

**Corrected  
ROSE TOWNSHIP BOARD OF TRUSTEES  
REGULAR MEETING  
September 9, 2009**

The following residents and guests signed in as present:

Jim Weil	Bret Barker	Chester Koop
Don Walls	Bruce Proper	Darlyne Stanczyk
Robert Caster	Robert Hauxwell	Sandra Hauxwell
Linda Kerr	Roy Emmons	Emile Bair
Lyle Barger	Mary Saiz	G.E. Noble
Lou A. Coder	Anna Troppens	

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

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. A moment of silence was observed to honor citizens serving in the military.

Roll Call: Present: Kalcec, Miller, Slaughter, Gordon, Scheib-Snyder

Supervisor Kalcec states the communications received this month are available.

**APPROVAL OF AGENDA:**

**A. Approval of Proposed Agenda for September 9, 2009**

Supervisor Kalcec would like to add line item E. Resume NSP Program under Old Business.

Mr. Gordon would like to add line item F. Bank Authorization for Board Members under Old Business.

**Moved by Gordon, seconded by Scheib-Snyder, motion carried to approve the September 9, 2009 Agenda with the addition of line items E and F under Old Business.**

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

**Voting No: None**

**CONSENT AGENDA:**

**A. Approval of Minutes of August 12, 2009 Regular Meeting and August 6, 2009 Training Minutes.**

Pull minutes of August 12, 2009.

**B. Receipt of Monthly Reports**

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

**C. Payment of Bills**

**Moved by Gordon, seconded by Scheib-Snider, motion carried to approve the Consent Agenda with the exception of the August 12, 2009 Minutes.**

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

Mr. Gordon would like to change the August 12, 2009 Minutes as follows: New Business, line item L. Change to Insurance Coordinator, third paragraph should read: "Gordon asks Slaughter who filed her June 2009 Claim. Slaughter said Debbie Miller."

Supervisor Kalcec would like to make the following corrections to the August 12, 2009 Minutes:

P. 3, ¶1. should read: Gisela Lendle King asks if this meeting is the first time the CCIRF study is being discussed? Supervisor Kalcec responds yes and a ~~CDbid~~ has been received from the White Lake Township Supervisor containing the entire summary report.

P. 10: Jim Weil, Resident (9695 Milford Rd.) clarifies that the Supervisor ~~and Treasurer~~ took pay cuts. Supervisor Kalcec states that she took a pay cut. Resident asks if the assessor needs to be an employee and Board responds that this has been looked into. Resident asks if there is a separate deputy treasurer and clerk? Miller states that there is a deputy treasurer? Slaughter states that by law there needs to be two.

P. 11: Chester Koop, Resident (11750 Eagle Rd.) asks the Board to clarify the letter received from the Internal Revenue Service. Supervisor Kalcec states the MTA requested an opinion. Supervisor Kalcec states that under "assessor" it reads a certified assessor who ~~sides in assessment role~~ signs an assessment roll must be classified as a public officer for income tax withholding purposes and as an employee of the township for FICA purposes, that authority cannot be contracted to an independent contractor. Resident states that the assessor has two (2) locations right now. Supervisor Kalcec states that this opinion just came in and it is being handled and Attorney Mulvihill will look at it. Resident states that Supervisor Kalcec should get her pay cut back and Supervisor Kalcec responds she personally cannot ask the staff to do it and not take it herself.

**Moved by Slaughter, seconded by Scheib-Snider, motion carried to approve the August 12, 2009 Minutes as corrected.**

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

**PRESENTATIONS:**

None.

**PUBLIC COMMENT ON AGENDA ITEMS:**

G.E. Noble, Resident (1445 Ranch Rd.) New Business, line item D., who determined the Assessor must be a Township employee? Supervisor Kalcec states that it was from the Michigan Township Association ("MTA"), and they requested clarification from IRS. Supervisor Kalcec states that the attorney and accountant have determined the Assessor must be a Township employee.

