

**May 8, 2024 – REGULAR MEETING
ROSE TOWNSHIP
BOARD OF TRUSTEES**

DATE: Wednesday, May 8, 2024
TIME: 7:00 p.m.
PLACE: 9080 Mason St, Holly, MI 48442

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

ABSENT: None

OTHERS PRESENT: Angie Guillen, Recording Secretary, John Mulvihill, Township Attorney

OTHERS: Paul Englehart, Brian Milosch, Charles Phyle, Debra Bourdeau, Tim Paige, Vance King, Marilee Carstens, Jesus Iglesias, Will Love, Brad Stilwell, Sharon Reisenauer, Terry John, Mike Maher, Eric Visser, Mike Hassett, Julius Stern and Donna Boshell.

CALL TO ORDER: Supervisor Scheib-Snyder called the meeting to order at 7:01 p.m.

PLEDGE OF ALLEGIANCE:

1. Approval of Agenda:

Motion by Treasurer Gambka to approve the agenda as presented. Second by Clerk Miller.

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

2. Approval of Consent Agenda:

Motion by Clerk Miller to approve the consent agenda as presented. Second by Trustee Miesch.

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

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 Board regarding the amount of money the Township pays the Attorney to sit in on the Township meetings.

Julius Stern addressed the Board regarding his ongoing concerns in the Township.

3. Public Hearing for Eveline Drive Special Assessment District:

Supervisor Scheib-Snyder explained the purpose of this public hearing is to receive objections to the petition for the proposed Eveline Drive Special Assessment District for the maintenance of a private road. Supervisor Scheib-Snyder called the hearing to order at 7:07 pm. She indicated how the funds are utilized and who manages them. The Board heard concerns from resident Vance King regarding the Special Assessment District. The public hearing was closed at 7:10 pm.

4. Unfinished Business:

5. New Business:

A. Application for License of an Outdoor Assembly (Rodeo)

Supervisor Scheib-Snyder indicated there was an application for an outdoor rodeo. She explained the applicants met with the Township Attorney and Zoning Administrator and a letter from the Zoning Administrator was provided stating if all the requirements were met with the Township Ordinances the Board could approve the Rodeo. This is new to us, no one has asked to hold a rodeo before. It is zoned properly, and we have received most of the necessary requirements. She further indicated the application must meet the requirements from N.O.C.F.A. The Township Attorney gave a brief overview of his findings regarding the application.

Motion by Supervisor Scheib-Snyder to approve the application for the Rodeo pending all the requirements that need to be fulfilled and anything else the ordinance states that has not been received at this time. Second by Treasurer Gambka. Discussion ensued with Brian Milosch discussing details for the rodeo.

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

B. 2024 Lake Braemar Fireworks Display Application

Supervisor Scheib-Snyder indicated there was an application for the Lake Braemar Fireworks from Jason Trace. She discussed in detail the application process and how applications like this are approved.

Motion by Trustee Walls that the Board approve the application for Great Lakes Fireworks, LLC., Bruce Tyree, agent for applicant Jason Trace, and in addition to complying with Federal, State, Local Regulations and NFPA 1123 Code for fireworks display 2022 edition, the applicant shall further comply with and provide the following conditions stipulated in the report for display June 29, 2024, with a rain day of June 30, 2024. Second by Trustee Miesch.

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

C. Eveline Drive Special Assessment District Resolution to Approve a Public Hearing Date to Hear Objections to the Special Assessment Roll.

Supervisor Scheib-Snyder explained the Board was given the Resolution for a three year at \$400.00 per year per parcel and a 3% annual administrative fee that begins December 1st, 2024. Discussion ensued regarding the buildup of approximately \$40,000.00 to \$50,000.00 in available funds in which Eric Visser discussed the cost and difference with expenditures. He mentioned they are not considering planning for

emergency situations and if something catastrophic happened they are operating on \$10,000.00 a year. There is nothing wrong with having a surplus of funds sitting there for those emergent situations. There are instances we need to plan for. Discussion ensued.

Motion by Trustee Walls to approve the Resolution and the petitions presented. Now therefore be it resolved that the Township declares its intent to create a special assessment district for Eveline Drive for the purposes permitted under State Law, specifically, MCLA 41.722 (2)(1) (m) for the maintenance of a private road and, pursuant to MCLA 41.724(2), determines that a hearing on objections to the roll be scheduled for the 10th day of July, 2024 at 7:00 p.m. or as soon as possible thereafter, at the Township Offices, 9080 Mason Street in the Township of Rose. Second by Treasurer Gambka. Discussion ensued.

