

**ROSE TOWNSHIP BOARD OF TRUSTEES  
REGULAR MEETING  
January 13, 2016**

The following residents and guests signed in as present:

Darlyne Stanczyk	Pat Hefferan	Maura Jung	Kurt Jung
Mark Bolan	GE Noble	Tom Willwerth	Tim Claus

Other(s) present: Susan Weaver (recording secretary), John Mulvihill, Esq. (Township Attorney)

Supervisor Gambka 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: Miller, Kemp, Scheib-Snider, Gambka

Not Present: Lumley (Excused)

**APPROVAL OF AGENDA:**

**A. Approval of Proposed Agenda for January 13, 2016**

**Add new line item: New Business - (D) Approval of Cemetery Ordinance.**

**Moved by Miller, seconded by Scheib-Snider, motion carried to approve the Agenda as amended.**

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

**Voting No: None**

**Absent: Lumley**

**APPROVAL OF CONSENT AGENDA:**

**A. Approval of Regular Board Meeting Minutes of December 9, 2015.**

**B. Receipt of Monthly Reports**

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

**C. Payment of Bills**

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

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

**Voting No: None**

**Absent: Lumley**

**PRESENTATIONS:**

None.

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

Tom Willwerth, Resident believes if the Constable position is eliminated, ordinance changes will become necessary, etc. Believes the Constable position should be preserved.

**UNFINISHED BUSINESS:**

**A. Dangerous Building – 4250 Wakewood Drive, Holly, Michigan**

Deferred until March, 2016.

**OPEN PUBLIC HEARING AT 7:35 P.M. – AMENDING CHAPTER 10, CEMETERIES, ARTICLE I**

**PUBLIC COMMENT ON AMENDING CHAPTER 10, CEMETERIES, ARTICLE I**

Glen Noble, Resident states Section 10.9 states the Cemetery Sexton is the keeper of the records; Rose Township Sexton is an outside agency.

Clerk Miller – states Genesee Valley Vault is the Cemetery Sexton and holds/maintains records. Miller further states that Rose Township’s cemetery records are in good condition.

Supervisor Gambka states he is in the process of drafting a memorandum outlining all outstanding cemetery issues. Once completed, the Clerk will update plot numbers.

Glen Noble, Resident states Section 10.9.3 reads that it is the Sexton’s responsibility to maintain cemetery records.

Tom Willwerth, Resident states the Sexton position was in-house prior to 1985, after 1985 Genesee Valley Vault was contracted and handles services. Resident does not feel there is anything wrong with Genesee Valley Vault.

**CLOSE PUBLIC HEARING AT 7:44 P.M. – AMENDING CHAPTER 10, CEMETERIES, ARTICLE I**

**NEW BUSINESS:**

**A. Planning Commission Appointments (3 Year Term) - Re-Appointment of Michael Brooks and Theresa Lynn**

**ROSE TOWNSHIP RESOLUTION 2016-01  
TO APPOINT MEMBERS OF PLANNING COMMISSION**

**WHEREAS**, an appointment to the Rose Township Planning Commission is expiring in December of 2015,

**NOW THEREFORE BE IT RESOLVED**, that the Rose Township Board of Trustees approves the appointments of Michael Brooks and Theresa Lynn to the Planning Commission to serve a three (3)

year term ending in December 2018.

**Moved by Scheib-Snider, seconded by Miller, motion carried to re-appoint Michael Brooks and Theresa Lynn to the Planning Commission for a three (3) year term.**

**Voting Yes: Kemp, Scheib-Snider, Miller, Gambka**  
**Voting No: None**  
**Absent: Lumley**

**B. Zoning Board of Appeals Appointments (3 Year Term) - Re-Appointment of Carol Lenchek and Tim Claus**

**ROSE TOWNSHIP RESOLUTION 2016-02  
TO APPOINT MEMBERS TO ZONING BOARD OF APPEALS**

**WHEREAS**, several appointments to the Rose Township Zoning Board of Appeals expiring in January of 2016,

**NOW THEREFORE BE IT RESOLVED**, that the Rose Township Board of Trustees approves the appointment of Carol Lenchek and Tim Claus to the Zoning Board of Appeals to serve a three (3) year term beginning in January 2016 and ending in January 2019.

