states Assessor is not a contractor at this time, she is an employee. Supervisor Kalcec states Assessor was told her employment terms remained the same as when she was under contract.

G.E. Noble, Resident states the Township should not sell their property as it relates to the Tower Lease.

PUBLIC HEARINGS:

None.

OLD/CONTINUING BUSINESS:

A. Receive Assessor’s Response to Citizen Complaint

Supervisor Kalcec had a conversation with Assessor, if Board would like to meet with Assessor, Assessor requesting closed session and/or will meet individually.

Moved by Gordon, seconded by Scheib-Snyder, motion carried to receive the Assessor’s response to a citizen complaint.

**Voting Yes: Slaughter, Miller, Gordon, Scheib-Snyder, Kalcec
Voting No: None**

Moved by Slaughter, seconded by Scheib-Snyder, motion carried to schedule a closed session meeting with Township Assessor prior to the next Board meeting.

Voting Yes: Miller, Gordon, Slaughter, Kalcec, Scheib-Snyder
Voting No: None

B. Adopt Ordinance Enforcement Policy – Tabled

Moved by Scheib-Snyder, seconded by Miller, motion carried to remove Ordinance Enforcement Policy from the table.

Voting Yes: Kalcec, Slaughter, Scheib-Snyder, Miller, Gordon
Voting No: None

Supervisor Kalcec and Attorney Mulvihill have created an amended policy. Slaughter states a fly-over provision should be added to the Policy, should not be left to discretion of ordinance enforcer. Slaughter states under civil infractions/citations (E, 1(b)), this will not apply to current situation, delete. Township Attorney states it will follow state statute.

Moved by Slaughter, seconded by Miller, motion carried to adopt the Rose Township Municipal Civil Infraction Policies and Procedures including changes suggested this evening.

Voting Yes: Scheib-Snyder, Kalcec, Gordon, Slaughter, Miller
Voting No: None

C. Financial Reporting Requirement Proposal – Tabled

Moved by Slaughter, seconded by Gordon, motion carried to remove Financial Reporting Requirement Proposal from the table.

Voting Yes: Kalcec, Slaughter, Scheib-Snyder, Miller, Gordon
Voting No: None

Supervisor Kalcec states this matter was tabled pending review by accountant/auditors. The Board has been requested to supply this report. Slaughter states the Board was given full authority to inspect all accounts/records. The auditors suggested this report be compiled in the same manner as it has been done in the past and has been sufficient for the auditors in the past, should remain as is. Supervisor Kalcec states it would not be difficult to plug in requested information, however, some is inapplicable. Slaughter would like to leave this matter open-ended until meeting with Paul Gambka.

Moved by Gordon, seconded by Scheib-Snyder, motion carried to table Financial Reporting Requirement Proposal.

Voting Yes: Kalcec, Slaughter, Scheib-Snyder, Miller, Gordon
Voting No: None

D. Approve Annual SMART Contract – Tabled

Supervisor Kalcec states the Village of Holly is continuing the SMART program. Currently six Rose Township residents utilize SMART, number fluctuates from time-to-time. Slaughter states this is for doctor appointments, etc. and is an important service.

Moved by Slaughter, seconded by Gordon, motion carried to approve the resolution renewing the FY 2012 contract with SMART.

Voting Yes: Miller, Gordon, Slaughter, Kalcec, Scheib-Snider
Voting No: None

ROSE TOWNSHIP RESOLUTION 2010-36
RESOLUTION APPROVING FY 2012 CONTRACT WITH "SMART"

BE IT RESOLVED that the Rose Township Board approves the FY2012 SMART Municipal Credits Contract in the amount of \$6,156.00 to be transferred to the Village of Holly for transportation services for senior and disabled citizens, and

BE IT FURTHER RESOLVED that the Rose Township Board approves said transfer based on its understanding that the Village of Holly will provide the above described services to Rose Township residents and will facilitate the transfer of credits to the OCPTA to provide the required local match, and

BE IT FURTHER RESOLVED that the Rose Township Supervisor is authorized to sign the FY 2012 SMART Municipal Credit Contract as described in this resolution.