Robert Hauxwell, Resident (3100 Maureen Lane) asks if the Assessor can work in two (2) different townships/areas? Supervisor Kalcec responds this is statewide, the assessors will be a part-time

employee, will reduce her contract by the amount of payroll taxes the Township will have to pay, and contracting with other areas is not a conflict. Resident asks if there is a bid process regarding barrier free access at the Township Office. Supervisor Kalcec responds that there is a proposal for an ad in the paper, depending on cost. Resident confirms that there will be a bidding process with explanation as to what contractors are bidding on. Supervisor Kalcec states that the Township is proposing a barrier free access evaluation, the State is reviewing the materials regarding the complaint received on the building and we are waiting for the State's response on construction code. Resident states not just handicap but all the work that has been done. What is right and what isn't right. Resident concerned regarding the direction of the bids (i.e. architecture, building inspector, etc.)? Supervisor Kalcec responds that the Township is requesting a quote/bid for a comprehensive assessment of the facilities at 9080 Mason Street for compliance with federal and state barrier-free access requirements. Resident states that there needs to be some direction and a target audience. Supervisor Kalcec states that this is the first draft.

Chester Koop, Resident (11750 Eagle Rd.) suggests that a barrier-free assessment is premature. Resident states that the complaint was a laundry list of building code violations as well as barrier-free issues, suggest the Board wait until the State's report has been received so there is a better understanding in place of what actually needs to be done. Resident states that in developing language of the ad there needs to be clear cut goals and objectives, what needs to be accomplished and looked at. Resident is concerned about alleged violations of the building; we have had inspections, have been in the building for three (3) years and has never heard a complaint to the Board about regarding safety, code, and handicap violations before now. Resident states that under Item C./Clerk Elections (Budget), reduce pay of deputy clerk and same person will also be paid \$4,000.00 for elections. Why is job description for the deputy treasurer in the Clerk's office cost center, is there a job description, why pay raises to new employees? Resident states, capital improvement proposed budget amendment for \$30,000.00? Supervisor Kalcec states that we acquired two (2) parcels of property/foreclosure adjacent to Dearborn Park property and the rest pertains to the expectancy of software proposals. Resident states that the Board can make the decision of whether or not to put an elevator/lift in Township hall, the Board made decision 3-4 years ago and it was determined that because the basement area was non-public, no access need be provided. Resident states that if this area was converted to meeting area/offices Board may need to make a re-determination.

### **PUBLIC HEARINGS:**

None.

### **OLD BUSINESS:**

#### **A. Township Hall Changes-Update**

Supervisor Kalcec states that the Township is working on a Request for Proposals regarding evaluation of barrier-free access at the Township Offices. Slaughter states that an architect would be most appropriate and save the most money, target market would be architectural firms. Slaughter states there are three (3) codes a building must pass: 1. Michigan Building Code; 2. Michigan Barrier-Free Code and 3. ~~Federal Michigan~~ **ADA**. Supervisor Kalcec states there are differences depending on whether it is a new or existing building. Scheib-Snyder suggests tabling this item. Gordon suggests tabling and waiting until the State responds. Slaughter thinks waiting would be irresponsible and there was a motion passed to handle barrier-free compliance, either way an architect being necessary.

Attorney Mulvihill states that Keift Engineering has been retained by the Township as its engineer, therefore, Township may want to confer with them, could also help with RFP.

Miller asked if Kalcec called the State to ask when or if they anticipate inspecting the offices? Miller

said an architect would encompass everything and RFP verbiage and zero in on that market. Kalcec responded she has not had an opportunity to get with them and it has been sent to their plan review section. Does not know if they will even come out to inspect.

**Moved by Slaughter, seconded by Scheib-Snider, motion carried to authorize the Supervisor to use services of Township's engineers to develop an RFP to be presented at next month's meeting.**

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

**Voting No: None**

**B. Resolution to Transfer Property (Part of Hills of Davisburg) to Springfield Township (Tabled)**

**Moved by Gordon, seconded by Scheib-Snider, motion carried to remove this item from the table.**

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

**Voting No: None**

Attorney Mulvihill states that spoke with Springfield Township Attorney, Greg Need. Mr. Need has reviewed the proposed agreement regarding the transfer and has made the following comments: 1. that the property transfer be handled via quit claim deed with language making reference to incorporate the easement (provides access to the property from Rose Township) in the Rose Township portion; 2. each Township be responsible for their own costs relating to access points creations within their own township; 3. this matter will be on Springfield Township's October meeting agenda; 4. each Township will be responsible for their own attorney fees regarding this transfer; and 4. Rose Township residents having access to the park will have to abide by rules and regulations Springfield Township imposes. Attorney Mulvihill further states that he spoke with Mr. Need regarding the fifteen (15) year clause and no problem is perceived.