**Moved by Scheib-Snider, seconded by Kemp, motion carried to re-appoint Carol Lenchek and Tim Claus to the Zoning Board of Appeals for a three (3) year term.**

**Voting Yes: Miller, Kemp, Scheib-Snider, Gambka**  
**Voting No: None**  
**Absent: Lumley**

**C. Discussion Regarding the Office of Constable**

Gambka states the office of the Constable is required to be renewed on occasion and is an elected position; the matter needs to be decided by February, 2016.

Attorney Mulvihill states the Constable serves as a sounding board for the citizens of the Township, the contact person for reports/complaints/concerns (i.e. nuisance, trash, barking dogs, burning, etc.). The Constable will first attempt to resolve the conflict. Rose Township passed a municipal civil infraction procedures policy/bureau. The Constable monitors this "bureau" and issues a violation accordingly, if the matter is not brought into compliance the Constable will then issue a ticket, and gather information to take to court. The Constable is the "communication" between property owners and attorneys. The Constable will also serve as a witness if necessary should the matter end up in litigation. Once a resolution is met/agreed upon, the Constable will follow-up to ensure compliance.

Gambka asks how our Constable compares with other constables in surrounding areas. Attorney Mulvihill states very few townships still have constables, handled by zoning administrator/code enforcement officer (i.e. Carlisle/Wortman, Dave Plewes, etc.). Gambka asks if it is fair to say three

(3) people are now performing the same job and if the Constable position were to be eliminated could Emile Bair remain (Constable) in some capacity. Attorney Mulvihill replies Mr. Bair could be hired by Rose Township as an employee rather than elected official. Gambka states Rose Township currently has Carlisle Wortman, Dave Plewes and Emile Bair performing the same job. Attorney Mulvihill states Carlisle Wortman handles inspections/permits. Gambka states if we do nothing it will remain status quo until 2021. Attorney Mulvihill states this is a Board decision having a Constable versus not having a Constable.

Kemp is not in a position to vote on this matter at this time, agrees many Townships probably do not have a Constable, possibly outdated. However, Kemp states the residents enjoy and support the position. Gambka states we could hire Emile Bair (Constable) as an employee.

Miller states there are still Constables in rural areas. Miller further states the Constable smooths things over, avoiding attorney/litigation expenses, and handles a variety of matters. Rose Township does not have a police department.

Kemp states eliminating the Constable will not save the Township any money; someone will have to perform the job duties.

Scheib-Snider states the Constable position currently pays \$10,000.00/year and the other part is an additional job share with Dave Plewes which pays \$6,000.00. A job description(s) would have to be created. Scheib-Snider would like to see alternative plan(s) before a vote, suggests a special meeting. Scheib-Snider reminds the Board that this position is not costing the Township a lot of money.

Miller states Emile Bair (Constable) is in the office every day, his salary is nominal and the position should remain status quo. Code Enforcement Services is currently handling inspections, etc., not Constable duties. Gambka interjects that Code Enforcement Services could also handle the Constable's duties.

Scheib-Snider suggests a special meeting in order to review alternative plans. Supervisor Gambka states when he was elected he did not know what a Constable did; though Constable was the equivalent of a police officer.

Gambka suggests tabling this matter and holding thorough discussion, whatever the decision, it will remain with us until 2021.

Scheib-Snider would like to see a job description and costs of any options. Gambka would like the Constable position to be handled by someone who answers directly to the Board, current Constable is an elected official. Attorney Mulvihill explains the State Police handle criminal matters, not Township resident/property owner matters.

Gambka states Mr. Bair (Constable) could remain as an employee/ordinance enforcement officer rather than an elected official.