NEW BUSINESS:

A. Policy Amendment – Holidays – Public Comments

Supervisor Kalcec prepared a resolution amending two sections of the policy and procedure manual. Sec. 3.13(b) – Holiday Eligibility. Remove last sentence due to four day work week. Slaughter states vacation times are occasionally scheduled around holidays. Supervisor Kalcec states employee supervisor can approve time off. Section 2.4(k) – Public Participation. The policy currently reflects one minute, will now reflect three minutes, not to exceed 15 minutes. Board may extend time limitation at its discretion.

Moved by Slaughter, seconded by Miller, motion carried to approve updates to Rose Township's policies and procedures manual.

Voting Yes: Gordon, Scheib-Snider, Miller, Slaughter, Kalcec
Voting No: None

ROSE TOWNSHIP RESOLUTION 2011-35
A RESOLUTION TO AMEND THE ROSE TOWNSHIP POLICY AND PROCEDURES MANUAL

WHEREAS, Rose Township has adopted Personnel Policies and Procedures for Rose Township, and

WHEREAS, from time to time the Township may desire to amend those policies to better represent the interests of its citizens,

WHEREAS, the Township Board previously decided to change the regular office hours policies, and;

WHEREAS, The Township Board desires to amend the policy that provides a vacation schedule to reflect the reduced office hours,

NOW THEREFORE BE IT RESOLVED, that the Township Board approves amending the Rose Township Policies and Procedures Manual as follows:

3.13(b) Holiday Eligibility

Eligibility for the holidays listed above is conditional upon the employee meeting the following:

- I. Must have been employed a minimum of three (3) months.
- II. Must work both the day before and day after the holiday or be on an approved leave.
- III. Not be on lay-off status or on suspension for disciplinary reasons.

In the event the holiday falls on a Sunday, the following Monday will be the recognized holiday for eligible employees. ~~If the holiday falls on a Saturday, the preceding Friday will be the recognized holiday.~~

2.4(k) Public Participation

Members of the public shall have the opportunity, under “Public Comments-Agenda Items,” to address the board for no more than ~~one minute~~ **three minutes** on any matter appearing on the agenda. The total amount of allotted time for this comment period shall not exceed ~~10 (ten)~~ **15 (fifteen)** minutes. The Board may suspend the time limitation when warranted. At the conclusion of this comment, period, no further public comment shall be entertained.

Members of the public shall have the opportunity, under “Public Comments-General,” to address the board for no more than ~~one minute~~ **three minutes** on any matter that is not on the agenda. The total amount of allotted time for this comment period shall not exceed ~~10 (ten)~~ **15 (fifteen)** minutes. The Board may suspend the time limitation when warranted. At the conclusion of this comment period, no further public comment shall be entertained.

B. Holly Area Youth Assistance Board Member

Moved by Slaughter, seconded by Gordon, motion carried to table Holly Area Youth Assistance Board Member Approval.

Voting Yes: Gordon, Scheib-Snider, Miller, Slaughter, Kalcec
Voting No: None

C. Contract for Assistant Sexton – Cemetery Services

Supervisor Kalcec asks as to Cemetery Sexton Assistant’s enforcement authority as stated under Section 1 – Cemetery Maintenances? Slaughter responds people decorate/expand spaces which can encroach onto other space, some plantings are not allowed. Supervisor Kalcec would like to change language to read “implementing compliance with cemetery rules and regulations”. Supervisor Kalcec states “update cemetery records as needed”, should read “update cemetery records with cooperation

from the Township Clerk” as it is the Clerk’s responsibility to maintain official cemetery records. Attorney Mulvihill states under Section 3 – General Supervision (last sentence), change “to supervise the work”.

Moved by Slaughter, seconded by Miller, motion carried to approve the Agreement between the Assistant Cemetery Sexton and Rose Township as amended.