Gordon asks if this property would still be "open space" if Rose Township complies with Springfield Township's rules? Attorney Mulvihill responds that this property is open space but is only to be developed for non-motorized, pedestrian access only, left in a very natural state. Attorney Mulvihill further states that Springfield Township must comply with the Consent Judgment.

**Moved by Gordon, seconded by Miller, motion carried to table this item until next meeting while more information is obtained.**

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

**Voting No: None**

**C. Proposal for Ball field Improvements from Fenton Travel Baseball (Tabled)**

**Moved by Gordon, seconded by Scheib-Snider, motion carried to remove this item from the table.**

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

**Voting No: None**

Mr. Bret Barker states that during the 2009 baseball season he was allowed to use Rose Township's Field 2 and 3. Mr. Barker states that the fields were in poor condition and the parents held a field clean-up day. Field 2 needs more work and a parent owning a construction company has offered to handle leveling and filling in. Mr. Barker is seeking board approval for improvements and requesting

permission to use both fields again for the 2010 baseball season.

Slaughter thinks that it is a great idea and would like to see fields used and fixed up.

Attorney Mulvihill asks if insurance certificate would be provided by baseball team and Supervisor Kalcec responds yes.

**Moved by Miller, seconded by Slaughter, motion carried to approve the request of Tiger Travel Baseball to make improvements and use the ball fields again in 2010.**

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

**Voting No: None**

**D. Approval for Wood Replacement at Township Hall.**

Supervisor Kalcec states the contractor responsible for painting the Township Hall has submitted a bill for \$980.00 reflecting wood replacement during said project, payment needs Board approval.

Slaughter states her problem with this is that it was agreed we would go with the lower bid on this project and now this contractor has become the higher bid.

Supervisor Kalcec states that there was confusion regarding the bids thus necessitating firmer processes in the future and we should have been notified of wood replacement.

**Moved by Scheib-Snider, seconded by Miller, motion carried to approve payment of \$980.00 to High Country Builders for the work performed and replacement of wood during the painting of the Township Hall.**

Gordon would like to have minutes/motion reflect that the Board did originally take the lower bid for this project, contractors charge for bad wood once it is discovered as it cannot be determined beforehand.

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

**Voting No: Slaughter**

**E. Resume NSP Program**

Supervisor Kalcec states the Township has received a reimbursement check in the amount of \$89,000.00 and another \$14,000.00 reimbursement check is expected. Mr. Schang would like authorization from the Board to move forward on a few more properties.

Slaughter states that we were supposed to also be reimbursed for wages, time, etc., still waiting for outstanding reimbursements and should only resume when full reimbursement has been made.

**Moved by Kalcec, seconded by Slaughter, motion carried to authorize continuation of the NSP program once submitted reimbursement requests have been paid.**

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

**Voting No: None**

**NEW BUSINESS:**

**A. Resolution Increasing Holly Shores Street lighting Special Assessment District.**

This resolution contains the necessary approvals allowing the Township to collect assessments needed to fund the utility bills for the streetlights.

**Moved by Kalcec, seconded by Gordon, motion carried to adopt the resolution authorizing the Holly Shores street lighting special assessment.**

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

**Voting No: None**

**B. SEMCOG Membership Offer**

Supervisor Kalcec states that there is no interest in joining SEMCOG at this time.

**C. FY2010 Budget Amendment Program**

**Moved by Slaughter, seconded by Miller, motion fails to adopt FY2010 Budge Amendment as presented.**

Supervisor Kalcec explains this amendment is in regard to an employee being retained to handle election activities and assist deputy clerk, election activities at \$4,000.00 per year/\$1,000.00 for deputy and corresponding payroll taxes. Under the elections cost center, increase in mileage of \$400.00, Clerk has agreed to reduce small equipment purchases line item in the budget. The proposal is to take elections cost center from \$11,200.00, increase it by \$3,706.00 to \$14,906.00. Under the Clerk's cost center there is \$2,670.00 reflected as an increase for the current deputy treasurer for duties performed, plus payroll taxes, etc. reduction of the amount for wages/benefits at time of budget, savings from that proposal were supposed to be budgeted on buildings and grounds/facility maintenance. General Services, increase for Plante & Moran/accounting assistance provided, under capital purchases.