**Moved by Scheib-Snider, seconded by Kemp, motion carried to table this line item until a special meeting is held on January 27, 2016 at 7:30 p.m.**

**Voting Yes: Kemp, Scheib-Snider, Miller, Gambka**  
**Voting No: None**  
**Absent: Lumley**

## **D. Approval of Cemetery Ordinance**

Gambka reads Section 10.2, item 7, “A township resident is defined as person who has lived in Rose Township for a minimum of ninety (90) days and supplied corresponding documentation”, “or “has lived in Rose Township for a period of five (5) or more years and supplied corresponding documentation.” Confusing language needs clarification.

Scheib-Snider suggests adding “past” residents or “once lived in Rose Township for five (5) years”.

Attorney Mulvihill suggests using “past resident who has lived in Rose Township for five (5) years or more”.

Rose Township, (Oakland Co.), Michigan, Code of Ordinances >> Chapter 10 – CEMETERIES

>>ARTICLE I. – IN GENERAL

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## **ARTICLE I. – IN GENERAL**

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Sec. 10-1. - Purpose.

Sec. 10-2. - Definitions.

Sec. 10-3. - Funding.

Sec. 10-4. - Personnel.

Sec. 10-5. - Title to property.

Sec. 10-6. - Township Clerk duties

Sec. 10-7. - Township Treasurer duties

Sec. 10-8 - Cemetery Maintenance Personnel duties

Sec. 10-9. - Sexton’s duties.

Sec. 10-10. -Enforcement of Ordinance

Sec. 10-11. -Types and purposes of funds.

Sec. 10-12. -Distribution of fees and charges.

Sec. 10-13. thru 10-30. – Reserved

Sec. 10-31. - Purchase or transfer of plots.

Sec. 10-32. - Cemetery care and plot improvements.

Sec. 10-33. - Interment and disinterment.

Sec. 10-34. - Monuments, headstones, markers and foundations.

Sec. 10-35. - General rules and regulations.

Sec. 10-36. – Removal, errors, etc.

Sec. 10-37. – Schedule of fees and charges.

### **Sec. 10-1. - Purpose**

The purpose of this chapter is to provide for the maintenance and care of the Township-owned cemeteries by establishing procedures, rules and regulations governing the purchase and transfer of rights of burial including fees and purchase price and the condition, care and maintenance of those cemeteries and conduct of persons therein, together with penalties for violations of the rules and regulations and this ordinance.

## **Sec. 10-2. - Definitions**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. Township means the Township of Rose, a municipal corporation, acting by and through its board of trustees.
2. Cemeteries means the Rose Center Cemetery, Beebe Cemetery, Brookins Cemetery and any other cemeteries located within and owned by the Township, including the common areas and individual lots therein.
3. Cemetery Plots shall consist of an area of land forty-eight (48) inches wide by one hundred and twenty (120) inches in length, to accommodate one burial plot or for one deceased person. Exceptions may be made, with the approval of the Township Clerk, to accommodate one (1) infant and one (1) adult or the burial of two (2) cremains.
4. Monument - an upright stone, indicating a family name. Requires ownership of four (4) or more plots.
5. Headstone - a stone indicating a family name and/or name and information of the deceased interred on a plot.
6. Marker - flush installation of stone or metal indicating the name and information of the deceased interred on a plot.
7. A Certificate of Right of Burial does not confer ownership interest in the plot.
8. A township resident is defined as a person who has lived in Rose Township for a minimum of ninety (90) days and supplies corresponding documentation or a past resident who has lived in Rose Township of a period of five (5) or more years and supplies corresponding documentation.

## **Sec. 10-3. - Funding**

The Township Board shall periodically review the fees and shall annually budget and provide funds in an amount sufficient to maintain and properly care for the cemeteries to the extent that said expenses are not adequately covered by the income from existing perpetual care and other cemetery funds or accounts.

## **Sec. 10-4. - Personnel**

The Township Board shall establish and pay compensation to the cemetery maintenance personnel, the amount and manner of compensation to be established by the Township Board.

## **Sec. 10-5. - Title to Property**

Title to the real property, upon which the cemeteries are located, lies in the Township in fee simple, rendering any plots or rights of burial therein to be exempt from taxation.

The purchase of a Right of Burial for a plot or plots in the cemeteries, grant a right of burial only and does not convey legal title or any other interest to the owner, fee simple title remains with the Township.

