

**ROSE TOWNSHIP BOARD OF TRUSTEES  
REGULAR MEETING  
April 8, 2009**

The following residents and guests were present:

Darlyne Stanczyk	Mark Bolan	Emile Bair
Katherine Bair	Leanne Panduren	Don Grice
Bruce Proper	Chet Koop	
John Mulvihill, 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 the Pledge of Allegiance.

Roll Call: Present: Kalcec, Miller, Slaughter, Gordon, Scheib-Snyder  
Absent: None

Communications available.

**APPROVAL OF AGENDA:**

**A. Approval of Proposed Agenda for April 8, 2009.**

Supervisor Kalcec asks to note that some copies of the Agenda have "Approve Blanket Order for Chloride Application" listed twice.

Slaughter: Would like to add an item **I. Updating the Bank Resolution** under New Business.

Moved by Slaughter, seconded by Scheib-Snyder, motion carried to approve the Agenda with the correction of removing duplicate chloride application and adding an Item I under New Business for the April 8, 2009 Regular Meeting.

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

Voting No: None

**CONSENT AGENDA:**

**A. Approval of March 11, 2009 Regular Meeting and March 25, 2009 & April 2, 2009 Special Meeting Minutes.**

**B. Receipt of Monthly Reports**

- i. Building Department
- ii. Constable
- iii. NOCFA
- iv. HAYA
- v. Financial Reports

**C. Payment of Bills**

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

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

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

Voting No: None

**PRESENTATIONS:**

**A. Update from Township Attorney Regarding Status of Current Activities.**

Supervisor Kalcec asked Township Attorney to update Board on status of current activities and history of activities he was involved in prior to the election of the new Board.

Township Attorney: Jennifer Lane, land division, where applicant applied to divide parcel into 9 parcels. Site plan was approved. Applicant proceeded with construction, did not complete road, upon non-completion of road Rose Township could not issue sidwell numbers. Applicant then filed a lawsuit against Rose Township. This litigation has lasted 4-5 years and the Courts held that Rose Township's actions were legal and Rose Township had the right to withhold sidwell numbers to insure ordinance provisions were complied with. After Rose Township prevailed a receiver was appointed to complete project. Receiver completed most everything other than parcel 5 accessory structure. Accessory structures are not allowed under Rose Township's Ordinance without a principal residence. Receiver petitioned for issuances of sidwell numbers, Rose Township asked for principal residence to be built or the structure removed. \$7,000.00 performance guarantee. Order entered by the Court that sidwell numbers should be given and within one (1) year (3-18-2010) structure needs be brought into compliance or have it removed. Receiver trying to sell property.

**PUBLIC COMMENT ON AGENDA ITEMS:**

None.

**PUBLIC HEARINGS:**

None.

**OLD BUSINESS:**

**A. Township Hall Changes Update**

Supervisor Kalcec states she is waiting for prices on the door, painting and maintenance projects in coming months. Looking for ideas to correct outside cement steps.

**NEW BUSINESS:**

**A. Select Planners and Engineers for Interviews**

Each Board member asked to select their three (3) top choices from the Township Planner proposals:

Votes as follows: Carlisle-Wortman, LandPlan, Inc., Rand Bowman, and LSL Planning, Inc.

Moved by Gordon, seconded by Miller, motion carried to select Carlisle-Wortman, LandPlan Inc., Rand Bowman, and LSL Planning, Inc. for Township Planner interviews.

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

Voting No: None

Each Board member asked to select choices from Township Engineer proposals:

Rowe Professional Services, Lawrence Engineering, Kieft Engineering, Johnson & Anderson, Inc., RDS/Hubbell, Roth & Clark, Giffels-Webster.

Moved by Kalcec, seconded by Gordon, motion carried to select Rowe Professional Services, Lawrence Engineering, Kieft Engineering, Johnson & Anderson, Inc., RDS/Hubbell, Roth & Clark, and Giffels-Webster for Rose Township Engineer interviews.