Gordon states that two (2) months ago Clerk and Treasurer agreed to share one (1) assistant, at election time this person would be trained, this was discussed and voted on. Miller states that the budget was adopted containing a full time deputy clerk and deputy treasurer. There is no deputy clerk, but a full-time deputy treasurer, who Miller would like to pay for assistance (QVF, elections). Gordon reiterates the decision was made two (2) months ago that the Clerk was going to use the deputy treasurer. Miller agrees but states that the deputy treasurer is now performing two (2) jobs and should be compensated for such. Scheib-Snider suggests two (2) part time people and states the Board made the choice to have one (1) full-time person. Slaughter states that the budget contains two (2) full time employees. Gordon asks about the increase for accounting systems and asks if Clerk/Treasurer are going to reduce salaries to pay for same. Slaughter states there are reductions in the Clerk's cost center to cover this. Miller states she would like Plante & Moran to come out once a month for approximately four (4) hours to assist and ensure all work is correct. Slaughter states that extra money for training was budgeted ahead of time due to turnover; previous deputy clerk was paid \$28,500.00 plus benefits therefore Township is saving money in the Clerk's cost center. Scheib-Snider states that employees who have been here a long time are taking pay cuts. Supervisor Kalcec states that a budget with pay cuts has been proposed making it hard for her to support raises; the current deputy works thirty-two (32) hours a week like everyone else.

**Voting Yes: Miller, Slaughter**

**Voting No: Scheib-Snider, Gordon, Kalcec**

**D. Employee/Contractor Status of Assessor**

Rose Township received information indicating an assessor certifying assessment rolls must be classified as an employee rather than a contractor. Supervisor Kalcec states the Assessor has agreed

to reduce her contract by the amount of payroll taxes the Township would become responsible for upon her conversion to a Township employee. Supervisor Kalcec spoke to accountants, and his recommendation was also to make her an employee.

**Moved by Gordon, seconded by Scheib-Snider, motion carried to proceed with changing the status of the Assessor from that of contractor to an employee.**

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

**Voting No: None**

Attorney Mulvihill states that the Township should amend Assessor's contract.

**E. CDBG Reprogramming? Hearing Date**

Supervisor Kalcec suggests the Township reprogram its PY2009 CDBG funds to be used for barrier-free access improvement projects in Township facilities and would like to hold a hearing regarding same.

**Moved by Slaughter, seconded by Miller, motion carried to set a hearing date for the October 14, 2009 meeting to reprogram the PY2009 CDBG funds for barrier-free access improvement projects.**

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

**Voting No: None.**

**F. Bank Authorization for Board Members**

**Moved by Gordon, seconded by Scheib-Snider, motion carried to ask one or both of the signors on Township accounts to authorize remaining three (3) board members to talk about township accounts with bank personnel.**

Slaughter states that the Township policy may not allow this and the Board has been invited many times to inspect any documentation they wish in the Treasurer's office. Scheib-Snider states she asked to see signature cards for third signor verification and was told by Clerk they cannot give out originals. Scheib-Snider states that the bank can print them while you wait and does not want to continue to check everything that goes on. Slaughter states that we have taken care of having a third signor. Scheib-Snider states that she should be able to check the status of things and oversee Township as Trustee.

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

**Voting No: Slaughter,**

**ANNOUNCEMENTS:**

- A. Next Regular Planning Commission Meeting October 1, 2009
- B. NOCFA Board Meeting September 21, 2009 – Holly Township Hall
- C. Next Recycling Date October 3, 2009
- D. Zoning Board of Appeals October 6, 2009 (if needed to conduct business)
- E. Next Regular Township Board Meeting October 14, 2009
- F. Tentative Open House October 17, 2009, 1:00 p.m. - 4:00 p.m.

**MISCELLANEOUS REPORTS:**

- A. NOCFA**

Supervisor Kalcec states there was a fire board meeting on August 17, 2009 and drafting resolution to recognize contributions from ~~Allstate~~ **Armstead** Automotive to fire department. Fire Hall construction proceeding forward, have a temporary occupancy permit, grant money **may be** available for Station 3 allowing for fully staffed ambulance crew (enhancing response time). Supervisor Kalcec attended public works meeting, water agreement expired, decided not to charge us for antenna on water tower and looking into methods to recoup water costs from insurance companies. Janet Leslie is ~~holding~~ **attending** an organizational meeting of Holly Area Economic Development Committee and encourages residents to attend.

