

**ROSE TOWNSHIP BOARD OF TRUSTEES
REGULAR MEETING
November 9, 2011**

The following residents and guests signed in as present:

G.E. Noble	Jim Porter	Emile Bair	Patty Smith
Tom Willwerth	Tom Wirth	Jim Weil	Sandi Villarreal
Don Walls	Pat Walls	Bruce Proper	Darlyne Stanczyk
Jeremy Lintz	Ryan Starski	Mark Bolan	Lyle Barger
Robert Hauxwell	Alton Gray	Paul Gambka	Rev. Terry Claus
Dawne Claus	Timothy Claus	Chester Koop	Janet Cousins
Mark Perry			

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

Communications are available for review.

APPROVAL OF AGENDA:

A. Approval of Proposed Agenda for November 9, 2011

Supervisor Kalcec adds: 10(I) Authorization For Supervisor To Sign a 3 Month Contract With Carlisle Wortman; 10 (J) Request From Ms. Scheib-Snyder to be Considered for Appointment to the NOCFA Board; and 10 (K) Schedule Meeting Date/Supervisor Position

Moved by Slaughter, seconded by Scheib-Snyder, motion carried to approve the Agenda as amended with the addition of 10(I) 3 Authorization For Supervisor To Sign a 3 Month Contract With Carlisle Wortman; 10 (J) Request From Ms. Scheib-Snyder to be Considered for Appointment to the NOCFA Board; and 10 (K) Schedule Meeting Date/Supervisor Position.

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

CONSENT AGENDA:

Supervisor Kalcec states the Minutes of November 2, 2011 are postponed until next meeting, pulls the financial reports.

Moved by Slaughter, seconded by Gordon, motion carried to approve the Consent Agenda with the exception of the November 2, 2011 Minutes and financial reports.

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

Supervisor Kalcec reviewed the revenue/expense report, missing pgs. 1 and 2.

Moved by Kalcec, seconded by Gordon, motion carried to receive financial reports with the exception of the portion of revenue and expense report, page 1 and 2.

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

Voting No: None

A. Approval of Minutes of October 12, 2011.

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:

A. Candace Cataldi-Nationwide Retirement Systems

Supervisor Kalcec states Nationwide Retirement Systems is the administrator of the Township's deferred compensation program.

Candace Cataldi, reviews the 457B, deferred compensation plan. This retirement plan is available for all part-time, full-time, contract employees, elected officials (W2 or 1099). Employees can set aside tax-deferred wages into the plan and upon retirement take withdrawals. Upon separation of service, employee may take distributions, must begin distributions at age 70.5. New additions to plan, Roth 457, loan provision, and transition support services for those at or near retirement. Anyone can join plan at any time and contributions can be increased/decreased or stopped at any time.

PUBLIC COMMENT ON AGENDA ITEMS:

G.E. Noble, Resident comments on line item 10(C) Dangerous Building Action, asks Board to refrain from commencing Court action on matters pertaining to same.

PUBLIC HEARINGS:

A. Programming PY2011 Community Development Block Grant Funds

Supervisor Kalcec states 2011 funds were not available in time to use for previous plan (\$15,800.00 federal funds). Board proposing to use funds for repairs to park pavilion behind fire hall (roofing/re-staining).

Supervisor Kalcec opens the public hearing at 7:46 p.m.

G.E. Noble, Resident states he thought CDBG funds were being used for Township Hall ADA construction project, money should stay there. Supervisor Kalcec states funds were not available at the time contract was signed and this money has to be spent.

Supervisor Kalcec closes the public hearing at 7:48 p.m.

B. Programming PY2012 Community Development Block Grant Funds

Supervisor Kalcec opens public hearing at 7:48 p.m.

Supervisor Kalcec states PY2012 CDBG funds are being proposed to be used for Dearborn Park improvements.

Slaughter asks if these funds could be used for warning sirens. Slaughter asks about the status of fencing bids for Dearborn property. Scheib-Snider responds bids remain sealed at this time. Supervisor Kalcec states the bulk of Dearborn project is funded by 2008 funds.