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

Voting No: None

Interviews for Township Planner and Engineer to be held in open meeting forum:

Rose Township Board will meet to conduct Rose Township Planner interviews on Monday, May 11, 2009 at 6:30 p.m.

Rose Township Board will meet to conduct Rose Township Engineer interviews on May 20, 2009 at 6:30 p.m.

### **B. Oakland County Building Officials Association Damage Assessment Mutual Aide Agreement**

Kalcec, OCBOA put together an agreement to assist communities and perform damage assessments resulting from disasters. Minimal cost involved. Looking for authorization from the Board to sign agreement with OCBOA.

Slaughter: Amanda, able to handle? Pg. 3 question, what does section 2.01 mean? No waiver of governmental immunity? Gordon/Kalcec answer to that all remedies available to Township will apply (i.e., insurance, etc.).

Moved by Scheib-Snyder, seconded by Gordon, motion carried to authorize Supervisor Kalcec to sign the inter-local agreement for participating political subdivisions to receive mutual aide and damage assessments.

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

Voting No: None

### **C. Select Roads for Gravel Application and Determine Level of Funding for Tri-Party Project**

23-A Gravel at a cost of \$13,600.00 per mile

2-A Gravel at a cost of \$20,000.00 per mile

Cut down hill on the road out front of the township hall estimated at \$450,000.00.

Several years of banked funds with Tri-Party. If we paid 1/3 of all banked and this year's allocation we would put out \$142,000.00 as our 1/3. Board to make a decision as to how much they want to spend this year. What roads do we want to handle? Other option is make road out front a one-way loop. Oakland County traffic safety can make a recommendation.

Gordon: Not big on graveling program.

Slaughter: All Rose Township in bad condition, cannot see just picking a few.

Kalcec: What would benefit the most people?

Scheib-Snyder: Bad roads hard on cars.

Kalcec: If we could do one (1) road, Munger from Milford to Fish Lake Rd., 2 miles. (\$13,600.00).

Moved by Kalcec, seconded by Scheib-Snyder, motion carried to ask Oakland County Road Commission to put down two (2) miles (2) inches gravel on Munger Road starting at Milford Rd. west to Buckhorn Lake Rd.

Voting Yes: Kalcec, Miller, Scheib-Snider  
Voting No: Slaughter, Gordon

Cost 23-A \$13,600.00/mile, divided by three (3).

**D. Approve Blanket Order for Chloride Application**

We need to send a letter to new Maintenance Supervisor letting him know that Rose Township wants a blanket order at \$0.28/mile.

Moved by Slaughter, seconded by Scheib-Snider, motion carried to approve submission of blanket order for chloride roads in Rose Township at the same price as 2008.

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

**E. Comprehensive FY2010 Salary Resolution**

Supervisor Kalcec spoke with attorneys, when there is no change in salaries it is not necessary to have them at the meeting, although recommended. Do a blanket resolution for annual meeting.

Moved by Slaughter, seconded by Gordon, motion carried to adopt Rose Township Resolution establishing Rose Township officials FY2010 compensation. (Salaries at same level since 2006).

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

**ROSE TOWNSHIP RESOLUTION # 2009-09  
ESTABLISHING TOWNSHIP OFFICIALS  
FY 2010 COMPENSATION**

**WHEREAS**, Michigan Compiled Law 41.95 authorizes the Rose Township Board of Trustees to determine the salaries for the offices of Supervisor, Clerk, Treasurer, and Trustees for Fiscal Year 2010 by adopting a resolution at least 30 days prior to the township annual meeting, and

**WHEREAS**, the annual compensation of the Township Supervisor, Clerk and Treasurer have remained at \$45,000 since July 1, 2006 and the annual compensation of the Township Constable has remained at \$10,000 since July 1, 2006, and

**WHEREAS**, the Board of Trustees of Rose Township recognizes that current economic conditions should be a factor in determining compensation,

**THEREFORE BE IT RESOLVED**, that as of July 1, 2009, the annual compensation for the Township Supervisor, Clerk and Treasurer shall continue \$ 45,000 and the annual compensation for the Township Constable shall continue at \$10,000.

