

**November 8, 2023 – REGULAR MEETING
ROSE TOWNSHIP
BOARD OF TRUSTEES**

DATE: Wednesday, November 8, 2023
TIME: 7:00 p.m.
PLACE: 9080 Mason St, Holly, MI 48442

PRESENT: Paul Gambka, Treasurer Patricia Walls, Trustee
 Agnes Miesch, Trustee Dianne Scheib-Snider, Supervisor
 Debbie Miller, Clerk

OTHERS PRESENT: Angie Guillen, Recording Secretary

OTHERS: Paul Englehart, Marilee Carstens, Bruce Campbell, Debra Bourdeau, Scott Woodcox, Autumn Woodcox, Christine Alvarado, Williams Jobes, Brad Stilwell, Will Love, Terry John, Bill Chatfield.

CALL TO ORDER: Supervisor Scheib-Snider called the meeting to order at 7:02 p.m.

PLEDGE OF ALLEGIANCE:

1. Approval of Agenda:

Motion by Treasurer Gambka to approve the agenda with amendment to add item D. Employee Benefit Policy and E. Discussion of the Minutes under “New Business”. Second by Trustee Miesch.

VOTE: YES: Miesch, Miller, Walls, Gambka, Scheib-Snider
NO: None
ABSENT: None

2. Approval of Consent Agenda:

Motion by Supervisor Scheib-Snider to approve the consent agenda with amendments as presented. Second by Trustee Meisch.

VOTE: YES: Walls, Gambka, Miesch, Miller, Scheib-Snider
NO: None
ABSENT: None

3. Presentation:

Tena Alvarado, President, of the Holly Area Youth Assistance discussed the challenges of helping families and children in the area. She explained all the services they provide in the community and the success brought on by local municipalities who support them. Supervisor Scheib-Snider thanked Mrs. Alvarado and stated she is grateful she is helping our youth.

4. Brief Public Comments on items appearing on the agenda under unfinished business & new agenda items only: (limit comments to 3 minutes)

Will Love addressed the Supervisor regarding restrictions during public comment.

5. Public Hearings:

A. Public Hearing: Special Assessment District Hearing:

Supervisor Scheib-Snider opened the public hearing at 7:19 p.m. A definition of the special assessment was provided by the Supervisor to explain what the special assessment district hearing is for. There was no public comment regarding the Appomattox Special Assessment District and no other form of communication received regarding the public hearing. The public hearing was closed at 7:20 p.m.

B. Public Hearing: Special Assessment District Hearing:

Supervisor Scheib-Snider opened the public hearing at 7:20 p.m. A definition of the special assessment was presented by Bill Chatfield to explain what the special assessment district hearing is for. Public comment was received regarding the Lake Braemar Special Assessment District. There was no other form of communication received regarding the public hearing. The public hearing was closed at 7:27 p.m.

6. Unfinished Business:

None

7. New Business:

A. Appomattox Private Road Special Assessment District Resolution:

Supervisor Scheib-Snider indicated there were some corrections that need to be included in the resolution as presented. This public hearing is on the petitions, by statute to create a special assessment she is requesting the following language be added to the resolution:

Motion by Supervisor Scheib-Snider to approve the Appomattox Private Road Special Assessment District Resolution with amendments as presented and to include the last paragraph with the amount reflecting \$4,060.00. Second by Treasurer Gambka.

**ROSE TOWNSHIP RESOLUTION 2023-21
RESOLUTION CONFIRMING THE ASSESSMENT ROLL AND
REESTABLISHING THE APPOMATTOX ROAD MAINTENANCE DISTRICT #010**

WHEREAS, the township board of the Township of Rose, Oakland County, Michigan, after due and legal notice, has conducted a public hearing upon a proposed assessment roll prepared by the Supervisor of the township for the purpose of defraying a portion of the costs of maintaining the private road known as Appomattox Road in Section 14 of Rose Township, Oakland County, Michigan, and;

WHEREAS, such public hearings (October 11, 2023 & November 8, 2023) were preceded by proper notice in the Tri-County Times, a paper of general circulation in the township, and by First Class mail notice to each property owner of record within said district and upon said assessment roll, and;

