



Montrose Charter Township
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Montrose Township Regular Board Meeting
December 16, 2008

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

The meeting began with the Pledge of Allegiance to the Flag.

Roll Call:

Present- Mark Emmendorfer, Gary Keeler, Tom Tithof, Don Sullivan, Dan Hill,
Linda Miller, Fred Domine.
Absent- 0

Citizens Comments: None.

Minutes:

Tom Tithof made a **Motion** to accept the minutes of the November 10, 2008 Regular Board meeting as written. Support for the motion by Gary Keeler. Vote- All yes. Motion passed.

Treasurers Report:

Treasurer, D. Sullivan gave the treasurers report.

Revenue/Expenditure Report:

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

Presentation of Bills:

Tom Tithof made a **Motion** to pay all the bills as presented and also approve purchase of (5) sets of new fire department bunker gear from Lion Apparel for the amount of \$6,625.00 and the purchase of new police uniforms from Ed Rehmann & Sons for the amount of \$2,860.00, and to approve the purchase of a new laptop computer, and software for the Senior Center from CMT for the amount of \$1,457.50. Support for the motion given by Don Sullivan. Vote- Emmendorfer (yes), Domine (yes), Sullivan (yes), Tithof (yes), Keeler (yes), Hill (yes), Miller (yes). Motion passed.

Don Sullivan made a **Motion** to pay all 2008 bills by December 31, 2008. Support for the motion by Dan Hill. Vote- Emmendorfer (yes), Domine (yes), Sullivan (yes), Tithof (yes), Keeler (yes), Hill (yes), Miller (yes). Motion passed.

Reports:

Fire- Report on file. Fire Department Administrator Ellis read a letter from Assistant Chief John Newcomer expressing his support for the restructuring of the Fire Department. This letter is on file with these minutes.

Police- Report on file. Chief Ellis read a letter from officer Scott McGuire commending citizen Rich Cummings for his help on 11/16/2008. On this date at approximately 8:15pm, it became apparent that the M-57 bridge over the Flint River was coated with black ice. Cummings, who was passing by, realized the problem. He and his son voluntarily spread salt from their truck to alleviate the dangerous condition that existed.

Building/ Assessing Department- Report on file. Dennis Miller explained assessment factors and their effect on Commercial, Industrial, Agricultural, and Residential property within the township. Miller also explained that taxes will continue to rise on properties as long as there is a differential between the assessed value and the taxable value. Emmendorfer said that Miller has been in contact with Representative Hammel and other state officials trying to make them aware that because of the current economic conditions they should try to pass some legislation limiting tax increases.

Building and Grounds- No Report. Mark explained, Maynard Reed has recently had surgery and is currently on leave from the township. Foreman, Bill McClintock did not realize that he was supposed to submit a report.

Senior Center- Report on file. Sandy said because of the election, and the cold snowy weather, participation for November was down.

Business:

C M Ambulance Update and Contract amendment;

C M Ambulance had a total of 62 calls of which 14 were refusals, cancels or standbys during the month of November 2008. This resulted in gross revenue of \$17,204.40. Because revenue is above the required \$15,000.00, Montrose Township does not owe any additional monies for the month of November 2008

Supervisor Emmendorfer explained that there was a mix up in contract language. The breakeven point from call revenue, determined by C M is \$15,000.00. This is the minimum amount of revenue they need to generate per month in order to cover their costs. The contract as written stated the township agreed to pay C M up to \$7,500.00 in any one month. Mark also explained that there was an error in the way that the contract was written. It said the amount owed to C M would be 1/60th of \$7500.00 for every call less than 60 that C M answered in a month. It should have read 1/60th of \$15,000.00.

However, C&M didn't compute the October billing using either of these methods. C&M computed the bill by compiling the amount of revenue that they generated on each call and subtracting this amount from \$15,000.00. This resulted in a billing of \$3,801.28 to the township for the month of October.

Supervisor Emmendorfer explained that C&M had reached the \$15,000.00 amount by November 26th, 2008 with only 46 calls. Under our current contract, if the month had ended with these numbers, Montrose Township would be responsible to pay for 14 calls at \$125.00 each for a total of \$1750.00.

Using the revenue generated per call method, the November 2008 ambulance runs totaled 62 of which 14 were refusals, cancels, or standbys. The gross revenue generated by these calls amounted to \$17,204.40. Based on this amount, Montrose Township does not owe any monies for the month of November, 2008.

Taking into consideration all of the above information, Mark asked our township attorney, Otis Stout to draft an amendment to our contract with C&M Ambulance. The amount contributed by the Township is based on an estimate of \$15,000.00 monthly cost to operate the ambulance service. The amendment states that Montrose Township will pay C M Ambulance the difference between the sum of money that C M Ambulance anticipates receiving from the calls for their services and the amount that it costs to operate each month, but not to exceed \$7,500.00. The effective date of this amendment is to be October 1, 2008.