**BE IT ALSO RESOLVED**, that this resolution shall be submitted to the electors at the annual meeting to be held on June 10, 2009 at which time the electors may modify this resolution. Pursuant to MCLA 41.95(7), such modification(s) that may be made by the electors cannot result in a reduction of salary during each official's term of office. In the event that the electors fail to act on this resolution, the officer shall be entitled to the salary as established in this resolution, in accordance with state law.

**BE IT FURTHER RESOLVED**, that this resolution, adopted on the 8th day of April, 2009 was approved by the Rose Township Board of Trustees at least 30 days prior to the Annual Meeting of the Electorate, as required by law.

Moved by: Slaughter    Seconded by: Gordon

Upon a roll call vote, the following voted:

"Aye": Gordon, Miller, Kalcec, Scheib-Snider, Slaughter

"Nay": None

Absent: None

The Supervisor declared the resolution adopted.

**F.      Request to Forward Amendment to Zoning Ordinance Text to Planning Commission**

Supervisor Kalcec: Clarification and sending text amendment to Planning Commission. Clarification that Rose Township wants to encourage equestrian services. Language requested by zoning administrator would allow a caretaker's residence to be considered a permanent residence was part of a commercial riding academy.

Slaughter would like to look at this issue more carefully. Fire department did not want living quarters attached to a stable area or within a certain distance (100 feet).

Supervisor Kalcec recommends sending this matter to the Planning Commission.

Moved by Gordon, seconded by Kalcec, motion carried to send Amendment to Rose Township Zoning Ordinance/Section 18-04, 16 Caretakers Residence to Planning Commission for their review and recommendations.

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

Voting No: None

**G.      Resolution – West Nile Virus Fund Reimbursement Request**

Supervisor Kalcec: If Rose Township wants to get reimbursed for West Nile prevention this resolution needs to get adopted.

Slaughter: Attended meeting regarding West Nile reimbursement and program has changed. They are not allowing us to use money for tire disposal on clean-up day. We can use money for product/prevention (i.e., spray, etc.). We have \$4,100-\$4,200 available.

Moved by Slaughter, seconded by Miller, motion carried to adopt the West Nile Fund Reimbursement Authorization Request Resolution.

Roll: Scheib-Snider, Gordon, Slaughter, Kalcec, Miller

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

Voting No: None

Materials available free of charge to Rose Township residents (i.e., mosquito repellents, pond treatment).



**I. Updating Bank Resolutions**

Slaughter: Wants to add Ventura Bank to Bank Resolutions.

Moved by Slaughter, seconded by Scheib-Snider, motion carried to approve resolution adopting bank depositories.

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

**ROSE TOWNSHIP RESOLUTION 2009-11**

**RESOLUTION DESIGNATING DEPOSITORIES**

**WHEREAS**, there may now be in and may hereafter from time to time come into the hands of Susan J. Slaughter, Treasurer of Rose Township, Oakland County, Michigan, certain public monies belonging to or held for the State, County or other political units of the State or otherwise held according to law, and

**WHEREAS**, under the law of the State of Michigan, this board is required to provide by resolution for the deposit of all public monies, including tax monies, coming into the hands of said Treasurer, in a bank to be designated in such resolution,

**NOW THEREFORE BE IT RESOLVED**, that said Treasurer, Susan J. Slaughter is directed to deposit all public monies, including tax monies now or coming into her hands as treasurer, in the following depositories:

- Fentura Bank
- Citizens Bank
- The State Bank
- Standard Federal Savings
- JP Morgan/Chase
- MBIA Class
- Fifth Third Bank
- Wolverine Bank
- Public Financial Mgmt. (The PFM Group)

Motion by: Slaughter Seconded by: Scheib-Snider  
Voting "Aye": Kalcec, Slaughter, Miller, Gordon, Scheib-Snider  
Voting "Nays": None  
Excused: None

The supervisor declared the resolution is adopted.