WHEREAS, comments were received from those present at such public hearing concerning said assessment roll and an opportunity was given to all present to be heard in the matter, and;

WHEREAS, no written objections were received to said roll and levy, and;

WHEREAS, a record of those present to protest, and of written protests submitted at or prior to the public hearing was made part of the minutes of the hearing, and;

WHEREAS, the township board has duly inspected the proposed assessment roll and considered all objections and proposed amendments thereto and has found the proposed assessment roll, as amended, to be correct, and sufficient under Michigan statute, and;

WHEREAS, the nature of the improvements to be made is such that periodic re-determinations of costs will be necessary without a change in the special assessment district boundaries and;

NOW THEREFORE IT BE RESOLVED that the assessment roll submitted by the Supervisor for Appomattox Special Assessment District shall be known Special Assessment District #10

NOW THEREFORE IT BE RESOLVED the total amount of the special assessment roll in the amount of ~~\$4360.95~~ \$4060.00 for the first year and (4) four years following. The term will be (5) five years covering all parcels of land in the Appomattox Road Special Assessment District #10, and has affixed thereto resolution additionally the cost for assessment district public notification of \$422.00 and the township three (3) percent administrative fee \$114.00 for the first year and for the second-year and there after the cost shall be \$114.85. Subject cost shall be billed to the Special Assessment District Fund '201'

BE IT FURTHER RESOLVED, that the assessment in said Rose Township Special Assessment Roll No. 010 shall be divided into five (5) annual payments with the first payment due on or before February 14, 2024 and the following payments due on or before the 14th day of the same month of each and every year thereafter with re-determinations of cost at intervals of five (5) years no later than August 15th of that year, and if renewed should take place before December of 2028;

BE IT FURTHER RESOLVED, that the annual payments of an assessment against any parcel of land shall be paid to the Rose Township Treasurer up through the month in which the payment is due. If any payment is not paid when due, it shall be considered delinquent and there shall be collected, in addition to the payment due, a penalty of 3% and interest at the rate of 1% per month for every month the payment remains unpaid,

BE IT FINALLY FURTHER RESOLVED, that the assessments made in said special assessment roll are hereby ordered and directed to be collected by the township treasurer, and the township clerk shall deliver said special assessment roll to the treasurer with her warrant attached, commanding the treasurer to collect such assessments in accordance with the direction of the township board.

VOTE: YES: Walls, Gambka, Miesch, Miller, Scheib-Snider
NO: None
ABSENT: None

B. Lake Braemar Private Road Special Assessment District Resolution:

Supervisor Scheib-Snider indicated there were some corrections that need to be included in the resolution as presented. This public hearing is on the petitions, by statue to create a special assessment she is requesting the following language be added to the resolution:

Motion by Supervisor Scheib-Snider to approve the Lake Braemar Special Assessment District Resolution with amendments as presented and to include the last paragraph with the amount reflecting \$32,200.08 for five (5) annual payments for the Lake Braemar Special Assessment #2. Second by Trustee Walls.

**ROSE TOWNSHIP RESOLUTION 2023-22
RESOLUTION CONFIRMING THE ASSESSMENT ROLL AND
CREATING THE LAKE BRAEMAR WEED CONTROL DISTRICT #002**

WHEREAS, the township board of the Township of Rose, Oakland County, Michigan, after due and legal notice, has conducted a public hearing upon a proposed assessment roll prepared by the supervisor and assessing officer of the township for the purpose of defraying a portion of the costs of controlling aquatic weeds and protecting the water quality of Lake Braemar and for the navigability and recreational enjoyment of the waters of Lake Braemar, including the eradication and/or control of aquatic weeds and the maintenance of the existing impoundment structure (dam) and accompanying sluice gate structure and;

WHEREAS, such public hearing was preceded by proper notice in the Tri-County Times, a paper of general circulation in the township, and by First Class mail notice to each property owner of record within said district and upon said assessment roll, and;

WHEREAS, comments were received from those present at such public hearing concerning said assessment roll and an opportunity was given to all present to be heard in the matter, and;

WHEREAS, a record of those present to protest, and of written protests submitted at or prior to the public hearing was made part of the minutes of the hearing, and;

WHEREAS, the township board has duly inspected the proposed assessment roll and considered all objections and proposed amendments thereto and has found the proposed assessment roll, as amended, to be correct, just and reasonable under Michigan statute, and;

WHEREAS, the nature of the improvements to be made is such that periodic re-determinations of costs will be necessary without a change in the special assessment district boundaries.