## **SEC. 10-6. - Township Clerk Duties**

The Township Clerk shall be responsible for the Certificates of Right of Burial, all records pertaining to the cemeteries such as; transfers, burial permits, location of interments, military graves, interment/disinterment records required by the County and State and contracts for work performed in the cemeteries. The Clerk will work with the cemetery personnel to direct duties in the cemeteries.

## **Sec. 10-7. - Township Treasurer Duties**

The Treasurer shall be responsible for deposits in, disbursement from and investment of any and all cemetery funds transferred to or created by the township, in accordance with any conditions or restrictions of such a transfer or township action.

## **Sec. 10-8. - Cemetery Maintenance Personnel Duties**

Cemetery maintenance personnel shall be responsible for:

1. Coordinates with and reports to Township Clerk.
2. Assist with duties and tasks as may be assigned by the Township Clerk.
3. Implement compliance with cemetery ordinance.
4. Place Veteran flags holders and flags per ordinance.
5. Remove minor fallen tree limbs, brush and trim small limbs
6. Minor repairs to signs, fences and old or broken headstones as requested.

7. Install and remove corner pins.
8. Observe and report general condition of cemeteries to the Clerk.

### **Sec. 10-9. - Sexton's Duties**

The sexton shall be responsible for:

1. Insuring compliance with the Ordinance adopted by the Township governing the cemeteries.
2. Overseeing the operation of interments in the cemeteries, personal contact with owners or prospective owners regarding the condition, purchase or other disposition of plots.
3. Keeping a current map and records of all purchased, used and unused rights of burial or cremains in the cemeteries, including names of persons interred, dates and place of death, identity of undertaker and crematory, veteran burial, branch of service and providing the township with all of the above listed information and all other requirements for records, as needed by the Township and required by state law.
4. Other duties and responsibilities to be covered in the sexton's contract.

### **SEC. 10-10. - Ordinance Enforcement**

The Township Board, the Constable or the State police will enforce this Ordinance.

### **Sec. 10-11. - Types and Purposes of Funds**

The types of funds which may be transferred to or created by the Township and the purposes and restrictions upon such funds are set forth hereafter. The Treasurer shall invest any monies in said funds in safe, interest-bearing securities or certificates.

1. Perpetual Care Fund: This fund shall consist of fifteen (15%) percent of the sale price for rights of burial in a cemetery plot, the income from this fund to be used to perpetually maintain and care for all plots for which rights of burial have been sold, the level of care and maintenance provided to be determined by the Township Board. This fund shall be used only for cemetery plot maintenance.
2. General Maintenance Fund: This fund consists of eighty-five (85%) percent of the sale price for a right of burial in a cemetery plot, together with such other funds that may be budgeted or received by the township for general cemetery maintenance.

3. Capital Outlay Fund: This fund consists of amounts budgeted or received by the township board or donated for the purpose of capital improvement of the cemeteries and not general maintenance. The principal and income from this fund may only be expended in the cemeteries for projects approved by the Township Board.
4. The Township Treasurer shall provide to the Township Board a quarterly report of the status of the above funds

### **Sec. 10-12. - Distribution of Fees and Charges**

All collected fees and charges for cemetery services shall be deposited by the treasurer in the general maintenance fund, unless designated otherwise by the Township Board, except for the fifteen (15%) of proceeds received from the sale of burial plots for the perpetual fund and money collected for the Capital Outlay Fund.

### **Sec. 10-13. thru 10-30. - Reserved**

### **Sec. 10-31. - Purchase and Transfer of Plots**

Persons desiring to purchase a cemetery plot or plots for the purpose of burial shall contact the Sexton or the Township Clerk to determine the sufficient number and location of plots for sale.