Voting Yes: Kalcec, Slaughter, Scheib-Snyder, Miller, Gordon
Voting No: None

D. Proposal for Purchase of Tower Lease

Board Consensus to reject the proposal to purchase tower lease.

E. Select Contractor for Window Replacement Project

Dave Plewes has recommended Bedrock Building, worked with them in past.

Moved by Slaughter, seconded by Miller, motion carried to approve contracting with Bedrock Building at \$4,300.00 for double-hung windows for the 204 Franklin Street Building/upstairs.

Voting Yes: Miller, Gordon, Slaughter, Kalcec, Scheib-Snyder
Voting No: None

F. Resolution to Change Polling Place for Precinct #1

Miller states moving Precinct 1 from fire hall to Township Offices (lower level) will be a considerable cost savings during elections. This move will alleviate the need to rent heaters/air conditioners and will also require less transportation of election supplies, etc.

Moved by Slaughter, seconded by Miller, motion carried to approve the resolution changing polling place for Precinct 1 to the lower level of Township Offices at 9080 Mason Street.

Voting Yes: Gordon, Scheib-Snyder, Miller, Slaughter, Kalcec
Voting No: None

**RESOLUTION 2011-34
ROSE TOWNSHIP
RESOLUTION ESTABLISHING POLLING PLACE FOR
PRECINCT #1 AT THE ROSE TOWNSHIP OFFICE**

WHEREAS, provisions of MCL168.662(4) require that the legislative body of a township establish polling places for the voting precincts within that township, and

WHEREAS, the current precinct one polling location is currently the NOCFA Fire Hall, 280 Rose Center Road, Holly, Michigan a building with limitations as a polling place, and

WHEREAS, moving the polling place for precinct 1 to Rose Township Offices, 9080 Mason Street has the potential to provide cost savings for Rose Township, and

NOW THEREFORE BE IT RESOLVED that the Rose Township Board of Trustees hereby establishes Rose Township Office, 9080 Mason Street, Holly, Michigan, as the polling place for registered voters in precinct 1 of Rose Township.

G. Resolution to Eliminate Job Description/Position

Supervisor Kalcec states this resolution will eliminate the position held by Dave Schang and will vacate same as of December 15, 2011. Slaughter asks why December 15, 2011 and not November 30, 2011? Supervisor Kalcec responds so the CDBG application can be completed prior to him vacating. Miller would like to add the removal of Mr. Schang's Deputy Supervisor position as well and asks how permits will function. Supervisor Kalcec responds permit services will be contracted out, will set up a work session.

Moved by Slaughter, seconded by Scheib-Snider, motion carried to adopt the resolution to eliminate the position and job descriptions for all of Dave Schang's duties.

Voting Yes: Scheib-Snider, Kalcec, Gordon, Slaughter, Miller

Voting No: None

**ROSE TOWNSHIP RESOLUTION 2011-33
TO AMEND THE ROSE TOWNSHIP
PERSONNEL POLICIES AND PROCEDURES MANUAL BY
ELIMINATING THE EMPLOYEE POSITION OF BUILDING INSPECTOR/CODE
ENFORCEMENT OFFICER**

WHEREAS, the Township of Rose has experienced a significant reduction of revenues for the last three years, and

WHEREAS, personnel expenses are the largest single cost of service delivery in Rose Township,

NOW, THEREFORE BE IT RESOLVED, that the employee positions occupied by David Schang (Building Inspector/Code Enforcement Officer/PEG Administrator/IT Administrator/CDBG Administrator and Deputy Supervisor) be eliminated and vacated effective December 15, 2011 and that the employment of David Schang be terminated as a result of the elimination of the position to which he was appointed.

H. Approve Cost of Changes to Elevator Shaft

Supervisor Kalcec met with Envision regarding the change to the elevator shaft, decision should not have been made to make any change without notification. Supervisor Kalcec proposes to split the cost and remove the fee, leaving Rose Township's amount due \$1,118.00. Slaughter states once wall was opened, architects should have caught the discrepancy and opening should have been double checked. Slaughter believes Redstone should be held partially responsible, not just Gittlemen.

