

**ROSE TOWNSHIP BOARD OF TRUSTEES
REGULAR MEETING
August 11, 2010**

The following residents and guests signed in as present:

| | | | |
|------------------|-----------------|-------------|---------------|
| Darlyne Stanczyk | Don Walls | Pat Walls | Paul Gambka |
| Bruce Proper | Chester Koop | Jim Weil | Janet Cousins |
| Nancy Hanks | Jim Hanks | G.E. Noble | Mark Bolan |
| Jim Porter | Robert Hauxwell | Lyle Barger | |
| Alton Gray | | | |

Other(s) present: Susan Weaver (Recording Secretary), John Mulvihill, Esq. (Township Attorney)

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-Snider
Board Members Absent: None

Communications available.

APPROVAL OF AGENDA:

A. Approval of Proposed Agenda for August 11, 2010.

Moved by Slaughter, seconded by Scheib-Snider, motion carried to approve the Agenda as submitted.

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

CONSENT AGENDA:

Moved by Scheib-Snider, Second by Gordon, motion carried to approve the Consent Agenda as submitted.

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

A. Approval of Minutes of July 14, 2010 Meeting

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:

None.

PUBLIC HEARING:

None.

OLD/CONTINUING BUSINESS:

A. Township Hall Facilities

Supervisor Kalcec states Redstone Architects needs a decision as to whether or not the lower level of the Township Offices should be considered public space or remain as storage. Redstone Architects has asked for an additional amount, not to exceed \$1,000.00, for a structural engineer to evaluate the project (deck/ramp) at Township Hall. Supervisor Kalcec believes a public building should be publicly accessible. Township Attorney does not think Slaughter should recuse herself from this vote.

Moved by Kalcec, Second by Scheib-Snyder, motion carried to approve design costs for implementation of a second means of egress from the lower level.

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

Voting No: None

B. Accounting Services Agreement

Supervisor Kalcec states the Township has agreed that Township resident/CPA, Paul Gambka, assist the Clerk with accounting responsibilities and an Engagement Letter needs to be signed.

Moved by Gordon, Second by Slaughter, motion carried to authorize the Clerk to sign the Engagement Letter with Gambka and Company, P.C..

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

Voting No: None

NEW BUSINESS:

A. Proposed Policy Amendment

Moved by Kalcec, Second by Scheib-Snider, motion carried to adopt the Resolution adopting Accounting Procedures Manual for Local Governments and the Uniform Budget Manual for Local Governments provided by the Michigan Department of Treasury.

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

Voting No: None

B. Medical Marijuana - Moratorium

Supervisor Kalcec states she attended a symposium regarding this matter in order to better understand the role of local government in applying recently adopted medical marijuana law. Supervisor Kalcec states we can do nothing and have a community with zero regulations, we can prohibit under federal law and spend a lot of time in court or we can regulate within the community.

John Mulvihill, Esq. Also attended the symposium and states the statute is both vague and ambiguous. Essentially, the statute states a qualified patient can obtain certification from a doctor authorizing them to possess 2.5 ounces of marijuana and cultivate up to 12 plants. Additionally, there is a provision wherein a caregiver can be certified by the state and assist a qualified patient with access to and use of the marijuana. A caregiver can have up to 5 qualified patients, meaning they can cultivate up to 5 marijuana plants. This can lead to a large operation and if a township has certified individuals, they can operate within. Attorney Mulvihill recommends passing a moratorium wherein the Board can conduct more research and look into matter further. Supervisor Kalcec would like the Planning Commission to look into this matter.

Moved by Kalcec, seconded by Gordon, motion carried to adopt a resolution for a moratorium regarding the Michigan Medical Marijuana Act.

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

Voting No: None

C. Municipal Civil Infractions Bureau - Discussion

Supervisor Kalcec states the Board needs to decide whether or not to set up a Municipal Civil Infractions Bureau and collect fines for violations classified as Municipal Civil Infractions. Supervisor Kalcec the Board adopted 2 ordinances last month (open burning and noise ordinances). Spoke to other Townships who established such a Bureau wherein fines can be paid and revenue staying within the Township. Currently these fines are handled through district courts and we receive only a small portion of such fines. Board needs to decide what violations would be civil infractions and if we want to move forward with this concept. Attorney Mulvihill states it would not create an administrative burden on the Township. Slaughter states that there are only a few tickets issued per year. Constable works with residents first, trying to get them to comply first and issue warnings. Supervisor Kalcec states open burning complaints are handled by the Fire Chief, warned and then ticketed.

Moved by Slaughter, seconded by Miller, motion carried to postpone moving forward with the Municipal Civil Infractions Bureau until next month's meeting after more information can be obtained.

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

D. Diehl's Orchard Ciderfest Banner Installation Approval

Moved by Slaughter, seconded by Miller, motion carried to approve Diehl's Orchard Ciderfest Banner Installation.

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

ANNOUNCEMENTS:

- A. Next Regular Planning Commission Meeting September 2, 2010 p.m. - 7:30 p.m. (if Needed)**
- B. NOCFA Board Meeting August 16, 2010, 7:00 p.m., Rose Township Hall**
- C. Next Recycling Date September 4, 2010, 9:00 a.m. until Noon**
- D. Zoning Board of Appeals September 7, 2010 (if needed to conduct business)**
- E. Next Regular Township Board Meeting September 8, 2010 at 7:30 p.m.**
- F. 2010 Dog Licenses are available at the Township Offices**

MISCELLANEOUS REPORTS:

A. NOCFA

Supervisor Kalcec states NOCFA's millage requests were passed at the August 3, 2010. Bids are being evaluated for the fire station project.

