



Montrose Charter Township
139 S. Saginaw Street, P.O. Box 3128 Montrose, MI 48457
Phone (810) 639-2021 Fax (810) 639-3207

Montrose Township Regular Board Meeting
August 18, 2009

The meeting was called to order by Supervisor Mark Emmendorfer at 7:00pm.

The meeting began with the Pledge of Allegiance to the Flag and a moment of silence in memory of Donald Sullivan.

Roll Call: Present- Fred Domine, Mark Emmendorfer, Tom Tithof, Gary Keeler, Dan Hill, Linda Miller. Absent- None.

Citizens Comments: None

Minutes:

Tom Tithof asked that a correction be made to the Minutes of the July 21, 2009 meeting. Tom requested the minutes be changed to reflect that he voted **NO** on the Motion to join the City of Flushing in filing a complaint against the Hurley Hospital Millage.

Tom Tithof made a **Motion** to adopt the minutes of the July 21, 2009 regular Board meeting with the requested change. Support for the motion by Dan Hill. Vote- All yes. Motion passed.

Treasurers Report:

Supervisor Emmendorfer gave the Treasurer's report.

Revenue/Expenditure Report:

Supervisor M. Emmendorfer presented the Revenue/Expenditure report which is on file with these minutes.

Presentation of Bills:

Gary Keeler made a **Motion** to pay the bills as presented. Support for the motion by Linda Miller. Vote- Domine (yes), Keeler (yes), Tithof (yes), Emmendorfer (yes), Hill (yes), Miller (yes). Motion passed.

Reports:

Reports are on file with these Minutes.

Fire- Darrell said that the Fire Assn. has donated \$1500.00 to the Fire Department to purchase Fox Extrication Equipment for the Department.

Police-

Building/ Assessing Department-

Building and Grounds-

Senior Center- Sandy said that they have one free ticket for the Tiger ball game. The Open House was a big success. We had 135 people participate.

Business:

L-4029 Millage Request Report:

Assessor Dennis Miller said that because of the decline in assessed value, there is no requirement for a Public Hearing. The decrease in assessed value does not require us to roll back the millages.

Gary Keeler made a **Motion** to approve the L-4029 as written. Support for the motion given by Tom Tithof. Vote- Domine (yes), Keeler (yes), Tithof (yes), Emmendorfer (yes), Hill (yes), Miller (yes). Motion passed.

Ordinance /Resolution Addressing Floodplain Management Provisions:

Assessor Miller explained that FEMA requires the township has to pass this ordinance as a prerequisite, in order for people who live in a designated flood plain to purchase flood insurance.

Dan Hill made a **Motion** to adopt the Flood Plain Management Ordinance, Ordinance 09-181. Support for the motion given by Linda Miller. Vote- All yes. Motion passed.

Dennis explained that we also need to adopt a Resolution in conjunction with the adoption of the Ordinance.

Gary Keeler made a **Motion** to adopt Resolution 09-15 (A Community Resolution to Manage Floodplain Development for the National Flood Insurance Program). Support for the motion was given by Tom Tithof. Vote- All yes. Motion passed.

Resolution Approving the 2010 Application for Funding the Montrose Senior Center:

Supervisor Emmendorfer explained that even though the stated budget amount in the resolution is \$131,667.00, the township has been advised that they will probably only receive \$125,084.00. Discussion followed.

Tom Tithof made a **Motion** to adopt Resolution 09-14 (A Resolution Approving the 2010 Application for Funding for the Montrose Senior Center). Support for the resolution given by Gary Keeler. Vote- All yes. Motion passed.

Crime Cog Confidentiality and Non-Disclosure Agreement:

Crime Cog Technologies has purchased DDP. DDP originated the computer software used by the Montrose Township Police Department. Crime Cog contends that Core Technologies, a competitor, has pirated some of their software technology. Crime Cog is asking us to enter into this agreement to prevent any further non authorized use of their technology. The agreement is for a two year period of time. Montrose Township has been selected as an Alpha test site for the Crime Cog software and we have been assured that our yearly cost will remain the same for the next three years. Attorney Otis Stout has recommended that we enter into this agreement.

Dan Hill made a **Motion** to enter into the Crime Cog Confidentiality and Non-Disclosure Agreement. Support for the motion given by Tom Tithof. Vote- All yes. Motion passed.

Supervisor Emmendorfer asked to add five items to the agenda:

- *Brent Run Landfill Request
- *Graff Truck Center Proposal
- *Discussion on Treasurer Position
- *Sale of old Police Car
- *Discussion on Possible Purchase of Property at 127 S. Saginaw , Montrose

Dan Hill made a **Motion** to add these five items to the agenda. Support for the motion given by Linda Miller. Vote- All yes. Motion passed.

Brent Run Landfill Request:

Supervisor Emmendorfer introduced Dan Gudgel to the Board. Dan Gudgel is the new Manager of the Brent Run Landfill. Dan has requested that the landfill be allowed to work the next two Sundays, August 23, and August 30. They are installing a liner in a new cell and need to work on these two days to meet their schedule. The Landfill will not be open for refuse disposal.