Tim Claus, Resident asks for clarification as to what CDBG funds can be used for? Supervisor Kalcec states we only receive \$15,000.00. We have done Parks & Recreation, minor home repairs for those in need, emergency services (i.e., hydrants). Resident would like to see CDBG funds go to other projects (i.e. emergency services), not all into the parks.

Robert Hauxwell, Resident asks what type of fencing is being proposed in Dearborn Park. Scheib-Snider responds a horse-type fence. Resident suggests also putting in walking paths, etc.

Pat Walls, Resident feels like the Dearborn Property is an excellent place to spend CDBG funds.

Supervisor Kalcec closes public hearing at 8:02 p.m.

OLD/CONTINUING BUSINESS:

- A. Financial Reporting Requirement Proposal – TABLED**
- B. Holly Area Youth Assistance Board Member – TABLED**

NEW BUSINESS:

- A. Resolution to Request Reprogramming of PY2011 CDBG Funds**

Moved by Slaughter, seconded by Scheib-Snider, motion carried to approve the Resolution to request reprogramming of the PY2011 CDBG funds for parks and recreation facilities where the scope of the project is to replace picnic shelter with new metal roof, repair, and re-paint the lower portion of the structure.

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

Voting No: None

**ROSE TOWNSHIP RESOLUTION 2011-37
RESOLUTION APPROVING THE REPROGRAMMING OF 2011 COMMUNITY
DEVELOPMENT BLOCK GRANT APPLICATION**

WHEREAS, the Township of Rose has duly advertised and conducted a public hearing on November 9, 2011 for the purpose of receiving public comments regarding the proposed reprogramming of PY 2011 Community Development Block Grant funds (CDBG) in the approximate amount of \$15,793, and,

WHEREAS, the Township of Rose determined that the following project meets the federal objectives of the CDBG program and is prioritized by the community as a high priority need.

Existing (FROM):		
Account Number	Activity Description	Amount
172170-731619	Remove Architectural Barriers	(\$15,793)
Proposed (TO):		
Account Number	Activity Description	Amount
172170-731332	Parks-Recreational Facilities	(\$15,793)

NOW, THEREFORE BE IT RESOLVED, that the Township of Rose CDBG application for reprogramming of PY2011 funds is hereby authorized to be submitted to Oakland and to the U.S. Department of Housing and Urban Development, and that the Township Clerk is hereby authorized to execute all documents, agreements, or contracts which result from this application to Oakland County.

B. Resolution to Approve Programming of PY2012 CDBG Funds

Supervisor Kalcec states there is a request to add emergency warning signal systems.

Moved by Slaughter, seconded by Miller, motion carried to approve the Resolution of programming PY2012 CDBG funds to include parks and recreation facilities, improvements at Dearborn Park and emergency warning systems if there is a category available for that use.

Scheib-Snider thinks we should use CDBG for the parks. Slaughter believes resident safety is more important than parks at this time, would like to leave sirens as an option.

Voting Yes: Kalcec, Gordon, Slaughter, Miller

Voting No: Scheib-Snider

**ROSE TOWNSHIP RESOLUTION 2011-38
RESOLUTION APPROVING THE PROGRAMMING OF PY 2012 COMMUNITY
DEVELOPMENT BLOCK GRANT APPLICATION**

WHEREAS, Oakland County is preparing an Annual Action Plan to meet applications requirement for the Community Development Block Grant (CDBG) program, and other Community Planning and Development (CPD) programs, and

WHEREAS, Oakland County has requested CDBG-eligible projects from participating communities for inclusion in the Action Plan, and

WHEREAS, the Township of Rose has duly advertised and conducted a public hearing on November 9, 2010 for the purpose of receiving public comments regarding the proposed use of PY 2012 Community Development Block Grant funds (CDBG) in the approximate amount of \$15,793, and,

WHEREAS, the Township of Rose determined that the following project meets the federal objectives of the CDBG program and is prioritized by the community as a high priority need.

ACCOUNT	PROJECT NAME	AMOUNT
172170-731332	Parks-Recreational Facilities	\$ 15,793

Dearborn Park: Add signage to identify park boundaries, designate walking paths within the park and begin path improvements, add benches at several intervals along the walking paths and including emergency warning systems (Sirens) if available.