Gary Keeler made a **Motion** to adopt the Amendment to the C M contract as written with the effective date to be October 1, 2008. Support for the motion by Don Sullivan. Vote- Emmendorfer (yes), Domine (yes), Sullivan (yes), Tithof (yes), Keeler (yes), Hill (yes), Miller (yes). Motion passed.

Fred Domine made a **Motion** to extend the C M Ambulance Base contract for another 90 days from December 31, 2008. Support for the motion by Gary Keeler. Vote- All yes. Motion passed.

Genesee County Pictometry & Orthoimagery Project for 2009;

Supervisor Emmendorfer explained Pictometry, and how helpful it has been to the Township. We have used Pictometry since its inception in 2006. The new version will have more detail and will have four-way imagery. The Township share of the cost for this new imagery will be \$619.00.

Gary Keeler made a **Motion** to renew the Pictometry contract. The invoiced price for the renewal is \$619.00. Support for the motion by Tom Tithof. Vote- Emmendorfer (yes), Domine (yes), Sullivan (yes), Tithof (yes), Keeler (yes), Hill (yes), Miller (yes). Motion passed.

Montrose Veterans Bell Memorial Project request;

Mark referenced a letter received from Jim Stewart requesting permission to erect a 4' X 8' sign in Barber Memorial Park at the site of Montrose Veterans Bell Memorial.

The sign would show the progress of the of the fund raising campaign for the Bell project using a thermometer type graph..

Tom Tithof made a **Motion** to allow erection of the sign with the stipulation that the wording be as follows “Proposed Site of the Montrose Veterans Bell Memorial”. Support by Don Sullivan. Vote- All yes. Motion passed.

Montrose City Joint Municipal Building/Code Enforcement Agreement;

The agreement with the City of Montrose for the above services will expire on December 31, 2008. Dennis Miller feels that it has been a win/ win agreement for both the City of Montrose and Montrose Township. The \$5,400.00 that is charged for the contract has been more than adequate to cover costs to the township and has allowed us to generate some income. During the first year Dennis issued 27 building permits, had 68 recorded other activities, attended 3 Planning Commission Meetings and two City Council Meetings. It is Dennis and Marks’ recommendation that we renew the contract for another 12 month period beginning January 1, 2009.

Gary Keeler made a **Motion** to extend the Building/Code Enforcement Agreement with the City of Montrose for an additional 12 months beginning January 1, 2009. The contract price will remain at \$5,400.00. Support for the Motion by Tom Tithof. Vote- All yes. Motion passed.

Police Chief/Fire Administrator Employment Agreement;

Supervisor Emmendorfer explained the Amendment to Chiefs Ellis’s employment contract for the position of Fire Administrator. Darell Ellis will be paid \$7,000.00 annually for the Fire Administrator position. The term of the contract is to be through December 31, 2009. The compensation for the first year of this contract will be \$7,538.46 because the chief actually began this position on December 3, 2008.

Tom Tithof questioned the wording “Township’s 2003 Chevrolet Cavalier”. Discussion followed and it was a consensus to change this wording to “Township’s assigned automobile”.

Fred Domine made a **Motion** to approve amendment to the Chief of Police Employment Agreement dated January 1st,2008 with compensation stated as \$7,538.46 and the wording “*Township 2003 Chevrolet Cavalier*” replaced with “*Township’s assigned automobile*”. Support by Don Sullivan. Vote- Emmendorfer (yes), Domine (yes), Sullivan (yes), Tithof (yes), Keeler (yes), Hill (yes), Miller (yes). Motion passed.

Fire Department Command Structure Update & Wage Recommendations;

Supervisor Emmendorfer explained the process used to select the Deputy Chiefs. Two Deputy Chiefs will be installed under our new Fire Department Command Structure. The Deputy Chief position was advertised and posted. The township Fire committee elected to go with an interview panel consisting of Jim McLellan, Kathleen Swart, and Darell Ellis. The interviews took place on December 8, 2008 at the Township Hall. The interview committee was unanimous in it choices. Rich Cummings was their first pick, Followed by George Taylor second and Scott Ogden third.

The fire Committee recommends Rich Cummings be designated Deputy Chief #1 and George Taylor Deputy Chief #2. Scott Ogden was recommended for the Captain position. *The following day, Scott Ogden declined the Captain Position.* Emmendorfer went over the wage structure that was recommended by the Fire Committee. Fire Officer wages for 2008 are \$19,300.00. Projected wages for 2009 using the new command structure will be \$21840.00. The Fire Committee also recommended that the Assistant Chief position be eliminated as of 12/31/09 the position will remain a Chaplain's position. The Captain rank for Safety/Training position will be eliminated as of 12/31/09. This position will be designated Safety/Training/Radio Operator.

