

**ROSE TOWNSHIP BOARD OF TRUSTEES
REGULAR MEETING
OCTOBER 12, 2016**

The following residents and guests signed in as present:

Darlyne Stanczyk	Patrick Hefferan	Sandi Villarreal	Tom Wirth
Teresa Blaska	Kurt Jung	Maura Jung	Linda Dagenhardt
Marilee Carstens	Dior Rushton		

Other(s) present: Susan Weaver (recording secretary), Rana Emmons, John Mulvihill, Esq.

Supervisor Scheib-Snider called the regular meeting of the Rose Township Board of Trustees to order at 7:30 p.m. at the Rose Township Hall, 9080 Mason Street, Rose Township, Michigan and led in the Pledge of Allegiance.

Board Members Present: Scheib-Snider, Miller, Gambka, Kemp, Noble
Not Present: None

APPROVAL OF AGENDA:

A. Approval of Proposed Agenda for October 12, 2016

Delete line item: New Business, B. First Lieutenant Michael Shaw, Michigan State Police – Law Enforcement Update

Add New line item: New Business, E. Political Signage

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

Voting Yes: Gambka, Miller, Noble, Kemp, Scheib-Snider

Voting No: None

APPROVAL OF CONSENT AGENDA:

A. Approval of Regular Board Meeting Minutes of September 14, 2016.

B. Receipt of Monthly Reports

- Building Department
- Constable
- NOCFA
- HAYA
- Financial Reports
- Treasurer's Report
- CDBG Report

C. Payment of Bills

Moved by Gambka, seconded by Kemp, motion carried to approve the Consent Agenda as submitted minus HAYA report.

Voting Yes: Kemp, Noble, Miller, Gambka, Scheib-Snyder
Voting No: None

PRESENTATION:

A. Audited Financial Report, Fiscal Year Ending June 30, 2016, Rana M. Emmons

Rana Emmons, presents audit report and states Rose Township property tax revenues are up 9% this year. Rose Township investments with the County are doing well. Elections expenditures are up due to many elections, some election reimbursement is received from the State of Michigan. Extra money was spent on roads/chloride. Ms. Emmons advises the Board, going forward FY2018, post-retirement health care benefit recording/calculations will change. Ms. Emmons states 1099s will be issued, can be amended. Gambka states stipends were issued, can additional stipends be issued in lieu of investment? Ms. Emmons responds money is held in trust and can only be used to pay retiree health insurance premiums, stipends do not qualify as paying premiums. Suggests Board contact trust holding monies, will guide as to usage.

BRIEF PUBLIC COMMENTS/AGENDA ITEMS ONLY (limit comments to 3 minutes each item):

None.

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

A. Closed Session with Attorney to Discuss Pending Litigation, Karl/Morris

Moved by Scheib-Snyder, seconded by Kemp, motion carried to commence closed session discussion.

Voting Yes: Gambka, Kemp, Noble, Miller, Scheib-Snyder
Voting No: None

Closed Session begins at 7:49 p.m.

Closed Session re-opens at 8:07p.m.

Moved by Scheib-Snyder, seconded by Kemp, motion carried to resume open session.

Voting Yes: Noble, Miller, Gambka, Kemp, Scheib-Snyder
Voting No: None

B. Resolution to Re-Create Eveline Drive Special Assessment District

Moved by Noble, seconded by Scheib-Snyder, motion carried to approve the resolution re-creating the special Assessment District for Eveline Drive for 4 years in the amount of \$400.00.

ROSE TOWNSHIP RESOLUTION 2016-21
A RESOLUTION TO RECREATE
SPECIAL ASSESSMENT DISTRICT EVELINE DRIVE NO. 009

- Whereas,** the Rose Township Board of Trustees has received a petition signed by more than 50 % of the owners of record of the total frontage of the proposed Special Assessment District described hereinafter, and accordingly, has determined to proceed under the provisions of Act 188, PA 1954, as amended, to secure cost estimates together with a proposed Special Assessment District for assessing the costs for the routine maintenance of Eveline Drive and to schedule a public hearing upon the same, and
- Whereas,** the estimates of cost and proposed Special Assessment District were filed with the Township Clerk for public examination and Notice of the aforementioned hearing was published and mailed in accordance with the law and statute provided as shown by Affidavits pertaining thereto on file with the Township Clerk, and
- Whereas,** in accordance with the aforesaid Notices, a hearing was held on the 6th day of October commencing at 4:45 p.m. and all persons were given the opportunity to be heard in the matter, including any objections thereto, and
- Whereas,** as a result of the foregoing, the township Board believes the project, which includes grading, chloride application, snow plowing and addition of stone on Eveline Dr., to be in the best interests of the district proposed to be established and the township and;

Now Therefore Be It Resolved as Follows:

1. That the Rose Township Board of Trustees does hereby determine that the petition for the recreation of the Eveline Dr. Road Maintenance special assessment district was properly signed by the record owners of land whose frontage constitutes more than 50% of the total frontage upon the proposed improvement and is legally sufficient for the Board to proceed in accordance with the provisions of Act 188, PA of 1954 as amended.
2. That the Board does hereby approve the maintenance plan and the estimate of cost for said maintenance efforts thereof in the amount of \$ 400.00 per parcel, and a 3% annual administration fee for the first year and \$ 400.00 per parcel plus a 3% annual administrative fee for each succeeding 3 years.
3. That the term of the Eveline Drive special assessment district be for four years commencing on December 1, 2016, ending on December 1, 2019, and if renewed before December 1, 2020 .
4. That the Board may make periodic re-determinations of the above estimate of costs on or before each anniversary date following the approval of the Eveline Dr. Special Assessment District without further notice to record owners so long as said re-determinations are less than 10% of the aggregate per parcel costs.

5. That the Board does hereby create, determine and define as a Special Assessment District to be known as the Eveline Dr. Road Maintenance Special Assessment District No. 9 within which the cost of such maintenance shall be assessed on a per parcel basis according to benefits, the following described area with the township:

All parcels accessing Eveline Dr. located in Section 35, of Rose Township (T.4N. R.7E), which as of this date includes the following parcels:

06-35-176-004	06-35-300-011	06-35-400-016
06-35-176-007	06-35-300-012	06-35-400-017
06-35-176-008	06-35-300-013	06-35-400-018
06-35-300-006	06-35-300-015	06-35-400-019
06-35-300-007	06-35-300-016	06-35-400-020
06-35-300-008	06-35-400-011	06-35-400-021
06-35-300-009	06-35-400-012	06-35-400-022
06-35-300-010	06-35-400-015	

6. In creating the Special Assessment District No. 9 the Board shall, on an annual basis prior to the mailing of tax notices, amend the size of the district to reflect either an increase or decrease the number of parcels accessing Eveline Dr.
7. That on the foregoing basis, the Board does hereby direct the Supervisor to make a special assessment roll in which shall be entered and described all parcels of land to be assessed with the names of the owners thereof, if known, and a total amount to be assessed against each parcel of land which amount shall be the relative portion of the whole sum to be levied equally against each parcel of land in the S.A.D. as the benefit to the parcel of land bears to the total benefit to all parcels of land in the S.A.D.

When the special roll has been completed, the Supervisor shall certify that he has, according to his best judgment, conformed in all respects to the directions contained in this Resolution, the applicable state statues, and has reported the special assessment roll, with his certification attached hereto, to the township Board.

Voting Yes: Kemp, Noble, Miller, Gambka, Scheib-Snyder
Voting No: None
Excused: None

C. Resolution to Recreate Williams Drive Special Assessment District

Moved by Gambka, seconded by Kemp, motion carried to approve the resolution re-creating the Special Assessment District of Williams Drive for 5 years in the amount of \$190.00, December 1, 2016 – December 1, 2021.

**ROSE TOWNSHIP RESOLUTION 2016-22
A RESOLUTION TO RECREATE
SPECIAL ASSESSMENT DISTRICT WILLIAMS DRIVE #008**

Whereas, the Rose Township Board of Trustees has received a petition signed by more than 50 % of the owners of record of the total frontage of the proposed Special Assessment District described hereinafter, and accordingly, has determined to proceed under the provisions of Act 188, PA 1954, as amended, to secure cost estimates together with a proposed Special Assessment District for assessing the costs for the routine maintenance of Williams Drive and to schedule a public hearing upon the same, and

Whereas, the estimates of cost and proposed Special Assessment District were filed with the Township Clerk for public examination and Notice of the aforementioned hearing was published and mailed in accordance with the law and statute provided as shown by Affidavits pertaining thereto on file with the Township Clerk, and

Whereas, in accordance with the aforesaid Notices, a hearing was held on the 6th day of October commencing at 5 p.m. and all persons were given the opportunity to be heard in the matter, including any objections thereto, and

Whereas, as a result of the foregoing, the township Board believes the project, which includes grading, chloride application, snow plowing and addition of stone on Williams Drive to be in the best interests of the district proposed to be established and the township and;

Now Therefore Be It Resolved as Follows:

1. That the Rose Township Board of Trustees does hereby determine that the petition for the recreation of the Williams Drive Road Maintenance special assessment district was properly signed by the record owners of land whose frontage constitutes more than 50% of the total frontage upon the proposed improvement and is legally sufficient for the Board to proceed in accordance with the provisions of Act 188, PA of 1954 as amended.
2. That the Board does hereby approve the maintenance plan and the estimate of cost for said maintenance efforts thereof in the amount of \$ 190.00 per parcel, and a 3% annual administration fee for the first year and \$ 190.00 per parcel plus a 3% annual administrative fee for each succeeding 4 years.