NOW THEREFORE IT BE RESOLVED, that the assessment roll submitted by the supervisor and assessing officer of the township, as amended, shall hereafter be designated as the Lake Braemar Weed Control Special Assessment District No. 002, and;

BE IT FURTHER RESOLVED, that the total amount of the special assessment roll of \$32,008.08 in said Rose Township Special Assessment Roll No. 002 shall be divided into five (5) annual payments with the first payment due on or before February 14, 2024 and the following payments due on or before the 14th day of the same month of each and every year thereafter with re-determinations of cost at intervals of five (5) years no later than August 15th of that year, and,

BE IT FURTHER RESOLVED, that the annual payments of an assessment against any parcel of land shall be paid to the Rose Township Treasurer up through the month in which the payment is due. If any payment is not paid when due, it shall be considered

delinquent and there shall be collected, in addition to the payment due, a penalty of 3% and interest at the rate of 1% per month, or fraction of a month, for every month the payment remains unpaid, and;

BE IT FINALLY FURTHER RESOLVED, that the assessments made in said special assessment roll are hereby ordered and directed to be collected by the township treasurer, and the township clerk shall deliver said special assessment roll to the treasurer with her warrant attached, commanding the treasurer to collect such assessments in accordance with the direction of the township board.

The supervisor declared this resolution adopted.

9VOTE: YES: Gambka, Miesch, Miller, Walls, Scheib-Snider

NO: None

ABSENT: None

C. Resolution Appointment to Holly Area Youth Assistant Board of Directors:

Supervisor Scheib-Snider introduced the resolution to appoint a candidate to the Holly Area Youth Assistance Board of Directors. Motion by Trustee Walls to adopt the Rose Township Resolution 2023-23 to appoint candidate Laura Rainey to the Holly Area Youth Assistance Board of Directors. Second by Trustee Miesch.

**ROSE TOWNSHIP RESOLUTION 2023-23
APPOINTMENTS TO THE HOLLY AREA YOUTH ASSISTANCE
BOARD OF DIRECTORS**

Whereas, Holly Area Youth Assistance has been the primary prevention program serving and located in the geographic area of the Holly Area Public School District since 1963, and

Whereas, HAYA receives financial and various in-kind contributions from the Village of Holly and the Townships of Groveland, Holly, Rose and Springfield, and the Family Division of Oakland County Circuit Court which assists in meeting the expense associated with operations of a local office and casework staff, and

Whereas, the efforts of numerous citizen volunteers provide significant service to the youth of the greater Holly area in projects promoting the prevention of juvenile delinquency, child neglect and child abuse,

Now, Therefore Be It Resolved that Rose Township hereby supports the efforts of the Holly Area Youth Assistance Board of Directors and approves the appointment of new member: Laura Rainey – Retired High School Teacher.

The Supervisor hereby declares the resolution adopted.

VOTE: YES: Miesch, Miller, Walls, Gambka, Scheib-Snider

NO: None

ABSENT: None

D. Employee Benefit Policy

Treasurer Gambka explained the Rose Township policy regarding employee benefits and the 90-day waiting period required for eligibility for employees.

Motion by Scheib-Snider to have the Treasurer contact Burnham & Flower Insurance Company to rectify the benefits situation. Second by Trustee Walls.

VOTE: YES: Walls, Gambka, Miesch, Scheib-Snider

NO: Miller

ABSENT: None

E. Minutes Discussion

Supervisor Schieb-Snider indicated there are amendments that need to be added to the Resolutions to correct the minutes as presented.

Motion by Scheib-Snider to have the corrections indicated be added to the Special Assessment Resolutions as presented to correct the minutes. Second by Trustee Walls.