Dan Hill made a **Motion** to allow Brent Run Landfill work the next two Sundays, August 23 and August 30, in order to install a liner in a new cell that they are developing. Support for the motion given by Linda Miller. Vote- All yes. Motion passed.

Graff Truck Center Proposal:

Emmendorfer explained that the Fire Departments' GMC tanker truck does not meet the required weight carrying capacity when loaded with water. When the truck was purchased, the Board was led to believe that the weight carry capacity of the axles was sufficient. Graff Truck Center has agreed to replace the rear axle with one of sufficient capacity at a cost to the township not to exceed \$2,000.00.

Tom Tithof made a **Motion** to have Graff Truck Center replace the rear axle on the Fire Department Tank truck with a 23,000 lb axle at a cost not to exceed \$2000.00. Support for the motion given by Dan Hill. Vote- Domine (yes), Keeler (yes), Hill (yes), Miller(yes), Emmendorfer (yes), Tithof (yes). Motion passed.

Discussion on Treasurer Position:

Emmendorfer explained that we have forty five days to fill the vacancy created by the death of Treasurer Don Sullivan. Dan Hill suggested that we post the position in the newspaper.

Dan Hill made a **Motion** to publish the Treasurers Position opening in the Tri-County Citizen. Applications must be received at the Montrose Township Hall by 5:00pm September 1, 2009. Support for the motion given by Gary Keeler. Vote- All yes. Motion passed.

Sale of old Police Car:

Fred Domine said that he would like to try and sell the 2001 Ford Crown Victoria on Craigs List. He will list it for \$1,850.00.

Gary Keeler made a **Motion** to allow Fred Domine to place the Township 2001 Crown Victoria for sale on Craigs List. Selling price to be listed as \$1,850.00. Support for the motion by Linda Miller. Vote- All yes. Motion passed.

Discussion of Possible Purchase of Property at 127 S. Saginaw, Montrose:

Supervisor Emmendorfer stated that the house located directly north of the township hall has come up for sale. The property would be an ideal place for a parking lot for additional township parking. The current owner says she would sell the property for \$15,000.00. Mark has discussed this with the City of Montrose DDA. The DDA position is that it should be a 50/50 proposition because it is their belief that the township will benefit as much as the city.

Dan Hill made a **Motion** authorizing the Supervisor to enter into negotiation for the purchase of the property at 127 S. Saginaw. The purchase price is not to exceed \$15,000.00. Support for the motion given by Gary Keeler. Vote- Emmendorfer (yes), Domine (no), Tithof (yes), Keeler (yes), Hill (yes), Miller (yes). Motion passed.

Other Business:

Dan Hill asked if the Board could schedule a special meeting for the position of treasurer if there are a great number of applicants. This meeting could be utilized to reduce the number of applicants down before the regular meeting.

Dan Hill made a **Motion** to schedule a Special Board Meeting for September 8, 2009 if the number of applicants for the Treasurers position exceeds ten. This meeting would be used to reduce the applicants to a workable number at the regular September Board meeting. Support for the motion given by Gary Keeler. Vote- All yes. Motion passed.

Dan Hill questioned the Gross Vehicle rating for the fire department tanker truck after the work is completed on it. Chief Ellis said that Graff truck has certified that it will be correct. George Taylor said that drivers of the truck receive certification in October for their CDL.

Citizens Comments:

Bill Shefsky representing the Montrose Eagles Club said that he does not think that the tax exempt status for the Eagles Club should have been removed. Mr. Shefsky said that because the referee ruled in 1999 that the Eagles Club was tax exempt, it should have remained tax exempt until this decision was overturned by the Tax Tribunal.

Supervisor Emmendorfer explained that it was his understanding the exempt status was granted only for the years included in the appeal decision. Specifically the years 1997, 1998 and 1999. However, the township left the club tax exempt until the year 2003. At which time the Eagles were sent a letter notifying them of the removal of the tax exempt status. The township did not receive any reply from the Eagles Club in reference to this letter.

Trustee, Dan Hill, stated that removing this was incorrect. It is Dan's belief that the usage or ownership of the property must change before the tax status could be changed.

Dan Hill made a **Motion** to approach the Tax Tribunal and request an opinion as to whether the tax exempt status was properly removed.

There was no support for Dan's motion and the motion died.

Gary Keeler made a **Motion** to have Attorney, Otis Stout, and Assessor, Dennis Miller, compose a letter to the Michigan State Tax Commission. This letter would provide the Commission with the facts concerning the removal of the tax exempt status of the Montrose Eagles Club and ask their opinion as to if removal was proper. A copy of this letter is to be sent to the Eagles Club. Support for the motion given by Tom Tithof. Vote- All yes. Motion passed.

Adjournment:

Gary Keeler made a Motion to adjourn the meeting. Support for the motion by Tom Tithof
Vote- All yes. Meeting adjourned at 9:02 PM.

Submitted by
Fred Domine, Township Clerk

Mark Emmendorfer, Supervisor

Fred Domine, Clerk

Mark Emmendorfer - Supervisor **Fred Domine** – Clerk **Donald Sullivan** – Treasurer
Township Trustees - **Gary Keeler, Dan Hill, Linda Miller, Tom Tithof**