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

NO: None

ABSENT: None

D. Fish Lake Aquatic Weed Control Special Assessment District Resolution to Approve a Public Hearing Date to Hear Objections to the Petition.

Supervisor Scheib-Snider indicated the Board was given the Resolution and the petitions have been provided to the Board. She explained that we are going to set a date for the 12th day of June 2024 to hear objections to the petition that is in the packet we received.

Motion by Supervisor Scheib- Snider to approve the Rose Township Resolution for the tentative declaration of intent to recreate the Fish Lake Aquatic Weed Control Special Assessment District including setting the public hearing on the 12th day of June 2024 at 7 p.m. or soon thereafter. Second by Trustee Walls.

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

NO: None

ABSENT: None

E. Big Trail, Frushour, Field Drive Special Assessment District Resolution to Approve a Public Hearing Date to Hear Objections to the Petition.

Motion by Scheib-Snider indicated the Board was given the Resolution and the petitions have been provided to the Board. She explained this is another private road assessment. It does have 50% of the total frontage. The Resolution states there will be a public hearing for objections to the petition scheduled on the 12th day of June 2024 at 7 p.m. or soon thereafter.

Motion by Supervisor Scheib- Snider to create a Special Assessment District for Big Trail, Field Drive, Frushour Drive Special Assessment District for the maintenance of a private road with the public hearing to be held for objections to the petition to be scheduled for the 12th day of June 2024 at 7 p.m. or soon thereafter. Second by Trustee Walls.

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

NO: None

ABSENT: None

E. OLHSA Chore Mini Grant Application

Supervisor Scheib-Snider indicated she did not see the actual application. There was a link to it, so she printed it and gave the Board a copy. It looks like OLHSA received ARPA money, and we can apply to get some help for our seniors. Clerk Miller explained OLHSA has been given \$10,000.00 to \$15,000.00 mini-grants for low-income seniors. We haven't had any service for snow removal or lawn maintenance and now we have an opportunity to have that for seniors. Discussion ensued regarding what is considered low

income and the requirements of the grant. She further indicated she wanted the Supervisor and Zoning Administrator to submit the application.

Motion by Supervisor Scheib-Snyder to have the Supervisor and Zoning Administrator submit for the Project One application for Senior Chore Pilot. Second by Trustee Walls.

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

NO: None

ABSENT: None

G. Closed Session

Motion by Supervisor Scheib-Snyder to go into closed session at 7:59 pm with Counsel to discuss trial or settlement strategy regarding specific pending litigation pursuant to MCL 15.268 (e) regarding Rose Township v. Julius and Jill Stern, Case #24-000326 ON since an open meeting would have a detrimental financial effect on the settlement or litigation position of the Township. Second by Walls.

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

NO: None

ABSENT: None

The regular Township Meeting reconvened at 8:17 pm

Motion by Scheib-Snyder to go back into open session at 8:17 pm. Second by Walls.

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

NO: None

ABSENT: None

Motion by Scheib-Snyder to authorize the Township Attorney to proceed as discussed in closed session. Second by Walls.

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

NO: Miller

ABSENT: None

6. Announcements:

A. Planning Commission Meeting: June 6, 2024, at 7:00 p.m.

B. Zoning Board of Appeals Meeting: June 4, 2024, at 7:00 p.m.

C. N.O.C.F.A. Board Meeting: May 20, 2024, at 6:30 p.m. N.O.C.F.A. Station #1

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

E. Township Board Regular Meeting: June 12, 2024, at 7:00 p.m.

F. NoHaz, Sat. June 1, 2024, at Oxford Middle School, 1420 Lakeville Road, Oxford from 8am – 2pm

7. Miscellaneous Reports:

A. Clerk Report: Clerk Miller reported on the Rose Township Clean-Up Day. She indicated there were 220 cars and 168 tires collected that day. It was a great day and was busy in the morning and steady throughout the afternoon. We cleaned up the Township and some of the Firemen went out and picked up some tires that were sitting on the sides of the roads.

