

**ROSE TOWNSHIP BOARD OF TRUSTEES
REGULAR MEETING
September 13, 2017**

The following residents and guests signed in as present:

Tom Wirth	Darlyne Stanczyk	Adie Eddington	Bill Eddington
Robert Rollinger	Brian McKeown	Paul Englehart	Maura Yung
Kurt Jung	Marilee Carstens		

Other(s) present: Susan Weaver (recording secretary), Caitlin Holdorf (Deputy Clerk), John Mulvihill, Esq.

Supervisor Scheib-Snider called the regular meeting of the Rose Township Board of Trustees to order at 7:00 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, Gambka, Blaska, Noble
Board Members Not Present: Miller (excused)

Moved by Scheib-Snider, seconded by Gambka, motion carried to excuse Miller's absence.

**Voting Yes: Gambka, Noble, Blaska, Scheib-Snider
Voting No: None
Not Present: Miller**

APPROVAL OF AGENDA:

A. Approval of Proposed Agenda for September 13, 2017

Moved by Noble, seconded by Gambka, motion carried to approve the Agenda as presented.

**Voting Yes: Gambka, Noble, Blaska, Scheib-Snider
Voting No: None
Not Present: Miller**

APPROVAL OF CONSENT AGENDA:

A. Approval of Regular Board Meeting Minutes of August 9, 2017

B. Receipt of Monthly Reports

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

D. Payment of Bills

Moved by Scheib-Snider, seconded by Blaska, motion carried to approve the Consent Agenda as presented.

Voting Yes: Blaska, Noble, Gambka, Scheib-Snider

Voting No: None

Not Present: Miller

PRESENTATIONS:

A. Attorney – Robert S. Rollinger, P.C., Explanation of Land Division Act

Attorney Rollinger, on behalf of McGowen's/Chief's Drive, states under the Land Division Act, if a subdivision is platted, residents have the right to petition the court to have said plat changed. The McGowen's, under jurisdiction of the Road Commission for Oakland County, are asking to have the roadway right of way abandoned and the RCOC has granted the petition allowing that portion of Chief's Drive to be abandoned. McGowen's are asking this in order to build a garage and under the Land Division Act the procedure is to go to Circuit Court, notify all property owners within 300', notify all county/local governmental agencies, notify all public utilities, file action, and if court determines no objection it grants judgment to vacate requested property and grant same to McGowen's. Attorney Rollinger is requesting the Board adopt a Resolution stating the Township takes no issue with this and presents the Resolution to the Board.

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

None.

UNFINISHED BUSINESS:

A. Medical Marijuana Facilities Act

Scheib-Snider provides a Highland Township survey regarding this matter, conclusion that this would invite crime and would be a burden to the Township. Scheib-Snider suggests opting out at this time.

Moved by Noble, seconded by Gambka, motion carried to adopt Resolution opting out of the Medical Marijuana Facilities Act.

**TOWNSHIP OF ROSE
OAKLAND COUNTY, MICHIGAN**

**RESOLUTION REGARDING MEDICAL MARIHUANA FACILITIES
AUTHORIZED BY PA 281 OF 2016**

**RESOLUTION NO. 2017-15
DATED: September 13, 2017**

WHEREAS, Public Act 281 of 2016 (MCL 333.27101 et. seq.) authorizes the State of Michigan to license five different types of facilities related to medical marihuana (grower, processor, secure transporter, provisioning center, and safety compliance facility); and

WHEREAS, Section 205 of PA 281 of 2016 (MCL 333.27205) provides that “[a] marihuana facility shall not operate in a municipality unless the municipality has adopted an ordinance that authorizes that type of facility”; and

WHEREAS, Section 205 of PA 281 of 2016 further provides that “[a] municipality may adopt other ordinances relating to marihuana facilities within its jurisdiction, including zoning regulations...”; and

WHEREAS, Section 205 of PA 281 of 2016 requires a municipality to respond to the State of Michigan, Medical Marihuana Licensing Board, within 90 days after the municipality receives notification from the applicant that a license for one of the five types of medical marihuana facilities authorized by PA 281 of 2016 has been applied for; and

WHEREAS, the Township Board of Rose Township, Oakland County, Michigan is cognizant of its authority to adopt an ordinance or ordinances to authorize the operation of one or more of the five types of medical marihuana facilities authorized by PA 281 of 2016 but desires to not do so.