B. Planning Commission

None.

C. Holly Area Youth Assistance

None.

D. Supervisor's Reports

Supervisor Kalcec states the Supervisor's Report is available to residents.

Supervisor Kalcec states the West Oakland Pipeline project has had incidents of theft/vandalism (i.e., cooper theft, large equipment vandalism). Using private security as a result.

Oakland County Association of Township Supervisors ("OCATS") meeting next week, 2 representatives from SMART (monies funding buses for seniors/disabled).

Late-September, Holly Township Supervisor trying to put together a meeting with surrounding communities to discuss shared service possibilities/options. Sheriffs' Department put townships on notice that they would be interested in regional contracts.

Supervisor Kalcec states the railroad crossings at Rattalee Lk. Rd. between Buckhorn Lk. Rd. and Fish Lk. Rd. and Buckhorn Lk. Rd. between Rattalee Lk. Rd. and Fenton Rd. will be closed August 12 – 17, 2010. The railroad crossing at Milford Rd. between W. Rose Center Rd. and Demode Rd. will be closed from August 23 – 27, 2010. Traffic will be routed Demode Rd. out to Buckhorn Lk. Rd. onto Rose Center Rd.

PUBLIC COMMENT:

G.E. Noble Resident states the August 3, 2010 election campaign/operation was run excellently, well-staffed and should be complimented on their services. Resident states the Township should put money into the new building and not waste it on the old one. The new building was purchased for an office/public meeting place and should be used as such. Resident states the Board forgot to mention citizen input regarding the medical marijuana matter and there should be significant citizen input regarding same. Resident would like to thank the Clerk for publishing the Ordinances in the newspaper. The Township has a duty to publish all ordinances passed. Resident asks if NOCFA's report could be broke down to show runs in Rose and Holly Townships. Resident hopes NOCFA will start getting revenue. Resident (Chairman of the Fact Finding Panel) states the Fact Finding Report dated May 20, 2010 is missing from tonight's Agenda and would like to summarize same: Township Building Inspector advised agents during the building evaluation process and was also the Building Official for codes and project coordinator. The Fact Finding Report consisted of 3-4 pp. of facts and met every month for 6 months. Therefore the members of the Fact Finding Panel expect the Board to make a decision/action on Fact Finding Panel Report. Resident states the Board should call for a closed meeting to make decisions on this Report. Resident states there are 2 new members of the Board that do not have any impact/evaluation on these actions (Trustee Scheib-Snyder and Clerk Miller) and hopes they can make an objective/clean evaluation. In summary Resident requests the Board to make a decision in private session should need be. Supervisor Kalcec states that the cost recovery of NOCFA is one of the highest in the County, at 72% (including Medicare/Medicaid).

Darlyne Stanczyk, Resident inquires as to status of the audit report. Resident asks if bank reconciliations are being done on a monthly basis. Board responds yes. Resident asks if payroll tax returns are being filed timely. Miller responds yes. Resident asks about updating of investment/cash balances. Slaughter states she updates these herself, sends reports to the Board and Township Policy calls for this on a quarterly basis. Supervisor Kalcec states the auditors will review these items.

Don Walls, Resident asks if the cash drawer is in operation. Slaughter states it has been installed. The tax fund does not go through the cash drawer as the 2 systems are not compatible and do not interface. Slaughter states it has been installed and she will be trained (with her deputy) upon her return to work. Resident asks if Board has seen Plante Moran's report. Supervisor Kalcec responds she received an email from Sabrina who has drafted a response to the May 9, 2009 Engagement Letter. Slaughter states the auditors never said the books were inauditable. Auditors stated due to transition we

did want books to become inaudible at audit time. When we had our audit we received the highest rating possible. Supervisor Kalcec states we will receive Plante Moran's letter and go from there.

Chester Koop, Resident states he received a Word printed receipt not a cash drawer receipt. Resident states he was told software had been acquired, employees trained, cash drawer ready to go and not being used because Slaughter instructed staff not to. Resident asks how soon Slaughter will be returning to work for training and begin using cash drawer. Slaughter states that Resident came in for a cash receipt on taxes, the 2 systems do not interface. Deputy Treasurer was instructed how to print a receipt in BS&A and mailed receipt to Resident. General funds cash monies will be put through cash drawer upon completion of training. Slaughter states she is waiting for doctor's release to return to work.

Robert Hauxwell, Resident states (regarding July 3, 2010 meeting Minutes) Mr. Koop's dialog pertaining to Ms. Slaughter's submission of her personal medical records to the Fact Finding Panel without solicitation is untrue. Ms. Slaughter was requested to attend the meeting. Resident states when talking about building, resident's in audience and Mr. Gordon stated there were only a few things wrong with it, these individuals should have stated there were a few things "right" with the building. Resident asks if anyone will be monitoring clean-up day so there is not trash picking. Supervisor Kalcec states she hopes Re-Use Day will help alleviate this problem. Slaughter states she received complaints people were taking stuff to re-sell.

ADJOURNMENT:

Moved by Slaughter, seconded by Scheib-Snider, motion carried to adjourn the regular Board meeting at 8:21 p.m.

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

Voting No: None

Approved/Corrected