Moved by Scheib-Snider, seconded by Gordon, motion carried to approve payment of \$1,118.00 toward the change order for the elevator shaft.

Voting Yes: Kalcec, Slaughter, Scheib-Snider, Miller, Gordon

Voting No: None

(a) Approve Compensation for Extra Duties

Supervisor Kalcec states we need Board approval to compensate Emile Bair for hours worked filling in for Deputy Treasurer for one week.

Moved by Slaughter, seconded by Miller, motion carried to approve compensation to the Constable in the amount of \$400.00 for extra duties performed, to be paid out of Treasurer's cost center.

Voting Yes: Slaughter, Miller, Gordon, Scheib-Snider, Kalcec

Voting No: None

(b) Correct Typo in Budget Amendment Resolution

Supervisor Kalcec states there is a typo in the 2011 Budget Amendment Resolution, under PEG fund, revenue, originally \$21,577.00 should be \$21,557.00.

Moved by Gordon, seconded by Slaughter, motion carried to adopt the resolution correcting typo in Budget Amendment.

Voting Yes: Miller, Gordon, Slaughter, Kalcec, Scheib-Snider

Voting No: None

I. Closed Session to Discuss Current Court Cases with Township Attorney

Board consensus to move closed session to right before adjournment.

ANNOUNCEMENTS:

- A. Next Regular Planning Commission Meeting – November 3, 2011 - 7:30 p.m. (if needed)**
- B. NOCFA Board Meeting – October 17, 2011, 7:00 p.m., Rose Township Hall**
- C. Next Recycling Date – November 5, 2011, 9:00 a.m. until Noon (Enhanced Recycling)**
- D. New Office Hours Starting November 1, 2011 – Monday – Thursday 8:30 a.m. – 4:30 p.m.**

MISCELLANEOUS REPORTS:

- A. NOCFA**
Auditors will conduct NOCFA audit after Rose Township's audit is completed. Response time to tragic accident scene on Milford Rd., less than 5 minutes.
- B. Planning Commission**
None.
- C. Holly Area Youth Assistance**
Preparing for Christmas. Report in communications detailing services provided.
- D. Supervisor's Report**
Full text copy available. Supervisor Kalcec summarizes:
Storage shelves constructed in Rose Township's offices/basement, boxes organized and protected. Miller contracted shredding company to destroy documents falling under adopted retention schedule. Miller states firemen and Mr. Plewes were a great help moving all boxes.
NOCFA – October 22, 2011, will hold an open house at the new station 3. Activities, fire extinguisher training, 4:00 p.m. – 6:00 p.m.
Parks and Recreation – Fenton Tigers Baseball team will continue improvements to the fields behind fire hall at their cost. Rose Oaks Park will have 1 beaver trapper, seeking permission to trap muskrats.
Village of Holly Wellhead – finished last year's grant, artwork elementary calendars available at

Village of Holly offices.

OCCMTA – Meeting December 1, 2011.

Enbridge Energy – Continuing. Rose Township resident attending meetings.

Tri-Party Project complete, hill/tree removal at entrance to park behind fire hall which blocked sight distance. Oakland County has reimbursed us.

Elections - Presidential Preference Primary to be held February 28, 2012, voters will have to fill out a form choosing party ballot. Party preference can be disclosed under the Freedom of Information Act. Slaughter states voting preference should be private. Supervisor Kalcec states the Democrats are utilizing a caucus, Republicans looking for national exposure.

Audit is under way.

Buckhorn Creek Culverts, cleaned 1 culvert. Need 2 more cleaned out.

E. Cemetery Committee

Meeting again in November, 2011 working on rules and regulations.

F. Parks and Recreation

Scheib-Snyder states the silos are almost completed at Dearborn Park property, some fencing and trees to be removed. Looking as to CDBG uses.