NOW, THEREFORE BE IT RESOLVED, that the PY2012 Township of Rose CDBG application is hereby authorized to be submitted to Oakland County and to the U.S. Department of Housing and Urban Development, and that the Township Clerk is hereby authorized to execute all documents, agreements, or contracts which result from this application to Oakland County.

C. Request for Board Direction Re: Dangerous Building Action

Supervisor Kalcec states this is an ongoing matter since 2007. One issue remains and looking for direction from the Board as how to proceed. Slaughter states the landowner is in a difficult position because he is leasing the land. This property should be investigated further and property owner appears willing to work with Township.

Moved by Slaughter, seconded by Miller, motion carried to direct Constable to look into Holly Farms Property on Pepper Road and authorizing him to use Carlisle Wortman for assistance with building code issues.

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

D. Resolution Regarding Responsible Driving By Persons Under 18 Years of Age

Moved by Gordon, seconded by Slaughter, motion carried to adopt the resolution regarding responsible driving by persons under 18 years of age.

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

**A RESOLUTION OF THE TOWNSHIP OF ROSE 2011-39
KIDS DRIVING RESPONSIBLY**

WHEREAS, on January 24, 2010, seventeen year old Kelsey Dawn Raffaele was killed in a car accident as she attempted to pass a car as she was driving home from a friend's house; and

WHEREAS, several weeks after the accident it was determined that Kelsey had been talking on the phone while operating a vehicle at the time of the accident; and

WHEREAS, the Kids Driving Responsibly Challenge (KDR) was created in memory of Kelsey by her mother in order to educate families about the dangers of distracted driving and to advocate for legislation to reduce the number of tragic accidents that occur due to distracted driving; and

WHEREAS, the Insurance Institute for Highway Safety reports that ten states (California, Connecticut, Delaware, Maryland, Nevada, New Jersey, New York, Oregon, Utah, Washington, and the District of Columbia) have banned talking on a handheld cell phone while driving, and the use of all cell phones by novice drivers is restricted in various ways in thirty states and the District of Columbia; and

WHEREAS, the KDR Challenge is specifically advocating enactment of legislation restricting the use of cell phones for any drivers who are eighteen years of age or less in order to address the tragic loss that is occurring from accidents involving inexperienced drivers utilizing cell phones while driving;

NOW, THEREFORE, BE IT RESOLVED that the Township of Rose urges our state and federal legislators to enact legislation prohibiting the use of cell phones by drivers who are eighteen years old or younger while operating a motor vehicle; and

BE IT FURTHER RESOLVED, that copies of this resolution be mailed to State Representative Brad Jacobsen, State Senator Mike Kowall, Governor Rick Snyder, U.S. Representative Mike Rogers, U.S. Senator Debbie Stabenow, U.S. Senator Carl Levin, and to the Michigan Townships Association requesting their support and action to address cell phone use by drivers who are eighteen or under.

E. Resolution Regarding PEG Funding

Supervisor Kalcec states House Resolution 1746 would allow PEG funds to be used for any legitimate PEG expense rather than restricting PEG funds to capital expenses only.

Moved by Slaughter, seconded by Miller, motion carried to approve the resolution addressing the critical and immediate threat to local education and government access channels, house resolution 1746.

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

Voting No: None

**A RESOLUTION OF THE TOWNSHIP OF ROSE 2011-40
IN SUPPORT OF H.R. 1746, THE COMMUNITY ACCESS PRESERVATION ACT,
WHICH ADDRESSES CRITICAL AND IMMEDIATE THREATS TO LOCAL EDUCATIONAL AND
GOVERNMENT ACCESS CHANNELS**

WHEREAS, public, educational and government (PEG) access channels are one of the last surviving sources for local television programming across the country and PEG channels play a significant role for Michigan municipalities; and

WHEREAS, PEG channels are a unique and valuable resource for local information and discourse for the residents of Michigan; and

WHEREAS, PEG channels televise local government meetings so that citizens are informed about the actions taken by local officials; and

WHEREAS, PEG channels are also utilized to communicate with citizens on municipal events and services and also provide advisories and preparation directions to residents for emergency purposes; and

WHEREAS, PEG channels provide a window through which residents can view the diversity of cultures, educational information, recreational activities and artistic endeavors in their local community; and