VOTE: YES: Walls, Gambka, Miesch, Miller, Scheib-Snider

NO: Miller

ABSENT: None

F. Closed Session

Motion by Supervisor Scheib-Snider to go into a closed session to discuss trial or settlement strategy regarding specific pending litigation pursuant to MCL 15.268 (e) regarding the Township of Rose v. Kreiner, Case No. 22-192542-CZ since an open meeting would have a detrimental financial effect on the settlement or litigation position of the Township.

The regular Board Meeting reconvened at 8:28 p.m.

Motion by Scheib-Snider to go back to open session. Second by Trustee Walls.

VOTE: YES: Miesch, Miller, Walls, Gambka, Scheib-Snider

NO: Miller

ABSENT: None

8. Announcements:

A. Planning Commission Meeting: December 7, 2023, at 7:00 p.m. (CANCELLED)

B. Zoning Board of Appeals Meeting: December 5, 2023, at 7:00 p.m. (CANCELLED)

C. N.O.C.F.A. Board Meeting: November 20, 2023, at 6:30 p.m. Fire Station #1.

D. Assessing Office: M-F, 9:00 a.m. - 5:00 p.m. Rob Doyle, 248-858-2179, doyler@oakgov.com

E. Township Board Regular Meeting: December 13, 2023, at 7:00 p.m.

9. Miscellaneous Reports:

A. Clerk Report: Clerk Miller indicated there was an election on November 7, 2024, for Fenton Area Public Schools regarding a bond proposal and the turnout for the proposal was (148) Yes, (132) No, with a difference of (16) votes. The proposal passed. She commended her election staff as there were no problems reported for the election. She stated the Presidential Primary is February 27, 2024, the State Primary is August 6, 2024, and the State General is November 5, 2024. She explained that the nine days of early voting begins with the Presidential Primary in February at Springfield Oaks on Andersonville Road. She indicated visiting with the City of Troy during their pilot to observe the 9 day early voting site and explained it is going to be a very busy election season.

- B. Cemetery Committee:** Clerk Miller explained that the cemetery committee is not meeting currently. She indicated there is damage to one of the fences at the cemetery that needs repair.
- C. N.O.C.F.A.:** Clerk Miller indicated N.O.C.F.A. received a State of Michigan grant for \$20,000.00 to purchase new turnout gear and equipment. There was a successful open house on October 15, 2024. The N.O.C.F.A. Board has been working diligently on the Articles of Incorporation for the last several months. She further discussed emergency calls they received and the timely response to them.
- D. Planning Commission:** Trustee Miesch indicated the meeting was cancelled.
- E. HAYA:** Trustee Walls stated they are preparing for the upcoming toy drive for Christmas and indicated they do great things for the community.
- F. Treasurer Report:** Treasurer Gambka indicated he submitted the winter taxes to Oakland County today. When they are approved, then he will know what the actual tax rates are for next year.
- G. Zoning Board of Appeals:** Treasurer Gambka indicated the meeting was cancelled.
- H. Parks and Recreation:** Supervisor Scheib-Snyder indicated there was a Fall Heritage event that took place for residents and their families. She indicated the improvements that have been made over the years to help make it a success. She thanked everyone who helped with the event.
- I. Heritage Committee:** Supervisor Scheib-Snyder explained all the fun activities that were at the Fall Heritage event. She was very pleased with the outcome and the success of the event.
- J. Supervisor Report:** Supervisor Scheib-Snyder explained the challenges with MiOSHA regarding the Historic Hall and the fine incurred with it. If the requirements are fulfilled within 15 days of receiving it, the fine will be reduced. The Supervisor also requested to have a report done on the Rose Township Hall. The remaining costs associated with the fine are the responsibility of the contractor. She further gave an update on the doors, handrails and requirements that come with it.

10. Brief Public Comments: (Limit comments to 3 minutes)

Will Love addressed the Board regarding employee eligibility for insurance and working towards making things better for employees who work at Rose Township. He further discussed the contractor and how the asbestos was handled at the Historic Hall.

Terry John addressed the Board regarding the Hills of Davisburg, assessments and widening of the roads.

Julius Stern addressed the Board regarding the Heritage event and the inclusion of who was invited.

11. Adjournment: 8:48



Debbie Miller, MMC, MIPMC II
Rose Township Clerk