1. The right to purchase a burial space is not limited to persons owning property or residing in the Township.
2. One individual may purchase more than 1 plot, not to exceed more than eight (8) plots
3. No sale of plots shall be made to funeral directors.
4. A Certificate of Right of Burial will be provided upon payment of the fee established by the Township Board and payable to the Township Treasurer.
5. A Certificate of Right of Burial shall be issued by the Township Clerk in the name of the owner to be used for interment.
6. A Certificate of Right of Burial may not be sold. It may be surrendered to the Township or transferred to another individual.
7. To transfer a cemetery plot the owner or person with legal authority satisfactory to the Township shall execute a transfer of Burial Rights Form and submit same to the Township Clerk for recording. Such approval shall be conditioned upon payment of the established fee to the Township Treasurer.
8. An owner may surrender the ownership of the Certificate of Right of Burial to the Township by notifying the Township Clerk in writing. The Township Board, at their discretion, may repurchase the plot or plots at the original price.

9. Upon completion of a transfer, surrender or repurchase of a Certificate of Right of Burial, all claims and interest of the owner are terminated.
10. The owner of each cemetery plot shall be responsible to notify the Township Clerk whenever the owner's mailing address changes.

## **Sec. 10-32 - Cemetery Care and Plot Improvements**

To secure the best landscape effects, it is essential that the Township Board and the Cemetery Assistant assume the general care and improvements of the entire grounds in each cemetery by complying with the Rules and Regulations specifications.

The following applies to the general care and improvements of the cemeteries.

1. Any improvements in the cemeteries shall be performed by the Cemetery Assistant or a contracted source with the approval of the Township Board.
2. Contractors employed in Township cemeteries shall consult with the Township Clerk or the Cemetery Assistant before making arrangements to deliver materials. Heavy trucking will not be permitted during adverse weather conditions and the Township reserves the right to refuse to allow any work to be done until conditions permit. Contractors are financially responsible for any damage done to cemetery grounds, Township property, equipment, buildings, monuments, headstones or markers
3. The Sexton or the Cemetery Assistant reserves the right to remove neglected plants, flowers, urns and containers from a plot or plots as soon as they become objectionable or interfere with landscape maintenance or interment.
4. Provide for the proper care of grass cutting and trimming, fall leaf removal, snow removal and removal or trimming of trees, shrubs and bushes.
5. No fence, railing, coping, hedge, embankment, trees, shrubs, or depressions are permitted to surround or define the boundaries of any Lot or Plot.
6. The Township Board and the Cemetery Assistant reserve the right to prohibit any structures or objects which shall interfere with the landscape maintenance, or the appearance of the cemetery.
7. Spring cleanup will begin on April 1<sup>st</sup>, in all Township cemeteries, each year.  
All decorations, plants, flowers and objects will be removed from each plot.
8. Fall cleanup will begin on November 15<sup>th</sup>, in all Township cemeteries, each year.  
All decorations, plants, flowers, and objects will be removed from each plot.

## **Sec. 10-33. - Interment and Disinterment**

### **Interments:**

All interments shall be accompanied by a burial permit or crematory document and a Certificate of Right of Burial. Certificates, permits and documents for interments will be accepted only by the Sexton, Cemetery Assistant or the Township Clerk, one of which must be in attendance and have full charge of all interments within Rose Township. Charges for all cemetery services must be paid in full or guaranteed by a funeral director , in case of a funeral arrangement or by a memorial dealer, in case of a memorial installation.

1. Except in case of emergency, morticians or other responsible persons must give sufficient notice to the Sexton in order to allow at least twenty-four (24) hours to prepare for an interment.
2. Graves shall be opened only by the Sexton or Cemetery Assistant at a charge set by the Sexton or the Township Board.
3. All interments must be enclosed in a burial vault of plastic, steel or concrete, which conforms to the established below ground burial standard, as provided by state statutes.
4. Two (2) infants/babies may be interred in one plot upon payment of fees established by the Township Board.
5. One (1) adult interment with one (1) cremation container may be interred in one plot upon payment of fees established by the Township Board.
6. One (1) adult interment with one (1) baby interment may be interred in one plot upon payment of the fees established by the Township Board.
7. Two (2) cremation containers may be interred in one plot upon payment of fees established by the Township Board.
8. Interments or the remains of other than human remains must have approval from the Township Clerk.
9. Vaults shall not be opened for inspection except by an order from the court of proper jurisdiction.
10. Cremains are not allowed to be scattered or disbursed in Township Cemeteries.