WHEREAS, PEG channels reflect the unique identity of the communities they serve; and

WHEREAS, it is important to preserve PEG channels and funding for PEG channels, and to ensure that the channels continue to be available to the entire community to serve the residents of Michigan municipalities; and

WHEREAS, H.R. 1746, the Community Access Preservation (CAP) Act, addresses critical and immediate threats to PEG; and

WHEREAS, the CAP Act provides important solutions for critical and immediate threats to PEG channels and facilities across the country by removing use restrictions on PEG access fees, restoring PEG revenue streams, and ending cable operators' discriminatory treatment of PEG channels; and

WHEREAS, the CAP Act would allow PEG fees to once again be used for any legitimate PEG expense, instead of restricting PEG fees to capital expenses only;

NOW, THEREFORE, BE IT RESOLVED that the Township of Rose urges members of the Michigan Congressional Delegation to take all actions in support of the immediate passage of H.R. 1746, including, but not limited to endorsing, co-sponsoring and voting for H.R. 1746; and that copies of this resolution be provided to the Michigan Congressional Delegation and to the National Association of Towns and Townships.

F. Response to Citizen Concerns – Township Fund Balance

Supervisor Kalcec compiled research per resident's request. Department of Treasury information helped determine fiscal indicator score. Compared Rose Township's fund balance with surrounding townships and Rose Township's fund balance is well within their range. Research concludes that Rose Township is in a fiscal neutral position and no action is required by the State. Supervisor Kalcec believes that the financial policies of Rose Township over the years have kept the Township in good financial condition.

Board consensus that Board agrees with this conclusion.

G. Approve Contract with Genesee Valley Vault

Supervisor Kalcec states Township Attorney has advised obtaining insurance certificates from any service provider, add a hold harmless clause (addendum) to contract and add the recently adopted fee schedule as an attachment.

Moved by Slaughter, seconded by Miller, motion carried to approve contract with Genesee Valley Vault including the indemnity language, insurance certificate and the fee schedule.

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

Voting No: None

H. Accept Resignation/Retirement of Township Supervisor

Supervisor Kalcec states she submitted her official notification to the Rose Township Board of Trustees and is retiring from the position of Rose Township Supervisor effective December 31, 2011.

Moved by Gordon, seconded by Slaughter, motion carried to accept the resignation/retirement of the Township Supervisor.

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

Voting No: None

Abstaining: Kalcec

I. Authorization for the Supervisor to Sign a 3-Month Contract with Carlisle/ Wortman

Moved by Slaughter, seconded by Scheib-Snider, motion carried to authorize the Supervisor to sign the 3-month interim contract with Carlisle Wortman for building department services.

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

Voting No: Gordon

J. Request From Ms. Scheib-Snider to be considered for Appointment to the NOCFA Board

Supervisor Kalcec states Ms. Scheib-Snider holds state firefighter's certification and is a licensed EMT. Slaughter would like to table this item as the Supervisor generally serves on the NOCFA Board. Miller states we have not interviewed anybody for the Supervisor position. Scheib-Snider states the Supervisor does not have to serve on the NOCFA Board.

Moved by Slaughter, seconded by Miller, motion carried to table Scheib-Snider being considered for appointment to the NOCFA Board.

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

Voting No: None

Abstaining: Kalcec

K. Schedule Meeting Date/Supervisor Position

Board consensus to hold a special meeting on November 30, 2011 at 7:00 p.m.

ANNOUNCEMENTS:

- A. Next Regular Planning Commission Meeting – December 1, 2011 - 7:30 p.m. (if needed)**
- B. NOCFA Board Meeting – November 21, 2011, 7:00 p.m., NOCFA Station #1**
- C. Next Recycling Date – December 3, 2011, 9:00 a.m. until Noon**
- D. New Office Hours Starting November – Monday-Thursday, 8:30 a.m. – 4:30 p.m.**

MISCELLANEOUS REPORTS:

A. NOCFA

Approved purchase of ambulance. October 22, 2011 Open House was a success. Tours available upon request.

B. Planning Commission

Scheib Snider states Planning Commission discussed home occupation, large parcels, Right to Farm Act. Formed Committee with Planner's assistance. Reviewed site plan for senior housing and approved same.