NOW THEREFORE it is hereby resolved as follows:

1. Rose Township, Oakland County, Michigan (Township) declines to adopt an ordinance authorizing any of the five types of medical marihuana facilities within the Township authorized by PA 281 of 2016; and
2. As a result of the Township’s declination to adopt an ordinance authorizing any of the five types of medical marihuana facilities authorized by PA 281 of 2016, a **“marihuana facility shall not operate in the Township”**; and
3. The Township Clerk and/or the Township Zoning Administrator is authorized to provide a copy of this resolution to the State of Michigan, Medical Marihuana Licensing Board in response to a request to locate a medical marijuana facility authorized by PA 281 of 2016 within the Township or for any other reason authorized by or in response to a request from State of Michigan, Department of Licensing and Regulatory Affairs or its successor agency or the Medical Marihuana Licensing Board; and
4. The Township Clerk and/or the Township Zoning Administrator is authorized to provide a copy of this Resolution to any applicant requesting the ability to locate a medical marihuana grower, processor, secure transporter, provisioning center or safety compliance facility in the Township as evidence that the same shall not be allowed in the Township; and
5. All resolutions in conflict herewith are repealed; and
6. This resolution is effective immediately upon adoption and shall remain in full force and effect until repealed by the Township Board.

Voting Yes: Gambka, Noble, Scheib-Snider, Blaska

Voting No: None

Not Present: Miller

B. Cell Tower Lease

Scheib-Snider would like to continue to lease as it provides revenue to the Township. Board suggests escalation language and reduce to a 20 year lease.

NEW BUSINESS:

A. SEMCOG Intergovernmental Agreement

Affirms that Noble will attend meetings when Scheib-Snyder is unable to do so.

Moved by Blaska, seconded by Gambka, motion carried to approve the SEMCOG Intergovernmental Agreement Resolution with Scheib-Snyder as the delegate and Noble as alternate.

Voting Yes: Blaska, Scheib-Snyder, Noble, Gambka

Voting No: None

Not Present: Miller

B. Planning Commission Appointment

Commissioner Fuller resigned. Mark Bolan requested appointment for remainder of term.

Moved by Blaska, seconded by Scheib-Snyder, motion carried to appoint Mark Bolan to the Planning Commission for a partial term expiring December, 2017.

Voting Yes: Blaska, Scheib-Snyder, Noble, Gambka

Voting No: None

Not Present: Miller

C. Chief's Drive Resolution to Abandon Portion

Moved by Noble, seconded by Blaska, motion carried to adopt the Chiefs Drive Resolution abandoning described portion.

RESOLUTION 2017-16

COPY OF A RESOLUTION ADOPTED BY
THE BOARD OF TRUSTEES FOR THE
TOWNSHIP OF ROSE, OAKLAND COUNTY,
MICHIGAN
ON THE 13TH, DAY OF SEPTEMBER, 2017

WHEREAS, the Board of Trustees has received a request from residents and taxpayers; namely Brian McKeown and Krystal McKeown, his wife, to formally approve of their request to vacate a portion of Chiefs Drive located between Lots 26 and 27 of Supervisor's Plat No. 2, as provided by MCL 560.256; and

WHEREAS, the Land Division Act (LDA) provides when a governing body of a township by resolution vacates a street or a portion of a street, or extends or widens a street, the Clerk of the municipality within thirty (30) days shall record a certified copy of a resolution with the

Register of Deeds, providing the name of the plat affected, and is to send a copy to the Treasurer for the State of Michigan; and

WHEREAS, Brian McKeown and Krystal McKeown, his wife, have already submitted a petition for the abandonment of the portion of Chiefs Drive, which is located between Lots 26 and 27 of Supervisor's Plat No. 2, in Rose Township; and

WHEREAS, the Board of County Road Commissioners for the County of Oakland did grant the Petition for Abandonment as provides by MCL 224.18, which resolution was recorded on September 8, 2016 at Liber 49789, Page 433 of Oakland County Records, a copy of which is attached to this Resolution of the Board; and

WHEREAS, Brian McKeown and Krystal McKeown, his wife, have informed and notified the Supervisor for Rose Township of their intention to seek to have the Plat amended so that Supervisor's Plat No. 2 within Rose Township shall no longer have that portion of Chiefs Drive, which abuts, and is contiguous with Lots 26 and 27 as a public roadway; and

WHEREAS, the LDA requires the Clerk of the Township of Rose, notify the Register of Deeds with this resolution providing the name of the Plat affected, and to send a copy to the Treasurer for the State of Michigan.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Trustees for the Township of Rose, Oakland County, Michigan, in accordance with MCL 560.256, the portion of Chiefs Drive, which abuts Lots 26 and 27, within Supervisor's Plat No. 2, within Rose Township, is vacated by action of this Board of Trustees, and this Board of Trustees does direct the Clerk of Rose Township to record a certified copy of this Resolution with the Register of Deeds for the County of Oakland.