### **Veteran Burials:**

1. Metal Veteran flag holders will be provided by the Township Board for those persons having served in the military.
2. Flags shall be put out in each cemetery one (1) week before May 30<sup>th</sup>, each year.
3. Flags are to remain on plots for Memorial Day, Flag Day, Independence Day, Labor Day and Veteran's Day.
4. Flags will be removed on or after November 15<sup>th</sup>, each year.

## **Winter Burials:**

1. Additional fees may be charged due to inclement weather, frozen ground or similar winter conditions.
2. No winter interments shall occur without the prior consent of the Sexton.

## **Disinterment:**

1. No disinterment of an occupied plot shall occur until all permits, licenses and written authorizations required by law have been obtained from an applicable State or County agency or government unit of official jurisdiction and filed with the Township.
2. The Township Clerk, Cemetery Assistant or Sexton shall have the authority to refuse to allow a disinterment if the disinterment is not done pursuant to a court order (issued by a court of competent jurisdiction).
3. No person shall disturb, in any manner the remains in any grave except as provided for in this article.

## **Sec. 10-34. - Monuments, Headstones, Markers and Foundations**

1. All monuments, headstones and markers shall be composed of stone, metal or of other durable composition and placed facing the same direction as the existing stones.
2. All designs and inscriptions on any monument, headstone or marker must be in good taste, appropriate for a cemetery and the stone set in accordance with the interment.
3. All monuments, headstones and markers require a foundation.
4. Mausoleums or sarcophagus shall not be erected in any of the Township cemeteries.

### **A. Monuments:**

- a. A monument shall not be erected without first obtaining the written approval of the Township Clerk and the Cemetery Assistant
- b. A monument will only be allowed in the center of four (4) or more adjoining plots.
- c. A monument shall not exceed the following dimensions; an overall height of four (4) feet by six (6) feet wide and one (1) foot thickness.

### **B. Headstones:**

- a. One (1) headstone, not to exceed the following dimensions, may be placed on one plot.
- b. The overall height not to exceed thirty (30) inches by thirty (30) inches wide

and eighteen (18) inches thick.

- c. One (1) headstone shared with two (2) adjoining plots, not to exceed the following dimensions, may be placed at the center head of the two plots
- d. The overall height not to exceed thirty (30) inches by forty-eight (48) inches wide and eighteen (18) inches thick.

### **C. Markers:**

- a. A flush stone or metal marker may be used in place of a headstone, to designate the deceased or interment of cremains or the interment of an infant.
- b. Two (2) Flush stone or metal markers, each not to exceed thirty (30) inches by twelve (12) inches may be used on a single plot to designate two interments
- c. One flush marker shared with two (2) adjoining plots, not to exceed forty-eight (48) inches by twelve (12) inches may be placed at the center head of the two plots.
- d. A flush stone or metal marker, not to exceed thirty (30) inches by twelve (12) inches may be placed at the foot of a plot to designate the second interment.

### **D. Foundations:**

- a. Foundations shall not be constructed or set between November 1<sup>st</sup>. and April 15<sup>th</sup> each year.
- b. All foundations shall conform to the contour of the ground and in no case shall the ground be changed to conform to the foundation.
- c. Foundations shall be built two (2) inches wider than all monuments, headstones and flush markers.
- d. All foundations shall be installed under the direction of the Cemetery Sexton. The fee for this service is the responsibility of the heirs or family of the person buried in that location and shall be paid prior to the commencement of installation.

## **Sec. 10-35. - Rules and Regulations:**

The following rules and regulations apply to all township cemeteries to further the Township efforts to maintain the serenity, of the landscape and general care and safety of the entire grounds.

- 1. No glass containers are allowed in the cemetery. All tripods, trellises, settees, benches, vine arches, glass cases, metal forms, ornaments, toys, crockery fruit jars, tin cans, wooden headboards, iron, wood or metal markers or standards, or other items, are not permitted upon any plot. The cemetery assistant will remove all such objects.
- 2. No grading, leveling or excavating within the cemeteries shall be allowed without the permission of the township clerk, cemetery assistant or sexton.