C. Holly Area Youth Assistance

None.

D. Supervisor's Report

Full text copy available. Supervisor Kalcec summarizes:

Township Facilities, inspected by State on November 17, 2011.

NOCFA – call before you burn.

Village of Holly Wellhead –Village received another grant, determined to spend grant dollars to purchase ground water recharge models (classrooms) and placements for local restaurants to raise local water awareness.

Enbridge Energy contracted specialists to address pipeline related issues pertaining to restoration, maintenance, alignments, deactivations, etc. Enbridge keeping Township updated and work being performed via contractors.

New Telephone number for registering video franchise complaints available at Township Offices.

Building Department Services/Zoning Enforcement assigned to Constable with assistance from Zoning Administrator for a 3-month period. Entered into a 3-month agreement with Carlisle Wortman who will provide building department services, Board exploring options.

FY2011 Audit completed, went well, presentation at December 14, 2011 meeting.

All Precinct 1 voters previously voting at the Fire Hall will now be voting at the Township Offices, 9080 Mason Street. This is a permanent change.

Miller states there will be a posting in the Tri-County Times for the Supervisor Vacancy/job description available at Township Offices.

E. Cemetery Committee

No meeting held this month, possibly December. New Cemetery Assistant doing a great job.

F. Parks and Recreation

None.

PUBLIC COMMENT:

Sandy Villarreal, Resident hopes the Board will welcome someone with the expertise/education like Scheib-Snider to the NOCFA Board. Asks if Clerk/Treasurer training has been completed? Board responds yes. Resident asks if the building is complete and if Treasurer is returning to work. Slaughter states the building is not complete and is working from home. Resident asks why the Township is paying Treasurer's salary and not Workmen's Compensation. Workmen's Compensation should have been accepted/denied, automatically applied for when an injury occurs at work.

Timothy Claus, Resident asks what the Fact Finding Committee found in relation to Treasurer's accident. Slaughter states she provided the Committee her personal emergency room reports, etc. Resident asks if someone will be taking over PEG channel. Supervisor Kalcec responds we will develop a Request For Proposals asking applicants to submit qualifications, Board will choose someone. Resident would like to keep PEG in-house and asks if CDBG funds could be used on the Demode Rd. hydrant. Response, hydrant already repaired. Resident requested a special meeting to settle his case. Supervisor Kalcec states she assumed Board would be open to mediate this matter, attorney putting together agenda.

Tom Willwerth, Resident asks if the Board has made a determination regarding Assessor's work hours. Supervisor Kalcec states specific hours will be added to Assessor's job description.

Chester Koop, Resident suggests Carlisle Wortman look into Dangerous Building matter. Constable may not be qualified. Resident states Treasurer's slip and fall is questionable, 7 people in building at that time and no one heard/saw her fall. Treasurer refused to be examined by EMS, worked in the building for 10 months before her surgery. Workmen's Compensation Claim was denied, generally denied on basis of medical records. Resident states Treasurer filed an ADA Complaint, which was denied. Slaughter states this is incorrect; she was not denied and has the right to sue the Township at any time. Resident states the Fact Finding Committee could not determine whether or not Treasurer fell. Slaughter states Resident is incorrect and reminds Resident that the Fact Finding Committee asked her to appear; she did so and provided her personal health information.

Tom Wirth, Resident asks Board to look at pipeline project, minor repair works, new pipe across entire length of Rose Township (700 psi) if busted an oil spill to Bay City.

Unidentified Resident asks why it states in the Cemetery Contract, that fees/costs not paid to Township. Slaughter responds generally the check is payable to Rose Township, handled at graveside.


Janet Cousins, Resident is sad that Supervisor Kalcec is retiring and thanks Supervisor Kalcec for her knowledge, dedication and time. Resident states Treasurer indicates she works from home, most of work is computer related, how is computer linked. Slaughter responds she has a remote log in directly to her work computer.

Sandy Villarreal, Resident states Chester Koop gets blamed for the building's deficiencies, entire Board responsible, not just Mr. Koop. Slaughter states she voted no to all building activity.

ADJOURNMENT:

Meeting adjourned at 8:54 p.m.

Approved/~~Corrected~~


Debbie Miller, Clerk
Rose Township