**ANNOUNCEMENTS:**

- A. Regular Planning Commission Meeting will be held on May 7, 2009. Hearing on text amendment to allow archery hunting in County Parks.**
- B. NOCFA Board Meeting will be held on April 20, 2009 at Rose Township Hall, 204 Franklin Street.**

- C. **Next Recycling Date will be May 2, 2009.**
- D. **Zoning Board of Appeals will be held on May 5, 2009 (if needed to conduct business).**
- E. **Regular Township Board Meeting will be held May 13, 2009 at 7:30 p.m.**
- F. **Public Hearing on Ordinance Amendment to Zoning Ordinance on May 7, 2009.**
- G. **Rose Township Clean-Up Day will be held on Saturday, May 9, 2009 from 7:00 a.m. until 4:00 p.m.**
- H. **May 5, 2009 Election for Fenton Area Schools Board of Education and MCC Board Members.**

**MISC. REPORTS:**

**A. NOCFA**

Supervisor Kalcec: Getting preliminary budget proposal from Fire Chief.

**B. Planning Commission**

Scheib-Snider: Approved special land use for a resident to build a kennel on property. Green Infrastructure will not be adopted but used as a tool.

**B. Holly Area Youth Assistance (“HAYA”)**

Slaughter: Working on scholarship committee.

**C. Supervisor Kalcec’s Report**

Jennifer Lane: Mr. Mulvill updated the Board on this matter tonight.

RCOC: Monday, April 6, 2009, the Board met with RCOC to participate in strategic planning for roads and streets. Supervisor Kalcec traveled entire length of Tipsico Lake Road, Baker Road, and Rose Township Road and was pleased with the condition of the roads. Supervisor Kalcec met with RCOC's superintendent, his assistant and AT&T to discuss options for improving drainage at Milford Road and Davisburg Road. AT&T has a manhole on NW corner of that intersection that collects storm water and is becoming a problem. A tentative plan is in place to resolve this issue and relieve the flooding on SE corner of said intersection.

Police Services: Supervisor Kalcec is waiting for Lt. Parson's to contact her regarding a ride along with MSP. Listened to Village of Holly Police Department's concerns and prices should they provide services. Supervisor Kalcec has approached the Village of Holly regarding splitting up the Fire Authority into three (3) entities and does not get return phone calls. Will be contacting the OCS to get estimates for their services. Plans to devise a method of determining the need for services in the Township.

Website Development: Vendor has a few changes and additions. Couple of storyboards to review. Website up and running in a few weeks.

Board of Review: Heard more than one hundred (100) petitions, acted on by the Board in a series of seven meetings.

March 26, 2009: Supervisor Kalcec, Clerk and Treasurer met with representatives from Consumers Energy to review the upcoming pipeline installation. Larger Pipeline runs parallel to existing pipeline. Purpose of pipeline is to transport natural gas from east to west, thus servicing existing customer demands. More information will be available when the project starts in Rose Township in 2010. In 2009 the project will be moving through Springfield Township.

Other Matters: Supervisor Kalcec met with Jenny Tucker from Springfield Township Park and Recreation regarding status of a project started by Mr. Koop and Colin Walls to manage the property that came to Rose Township with the Hills of Davisburg development. Supervisor Kalcec recently received a letter from Ms. Tucker that said they are interested in speaking with the Township Board.

Debbie, Dianne, and I attended the MTAOCC quarterly meeting on April 2, 2009. Dave Bertram from MTA updated us on the status of legislation in Lansing. Ruth Johnson provided an update on several county issues, mainly a large increase in foreclosures.

**PUBLIC COMMENT:**

Chester Koop: Comments on Chloride, Hills of Davisburg, Consent agenda, and balance sheet/deficit report. Board answered it was not attached.

**ADJOURNMENT:**

Meeting adjourned at 8:46 p.m.

---

Debbie Miller  
Rose Township Clerk