3. No cremains shall be scattered or dispersed within any of the township cemeteries.
4. There shall be no carrying or use of firearms within the cemeteries, except for ceremonial use at military services.
5. No person shall possess or consume any alcoholic beverages in any of the cemeteries.
6. The size of a flower bed adjacent to a monument must not exceed the length of the monument or headstone or extend more than twelve (12) inches into the interment area.
7. All flowers and plants shall be placed near the marker in such a manner as not to interfere with the mowing of grass. The Sexton or Cemetery Assistant may remove anything that interferes with cemetery maintenance.
8. Potted plants and cut flowers may be placed on a plot on Easter, Mother's Day, Armed Forces Day, Memorial Day, Father's Day, Labor Day, Children's Day and on special occasions by permission of the township. Plants and flowers remaining longer than seven days will be removed and disposed. At no time can the sod be disturbed for the placing of such potted plants or cut flowers. The Cemetery Assistant reserves the right to remove such plants or flowers when necessary.
9. Flower urns may be placed on any plot within the cemetery. Urns must be made of bronze, aluminum or concrete. Any unsightly or neglected urns will be removed.
10. All discolored silk and artificial flowers will be removed at the Cemetery Assistant's discretion.
11. A permit, signed by the Cemetery Assistant, is required to plant any tree, shrub or bush. The Cemetery Assistant reserves the right to remove such trees if they become neglected, too large, encroach on another plot or are planted without authority.
12. A winter blanket or wreath may be placed on any occupied plot during the winter season from November 15<sup>th</sup> to April 1<sup>st</sup> at the discretion of the Cemetery Assistant.
13. All refuse, rubbish and trash must be placed in the containers provided.
14. No pets are permitted in the cemeteries.
15. Horseback riding and snowmobile riding within the cemeteries is prohibited. Automobiles and other authorized vehicles operated in the cemeteries shall observe the following rules:
  - a. Speed limit ten miles per hour
  - b. Sounding of horns or other warning signals is prohibited.
  - c. Vehicles shall use roadways only; no driving on or between graves.
  - d. Passing of a procession is prohibited
16. The Township and the Cemetery Assistant shall not be responsible for any damage to plots, monuments, headstones or markers or for flowers or articles removed.

## **Sec. 10-36. - Removal, Errors, Etc.**

1. The Township shall have the right to correct any errors that may be made, either in making interments, disinterment, or removals, or in the description, transfer or conveyance of any interment property, either by canceling such conveyance and substituting and conveying in lieu thereof other interment property of equal value by the Sexton, or by refunding the amount of money paid on account of that purchase.
2. In the event the error shall involve the interment of remains of any person in such property, the Sexton shall have the right to remove and reinter the remains in such other property of equal value and similar location as may be substituted and conveyed in compliance with State Law.

**Sec. 10-37. - Schedule of Fees and Charges:**

1. Resolution 2015-01 amending cemetery fees

**ROSE TOWNSHIP**

**RESOLUTION 2015-01**

**RESOLUTION AMENDING CEMETERY FEES**

**WHEREAS**, the Rose Township Board of Trustees has adopted Ordinance Number 139 authorizing amending cemetery fees and regulations by a resolution adopted by a 2/3 majority vote of the board;

**NOW THEREFORE BE IT RESOLVED**, that the following fees and changes are adopted by the Rose Township Board of Trustees.

**BE IT FURTHER RESOLVED** that said amended fees and charges will take immediate effect.

**SCHEDULE OF CEMETERY FEES AND CHARGES**

Services	Fees & Charges	
	Resident	Non- Resident
<b>Rights of Burial</b>		
Babyland	\$150	\$150
Infant	\$150	\$150
Adult	\$400	\$600
Remains (Adult)	\$400	\$600
No charge on 2 <sup>nd</sup> Rights of Burial in same plot. (except Genesee Valley Vault opening/closing fees)		
<b>Openings &amp; Closings (By Genesee Valley Vault, Inc.)</b>		
Burials	\$525	\$525
Burials - Saturday	\$575	\$575
Burials - Sunday & Holiday	\$825	\$825
Cremations	\$275	\$275
Cremations - Saturday	\$325	\$325
Cremations - Sunday & Holiday	\$575	\$575
<b>Miscellaneous Services</b>		
Grave Location	\$100	\$100
Removals & Vault Openings	\$700	\$700
<b>Foundations</b>		
\$.40 per square inch or a minimum charge of \$125	Min. charge \$125	Min. charge \$125
<b>Transfers (per plot)</b>	\$100.00	\$100.00