B. Cemetery Committee: Clerk Miller indicated there was nothing to report.

- C. N.O.C.F.A.:** Supervisor Scheib-Snider discussed the recent N.O.C.F.A. meeting in detail regarding the open Chiefs position due to the Chief resigning. She explained how the interview process was to be held. During the last meeting Clerk Karen Winchester made a motion to rescind the motion that was made at the previous meeting and made a motion to give Assistant Chief Weil the position. That motion carried. She clarified what the process for the position was going to be and then it was changed.
- D. Planning Commission:** Trustee Miesch indicated the meeting was cancelled.
- E. HAYA:** Trustee Walls indicated the HAYA office has been moved to 14470 N. Holly Road, which is Sherman Middle School. They had a bowling tournament for Blessings in a Backpack which raised \$5,700.00 and have over 200 people signed up for the Summer Backpack program.
- F. Treasurer Report:** Treasurer Gambka indicated their settlement was accepted and they should get the balance of the money during the first week of June. He set up a new sweep account so that we will be earning higher interest on any of the balances in the checking account. There will be no more than \$10,000.00 in the checking account and the money will be swept into other banks outside of Flagstar. His concern was we don't go over the FDIC coverage of \$250,000.00.
- G. Zoning Board of Appeals:** Treasurer Gambka indicated the meeting was cancelled.
- H. Parks and Recreation:** Supervisor Scheib-Snider indicated they had a team of volunteers and they met Saturday April 27 and installed the new park kiosk at Rose Ponds. They had signage made that will be installed. The park team spent the day clearing the park paths which are mainly for hiking. She asked the Road Commission to bring wood chips to be installed around the kiosk. She indicated it was fun and they had a great group of people who worked well together.
- I. Heritage Committee:** Supervisor Scheib-Snider indicated there was nothing to report.
- J. Supervisor Report:** Supervisor Scheib-Snider shared she received notice from the Road Commission that they wanted us to remind everyone that May is motorcycle safety awareness month. She indicated she sent the letter of approval for dust control that was approved at the last meeting via email and through the postal service. She stated we are having a few issues with culverts in the area and because it's a waterway they are going to have to get special permits from EGLE. She is still waiting for estimates for the three approaches that she discussed with the Board for budgeting purposes. She attended the MTA Educational Conference this month in Grand Traverse, and she came back with some really good ideas to improve our services to the community. She wants to create a policy for Special Assessment Districts and as a Board we would have to approve a policy to make the procedure easier. Discussion ensued regarding SAD's. She further indicated she spoke with American Towers and stated we are going to continue with the contract as it has been for the past five year. She met with the contractor from American Tower at the tower itself to discuss managing the trees. The trees on the pad at N.O.C.F.A were removed, and they put up green fencing. She spoke with the Attorney about what kind of contract we need as suggested from the auditor to give to non-profits. She filed another ARPA report with the State of Michigan Department of Treasury last week as it was due. As of last week, we have \$102,617.00 that is part of the money we gave to the Fire Authority. They have until the end of the year to determine what they are going to do with the money. The mosquito repellent is partially on back order the wipes in the shipment were damaged. We finally received the tables for The Historic Hall, and they are unpacked and set up. The NoHaz website has the items you can take to the June 1st event and the next event is July 20th.

8. Brief Public Comments – Comments only, limit comments to 3 minutes

Terry John addressed the Board regarding the pothole by the apron at Milford and Munger Road stating its extreme and further explained the culvert is completely blocked. There is constantly water in the ditch by the road and with the water it deteriorates the road even faster.

Will Love addressed the Board regarding Munger Road being rough and discussed the hourly rate for the Township Attorney as he sat through the Board meeting until the closed session ended. He further addressed the way in which comments can be made on agenda items.

Marilee Carstens addressed the Board regarding suggestions for us to call our US Representatives in the House or Senate about the One Health Government Consolidation.

Tim Page addressed the Board introducing himself and stating that he is a candidate for the Rose Township Trustee position.

Brad Stilwell addressed the Board introducing himself and stating he is a candidate for the Rose Township Supervisor position. He further addressed the litigation regarding Julius Stern.

Julius Stern addressed the Board regarding the \$9,000.00 monthly bill for the Township Attorney with expenses he received through a FOIA request. He stated we are not in compliance with the law regarding the redactions.

Mike Maher addressed the Board regarding the restriction for the Right for Rose Group using the Township Hall for their meetings. He explained the information he received from the Michigan Township Association for direction regarding the public usage that if one group can use the Hall then all the groups can use the Hall. He further suggested capping the spending on the lawsuit against Julius Stern.

9. Adjournment: 8:52 p.m.



Debbie Miller, MMC, MiPMC II
Rose Township Clerk