PUBLIC COMMENT:

Unidentified Resident states that the Planning Commission meeting cancellation was not posted on the website. Supervisor Kalcec states she will add resident to email and provide a calendar

Timothy Claus, Resident asks if Supervisor can meet with Chairperson Proper/Planning Commission to review large acre parcel plan (tabled) and give them direction. Supervisor Kalcec states she has talked to Planning Commission Board members. Resident asks what tonight's closed session pertains to. Supervisor Kalcec responds current prosecutions. Resident asks why the Board removed the building official. Supervisor Kalcec responds it is in the Resolution, budgetary consideration and a contract position has been discussed numerous times.

Nancy Hanks, Resident asks if the building inspector's termination package includes severance. Supervisor Kalcec responds no. Resident asks how the new inspector will be paid. Supervisor Kalcec responds this is yet to be determined. Slaughter states electrical/plumbing inspectors paid a percentage of each permit, going in that direction.

George Skufca, Resident would like to give \$424,000.00 back to the residents of Rose Township. Township not earning interest on surplus monies, surplus budget \$919,000.00. Would still have an excess in fund of over \$500,000.00. Slaughter states auditors require surplus. Resident states we do not need such a high surplus. Supervisor Kalcec will look into mechanics, new county rules forcing Township's hands identifying reserves.

Chester Koop, Resident states with the passage of the public employee insurance compensation act, Board is required to decide how they will comply. One option, limit amount of money paid to employee health insurance benefits, cap percentage. When will Board decide? Supervisor Kalcec responds she has been told to hold off until MTA released an article, receiving conflicting information from the State. Will decide by November/December, 2011. Slaughter states we can opt out. Resident asks about alternative building inspector costs and if eliminating this position will save Township money. Slaughter states nothing done recently.

G.E. Noble, Resident confirms replacing windows is at old building. Supervisor Kalcec states \$4,300.00 for all upper windows. Resident asks what the "big liability" is. Supervisor Kalcec states we have been paying down a liability for 3-4 years, previous employee retirement benefits.

Mike Holowecki, Resident asks who has been working on window contract. Supervisor Kalcec

responds Dave Plewes. Resident asks about extra charges in contract. Supervisor Kalcec states they have looked at it and bid it. Resident asks why the Constable had to perform extra duties. Supervisor Kalcec responds Linda Kerr/Deputy Treasurer was on vacation and Mr. Bair worked all day assisting residents. Slaughter states he should be compensated for working above and beyond his position.

Robert Hauxwell, Resident asks why cost for windows was not figured into on-going work. Supervisor Kalcec states spreading it out was appropriate and would have cost more combining it with other work.

Tom Willwerth, Resident would like the Trustees to have an open mind during the meeting relating to the Assessor.

Unidentified Resident states the Assistant Cemetery Sexton Agreement reads 10th day of August. Slaughter responds this is the date it was approved by the Board.

Unidentified Resident asks Slaughter what the financial responsibilities are causing a surplus. Slaughter responds auditors require 50% of operating budget in case of emergency and cash flow purposes. Each year operating budget fluctuates. Right now budget is approximately \$800,000.00.

Chester Koop, Resident asks if Constable payment is for one situation and if so, how many hours. Slaughter states 32 hours and just this one instance.

Unidentified Resident asks how much money is needed for cash flow. Slaughter states right now at least several hundred thousand available at all times.

Unidentified Resident asks if NSP is still ongoing. Supervisor Kalcec states in a limited way, some demolishing at Holly Shores. Money has to go back to Oakland County for approval and re-routed back to us.

Moved by Slaughter, seconded by Gordon, motion carried to go into closed session with the Township Attorney.

Voting Yes: Gordon, Scheib-Snider, Miller, Slaughter, Kalcec


Voting No: None

Open session begins at 9:50 p.m.

ADJOURNMENT:

Meeting adjourned at 9:55 p.m.

Approved/~~Corrected~~


Debbie Miller, Clerk
Rose Township