#### **B. Planning Commission**

Scheib-Snider states the Planning Commission met last week and re-adopted park and recreation plan. Public input/surveys helpful and would like to see Rose Township become part of a statewide trail system. Scheib-Snider would also like to thank Mr. Gordon for bringing in fill dirt/excavation for house removed behind Township offices.

#### **C. Holly Area Youth Assistance**

None.

#### **D. Supervisor's Report**

Supervisor Kalcec states that the Road Commission has been very responsive and received a Petition from property owners **on one local road** stating they would like to discontinue chloride treatments all together. Road Commission agreed to ½ applications as doing nothing would deteriorate roads faster.

Supervisor Kalcec will meet with the Holly Economic Development Task Force.

Supervisor Kalcec attended a government efficiency commission regarding township revenue sharing.

Supervisor Kalcec and Ms. Scheib-Snider attended MTA conference. Supervisor Kalcec and Oakland County Chapter of MTA will be taking a bus to Lansing in October to meet with the legislatures after they have adopted their budgets. Lansing expecting 20% reduction in property tax assessments.

Supervisor Kalcec states that Rose Oaks County Park has applied for a special land use permit for archery hunting and this will be on the next Planning Commission meeting agenda.

Supervisor Kalcec intends to meet with the utility companies regarding resident complaints of frequent power outages.

#### **E. Others- Police Services Committee**

None.

#### **PUBLIC COMMENT:**

Darlyne Stanczyk, Resident (7355 Fish Lake Rd.) asks if there is an audit date? Miller responds October 12, 2009. Resident asks if accountants have finished reviewing Township books and how much time they have spent thus far? Miller responds they have one more visit scheduled and Supervisor Kalcec responds approximately seventy-two (72) hours.

Don Walls, Resident (17475 Fish Lake Rd.) thanks the Board for not slapping past employees in the face by giving new employees raises. Resident does not understand why Treasurer will not let the

Trustees go to the bank is she hiding something?

Unidentified Resident confirms October 3, 2009 as the recycling date.

G.E. Noble, Resident (1445 Ranch Rd.) would like the refuse collection program to remain independent. Resident is also against an authority to assess taxable values of property, remain independent. Police protection, who is paying for what, etc.? Supervisor Kalcec states this is being worked on, working on public input.

Chester Koop, Resident (11750 Eagle Rd.) suggests the Board consider extending barrier-free evaluation to other buildings/facilities, if concern is compliance with statute and public safety do not limit it to one building/facility.

Al Lopez, Resident (Woodcreek Lane) expresses his concern over the split in the Township Board, as a citizen he would like to bridge this gap and stop the squabbling.

Amy Mayhew, Resident (13856 N. Ridge Dr.) states she is starting a Holly Newspaper which can be viewed on line at [fentonhollyexpress.com](http://fentonhollyexpress.com) (receiving 800-900 hits/week). Resident states a new website will be launched within a week: [hollyexpress.com](http://hollyexpress.com). Ms. Mayhew states the paper will be covering Village of Holly, Davisburg, Holly Township, Rose Township, Groveland Township and Springfield Township.

Robert Hauxwell, Resident (3100 Maureen Lane) states we have watched/discussed the divide within the Board for some time and at the last meeting Dave Gordon had items on the agenda that could have been satisfied by walking into someone's office and talking with them. Resident states as taxpayers we are here to see what the Board is going to do for us and keep the community together, there is no room for all of this bickering. Resident states that he voted for Dave Gordon but will not do so next time if things don't change. Resident states that the Board is here to serve the residents and should communicate better. Supervisor Kalcec states that she believes the Board has made strides in improving relationships, has received information from MTA clearly stating the responsibilities of township officials. Resident states that the Board does not have to like one another but must work together for the benefit of the community.

#### **ADJOURNMENT:**

**Moved by Slaughter, seconded by Scheib-Snider, motion carried to adjourn the meeting at 9:00 p.m.**

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

**Voting No: None**



Approved/Corrected

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Debbie Miller  
Rose Township Clerk