3. That the term of the Williams Drive special assessment district be for five years commencing on December 1, 2016, ending on December 1, 2020, and if renewed before December 1, 2021.
4. That the Board may make periodic re-determinations of the above estimate of costs on or before each anniversary date following the approval of the Williams Drive Special Assessment District without further notice to record owners so long as said re-determinations are less than 10% of the aggregate per parcel costs.
5. That the Board does hereby create, determine and define as a Special Assessment District to be known as the Williams Drive. Road Maintenance Special Assessment District No. 8 within which the cost of such maintenance shall be assessed on a per parcel basis according to benefits, the following described area with the township:

All parcels accessing Williams Drive located in Section 04, of Rose Township, which as of this date includes the following parcels:

06-04-100-040	06-04-100-056	06-04-100-058
06-04-100-053	06-04-100-045	06-04-100-065
06-04-100-054	06-04-100-068	06-04-100-052
06-04-100-060	06-04-100-067	06-04-100-057
06-04-100-061	06-04-100-069	06-04-100-070
06-04-100-062	06-04-100-066	06-04-100-041
06-04-100-055	06-04-100-059	06-04-100-066
06-04-100-055		

6. In creating the Special Assessment District No. 8 the Board shall, on an annual basis prior to the mailing of tax notices, amend the size of the district to reflect either an increase or decrease the number of parcels accessing Williams Drive.
7. That on the foregoing basis, the Board does hereby direct the Supervisor to make a special assessment roll in which shall be entered and described all parcels of land to be assessed with the names of the owners thereof, if known, and a total amount to be assessed against each parcel of land which amount shall be the relative portion of the whole sum to be levied equally against each parcel of land in the S.A.D. as the benefit to the parcel of land bears to the total benefit to all parcels of land in the S.A.D.

When the special roll has been completed, the Supervisor shall certify that he has, according to his best judgment, conformed in all respects to the directions contained in this Resolution, the applicable state statues, and has reported the special assessment roll, with his certification attached hereto, to the township Board.

Voting Yes: Gambka, Kemp, Noble, Miller, Scheib-Snyder

Voting No: None

D. Resolution to Create Ottieway Court Special Assessment District

Moved by Noble, seconded by Miller, motion carried to approve the resolution creating the Ottieway Court Special Assessment District for 5 years commencing December 1, 2016, in the amount of \$200.00 per parcel.

**ROSE TOWNSHIP RESOLUTION 2016-23
A RESOLUTION TO CREATE
SPECIAL ASSESSMENT DISTRICT OTTIEWAY COURT NO. 12**

Whereas, the Rose Township Board of Trustees has received a petition signed by more than 50 % of the owners of record of the total frontage of the proposed Special Assessment District described hereinafter, and accordingly, has determined to proceed under the provisions of Act 188, PA 1954, as amended, to secure cost estimates together with a proposed Special Assessment District for assessing the costs for the routine maintenance of Ottieway Court. and to schedule a public hearing upon the same, and

Whereas, the estimates of cost and proposed Special Assessment District were filed with the Township Clerk for public examination and Notice of the aforementioned hearing was published and mailed in accordance with the law and statue provided as shown by Affidavits pertaining thereto on file with the Township Clerk, and

Whereas, in accordance with the aforesaid Notices, a hearing was held on the 6th day of October, 2016 commencing at 5:15p.m. and all persons were given the opportunity to be heard in the matter, including any objections thereto, and

Whereas, as a result of the foregoing, the township Board believes the project, which includes grading, chloride application, snow plowing and addition of stone on Ottieway Court to be in the best interests of the district proposed to be established and the township and;

Now Therefore Be It Resolved As Follows:

1. That the Rose Township Board of Trustees does hereby determine that the petition for the creation of the Ottieway Court Road Maintenance special assessment district was properly signed by the record owners of land whose frontage constitutes more than 50% of the total frontage upon the

proposed improvement and is legally sufficient for the Board to proceed in accordance with the provisions of Act 188, PA of 1954 as amended.

- 2. That the Board does hereby approve the maintenance plan and the estimate of cost for said maintenance efforts thereof in the plus the costs associated amount of \$ 200.00 per parcel, and a 3% annual administration fee for the first year and \$ 200.00 per parcel plus a 3% annual administrative fee for each succeeding 4 years.
- 3. That the term of the Ottieway Court. special assessment district be for five years commencing on December 1, 2016.
- 4. That the Board may make periodic re-determinations of the above estimate of costs on or before each anniversary date following the approval of the Ottieway Court Special Assessment District without further notice to record owners so long as said re-determinations are less than 10% of the aggregate per parcel costs.
- 5. That the Board does hereby create, determine and define as a Special Assessment District to be known as the Ottieway Court Road Maintenance Special Assessment District No. 12 within which the cost of such maintenance shall be assessed on a per parcel basis according to benefits, the following described area with the township:

All parcels accessing Ottieway Court. located in Section 09, of Rose Township which as of this date includes the following parcels:

- 06-09-100-047 06-09-100-049 06-09-100-046
- 06-09-100-033 06-09-100-035 06-09-100-038
- 06-09-100-048 06-09-100-050 06-09-100-057
- 06-09-100-034 06-09-100-037

- 6. In creating the Special Assessment District No. 12, the Board shall, on an annual basis prior to the mailing of tax notices, amend the size of the district to reflect either an increase or decrease the number of parcels accessing Ottieway Court.
- 7. That on the foregoing basis, the Board does hereby direct the Supervisor to make a special assessment roll in which shall be entered and described all parcels of land to be assessed with the names of the owners thereof, if known, and a total amount to be assessed against each parcel of land which amount shall be the relative portion of the whole sum to be levied equally against each parcel of land in the S.A.D. as the benefit to the parcel of land bears to the total benefit to all parcels of land in the S.A.D.

When the special roll has been completed, the Supervisor shall certify that he has, according to his best judgment, conformed in all respects to the directions

contained in this Resolution, the applicable state statutes, and has reported the special assessment roll, with his certification attached hereto, to the township Board.

Voting Yes: Miller, Gambka, Kemp, Noble, Scheib-Snyder
Voting No: None

E. Set Public Hearing Date for Eveline, Williams and Ottieway SAD

Moved by Noble, seconded by Gambka, motion carried to approve Special Assessment District tax roll public hearings as follows November 9, 2016, Eveline Drive - 6:45 p.m., Williams Drive - 7:00 p.m. and Ottieway Drive - 7:15 p.m.

Voting Yes: Noble, Miller, Gambka, Kemp, Scheib-Snyder
Voting No: None

F. Political Signage

Attorney John Mulvihill states ordinances may not be enforceable. Attorney Mulvihill states it is not permissible to place political signs on Township property, not even on right-a-way. Political signage can be placed freely on private property with property owner's written permission. County is concerned when signage obstructs vision, etc. Gambka states written permission is impractical, property owners should have a right to place a sign on their property. Clerk states as a courtesy she notifies the candidates and gives them opportunity to remove their improperly/illegal placed sign before action is taken.

ANNOUNCEMENTS:

- A. Next Regular Planning Commission Meeting – November 3, 2016 at 7:30 p.m.**
- B. Zoning Board of Appeals Meeting, November 1, 2016 at 7:30 p.m. – Cancelled.**
- C. NOCFA Board Meeting – October 20, 2016 at 6:30 p.m. – Rose Township Offices**
- D. Assessing Office – 2nd Tuesday every month – 9:00 a.m. – 4:00 p.m. – Rose Township**
- E. Next Township Regular Board Meeting – November 9, 2016 at 7:30 p.m.**
- F. 24/7 Rose Township Recycling – 9080 Mason Street, Holly, MI**
- G. November 8, 2016 General Election**

MISCELLANEOUS REPORTS:

- A. NOCFA – open house October 15, 2016, 1-4 p.m., Station #1, Holly, MI. Budget approved, safer grant, will hire a full-time employee.**
- B. Planning Commission – None.**
- C. Holly Area Youth Assistance (HAYA) – None.**
- D. Cemetery Committee – None.**
- E. Parks and Recreation – Picnic tables arrived, stored at Station #3.**
- F. Township Hall Committee – Email Mr. Campbell, advising report soon .**
- G. Supervisor's Report – CDBG workshop next week, Township has received this year's CDBG monies. Springfield Township will conduct prescribed burns at the Shiawassee Basin, 10/5/16-11/14/16. Attended Supervisor's Meeting. Holly Holiday Art & Craft Who, Holly High School, 11/5/16, 9:00 a.m. – 4:00 p.m. There is now a \$10,000.00 reward for information leading to the arrest and conviction involving the murder of Ally Brueger, still receiving tips, not a cold case, ongoing.**

Gambka states the Tipsico Lake Board renewal public hearing will be held on November 1, 2016 at 6:30 p.m.

BRIEF PUBLIC COMMENT – General Items NOT on Agenda (limit comments to 3 minutes each item):

Unidentified Resident asks if there are more absentee ballots being issued this election. Miller responds yes, considerable.

Addie Edington, Resident states she was asked if political signs could be placed in her yard

Unidentified Resident states the Township is mowing a resident's property erroneously.

Unidentified Resident asks if there has been any progress on Buckhorn Lake. Scheib-Snider responds, waiting for reply.

ADJOURNMENT:

Meeting adjourned at 8:45 p.m.

Approved/Corrected


Debbie Miller, MMC, CMMC
Rose Township Clerk