BE IT FURTHER RESOLVED that the Clerk of Rose Township shall send a certified copy of this Board's Resolution to the Treasurer of the State of Michigan.

BE IT FURTHER RESOLVED that this Board does affirmatively state that it has no

objection to the relief requested by Brian McKeown and Krystal McKeown, his wife, in their Land Division Act Complaint to be filed in the Oakland County Circuit Court to obtain the relief requested.

Voting Yes: Noble, Gambka, Scheib-Snider, Blaska
Voting No: None
Not Present: Miller

D. Renewal Package Health Benefits

Gambka states health care is up for renewal in November, 2017. Policy is showing a 10% increase in dental with optical remaining same. Current amount paid this year was \$45,000.00. Once going into effect, with one employee being eliminated from policy, total cost for twelve (12) months will drop from \$36,000.00 to \$24,000.00.

Moved by Noble, seconded by Blaska, motion carried to approve renewal of health benefit package as presented and continue dental and optical, ensure township employee participation at a 20% contribution cost (BCBS, Dental, and Always Care).

Voting Yes: Blaska, Noble, Gambka, Scheib-Snider
Voting No: None
Not Present: Miller

ANNOUNCEMENTS (Please note the meeting time changes):

- A. **Next Regular Planning Commission Meeting – October 5, 2017 at 7:00 p.m.**
- B. **Zoning Board of Appeals Meeting, October 3, 2017 at 7:00 p.m.**
- C. **NOCFA Board Meeting – September 21, 2017 at 3:00 p.m. – Holly Township., Station #1**
- D. **Assessing Office – 2nd Tuesday every month – 9:00 a.m. – 4:00 p.m. – Rose Township**
- E. **Next Township Regular Board Meeting – October 11, 2017 at 7:00 p.m.**
- F. **Next No-Haz Collection: Saturday, September 16, 2017, Oakland Community College, Highland Lake Campus, 8:00 a.m. – 2:00 p.m.**

MISCELLANEOUS REPORTS:

- A. **NOCFA**– Scheib-Snider states Steve McGee/Fire Chief of Groveland is retiring at the end of the year, discussed Groveland joining NOCFA. Well location Michigan State Police Tower approved, bidding announcement in paper.
- B. **Planning Commission** – Noble states the Planning Commission is active and will have a draft of Township Master Plan by next meeting, schedule a public hearing. Working on winery and dog ordinance.
- C. **Holly Area Youth Assistance (HAYA)** – Distributed school supplies (71 children), began toy project, continuing popcorn sales at car show. Participating in Holly Days. Family Fun Tailgate before football game. Next meeting October 5, 2017 at Carl Richter. Have provided services to 58 families year to date. Working on obtaining a full-time case manager.
- D. **Cemetery Committee** – Nothing to report.
- E. **Parks and Recreation** – Budget for coming year. Waiting for Parks and Recreation Plan. Buckhorn Lake Rd./Rose Center Rd. - ditch/drain on civic park needs to be dug out to prevent collection stagnant water.
- F. **Supervisor's Report** – Heritage Committee bus tour is full and the Committee is meeting weekly

in preparation of same. Also, working on a self-guided tour. Diehls Cider Mill and M&M will be sponsoring refreshments. Mr. Hoffman has invited tour to his wine tasting room after bus tour. Munger/Rattalee lake road approaches are being worked on. Hickory Ridge Road ditching done. Task Force One (new building located in Groveland serving entire state of Michigan) responded to Hurricane Irma. New recorder installed in Township meeting room. Received West Nile Grant reimbursement. Swallow Wort demonstration.


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

Addie Eddington, Resident states at Rose Center/Hickory Ridge Rd. (vacant commercial property) there are large trucks, equipment, cars, dumpster, etc. After inquiring, found work being performed in Highland Township and parking equipment in Rose Township. Asking Board to recommend any proposed activity be given directives.

Unidentified Resident consumers easy to deal with, Enbridge not easy.

ADJOURNMENT:

Meeting adjourned at 8:01 p.m.


Debbie Miller, MMC, CMMC
Rose Township Clerk

Approved/Corrected—