Motion By: Scheib-Snider

Second By: Kemp

Upon roll call vote, the following voted:

Ayes: Gambka, Trevethan, Kemp, Scheib-Snider

Nays: None

Excused: Miller

The Supervisor declares the resolution adopted.

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I, Debbie Miller, the duly elected clerk of Rose Township, Oakland County, Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution made and adopted by the Rose Township Board of Trustees at its regular meeting held on January 14, 2015 at which time a quorum was present.

  
Debbie Miller, CMC, CMMC  
Rose Township Clerk

Dated: 1/15/2016

**Moved by Scheib-Snider, seconded by Miller, motion carried to accept the amended Chapter 10, Cemeteries Article 1.**

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

**Voting No: None**

**Absent: Lumley**

**ANNOUNCEMENTS:**

- A. Next Regular Planning Commission Meeting – January 7, 2016 - 7:30 p.m. (Cancelled)**
- B. Zoning Board of Appeals Meeting, January 5, 2016 – 7:30 p.m. - (Cancelled)**
- C. NOCFA Board Meeting – January 21, 2016 – 6:30 p.m. – Station #1, Holly**
- D. Assessing Office – 2<sup>nd</sup> Tuesday every month – 9:00 a.m. – 4:00 p.m. – Rose Township**
- E. Next Township Board Meeting — February 10, 2016 at 7:30 p.m.**
- F. Cemetery Committee Meeting – January, 2016- Rose Township Offices**
- G. 24/7 Rose Township Recycling – 9080 Mason Street, Holly, MI**

**MISCELLANEOUS REPORTS:**

- A. NOCFA –None.**
- B. Planning Commission – None.**
- C. Holly Area Youth Assistance (HAYA) – None.**
- D. Cemetery Committee – New ordinance.**

- E. Parks and Recreation – None.
- F. Supervisor’s Report – None.

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

AC Alrey, Resident introduces himself. He is the Chair of the Michigan State University extension office. Resident is also a Commissioner on the Holly Township Planning Commission, invites all to attend an open house on February 2, 2106 at the NOCFA Fire Station, introducing a new master plan. Lastly, Mr. Alrey Invites Rose Township residents to enjoy the Holly Township library.

Glen Noble, Resident states while the Constable is an antiquated position, it is a position held by a resident who is knowledgeable about the people within the Township, Code Enforcement are “building” people. Resident believes the Township is better with the Constable than with a non-resident bureaucrat, maintain the status quo.

Tim Claus, Resident states he has dealt with the Constable on both sides of the spectrum and believes that the Constable position should remain status quo.

Tom Willwerth, Resident states Cemetery Ordinance Section 10.2, line item 8, there was a Resolution regarding non-residents. Resident states the Constable position also receives half of a shared \$12,000.00/year between Emile Bair and David Plewes. Mr. Plewes is the Constable’s assistant. The Constable does not handle zoning; Mr. Plewes is being paid \$6,000.00/year for assisting the Constable with ordinances. If the Constable position is eliminated, so should Mr. Plewes’ position. Resident further states that the Supervisor position should also be eliminated as he is rarely in the office. Residents need to speak up regarding Mr. Plewes maintaining his position while discussing eliminating the other.

Pat Hefferan, Resident states Board should invite a member of the State Police to the Special Meeting. If the Constable position is eliminated what would the State Police response time be?

**ADJOURNMENT:**

**Meeting adjourned at 8:32 p.m.**

  
Debbie Miller, CMC, CMMC  
Rose Township Clerk

Approved/~~Corrected~~