Gary Keeler made a **Motion** to;

1. Appoint two Deputy Chiefs as recommended by the Fire Committee.
 2. Adopt the new salary structure as recommended by the Fire Committee.
 3. Eliminate the Assistant Chief position and one Captain Rank on 12/31/2009.
- Support for the motion by Tom Tithof. Vote- Emmendorfer (yes), Domine (yes), Sullivan (yes), Tithof (yes), Keeler (yes), Hill (yes), Miller (yes). Motion passed.

Fire Administrator Ellis explained that the Deputy Chiefs and he had met and decided that they would like to create two more Lieutenant Positions these would be in addition to the one Lieutenant that we presently have. The Fire Department would have one 1st Lieutenant and two 2nd Lieutenants. After one year, The Fire Administrator and the Deputy Chiefs would select one of the three Lieutenants to fill the vacant Captain position.

Emmendorfer explained that the Administrator and the two Deputy Chiefs would make their recommendation for the personnel to fill these Lieutenant positions to the Fire Committee and the Fire Committee would pass their recommendation on to the Township Board.

Building Inspector/Assessor Employment Agreement;

Dennis Miller asked that his contact be amended as follows;

1. Terms- This agreement shall remain in effect from December 17, 2008 until duly terminated by the Township or Employee as provided in this agreement.
2. Fringe Benefits- In the event that the Employee has not used all of his allocated vacation days for the current year, the Employee will be allowed to carry over to the next year up to one week or 40 hours of any unused vacation time and be compensated for up to 40 hours of any additional unused vacation. Unused sick days shall be compensated in accordance with the Township's Employee Handbook of Personnel Policies. Compensation of allowed unused vacation and or sick time shall be made during the last pay period of each year.

Gary Keeler made a Motion to amend Dennis Miller's Employment Agreement to include the requested changes. Support for the motion by Fred Domine. Vote- Emmendorfer (yes), Domine (yes), Sullivan (yes), Tithof (yes), Keeler (yes), Hill (no), Miller (yes). 6-yes, 1-no. Motion passed.

Ordinance 176 to allow the rezoning of two parcels of property (13-20-100-038 & 13-20-100-039);

Charles Emmendorfer has requested the zoning be changed on the these two parcels from (C2) General Commercial to (I2) Heavy Industrial. The Planning Commission recommends this re-zoning be allowed.

Don Sullivan made a **Motion** to re-zone parcels 13-20-100-038 & 13-20-100-039 from their current zoning of (C2) to a new zoning of (I2). Support for the motion by Gary Keeler. Vote- Emmendorfer (yes), Domine (yes), Sullivan (yes), Tithof (yes), Keeler (yes), Hill (yes), Miller (yes). Motion passed.

Resolution to Water & Waste Advisory Committee;

Supervisor Emmendorfer explained that the Township had received a letter from the Genesee Water and Waste Advisory Committee requesting a Resolution appointing or reaffirming the appointment of the member who represents our community. Mark said that he has represented Montrose Township for the last three years and it is his recommendation to continue in this capacity and to appoint Fred Domine as Alternate. Attorney Otis Stout has prepared a resolution to send to the County.

Tom Tithof made a **Motion** to adopt a resolution naming Mark Emmendorfer as the representative to the Water and Waste Services Advisory Committee and naming Fred Domine as Alternate. Support for the motion by Dan Hill. Vote- All yes. Motion passed.

Genesee County Metropolitan Alliance Representative;

Supervisor Emmendorfer asked if we had any board member who would serve as The Townships representative on the Genesee County Metropolitan Alliance. Tom Tithof volunteered for this position. Emmendorfer asked if there was anyone who would volunteer as a Citizen Representative or an Alternate Representative. There were no volunteers.

Mark Emmendorfer made a **Motion** for Tom Tithof to serve as Montrose Township's Elected Representative to the Genesee County Metropolitan Alliance. Mark's motion also included paying the 2009 dues of \$125.00. Support for the motion by Gary Keeler. Vote- Emmendorfer (yes), Domine (yes), Sullivan (yes), Tithof (yes), Keeler (yes), Hill (yes), Miller (yes). Motion passed.

Montrose Township Meeting Schedule;

Supervisor Emmendorfer presented the "Township Board Meeting Schedule" for the 2009 calendar year.

Gary Keeler made a **Motion** to adopt the schedule as presented. Support for the motion by Dan Hill. Vote- All yes. Motion passed.

ZBA and Planning Commission Appointments;

Supervisor Emmendorfer said that we have positions on the Planning Commission and the ZBA that need to be addressed. Mark also introduced a resolution drafted by Otis Stout that would make all appointed terms Expire on December 31st and begin on January 1st.

Dan Hill made a **Motion** to adopt this resolution with a change in wording. Insert the word becoming before the word vacant in the next to the last line. Support for the motion by Tom Tithof. Vote- All yes. Motion passed.

Supervisor Emmendorfer said that we have some resignations and appointments to consider for the positions on the ZBA and Planning Commission.

Dan Hill resignation letter of his appointed position from the ZBA effective December 31st, 2008.

Motion by Fred Domine to accept Dan's resignation from the appointed ZBA position. Support by Don Sullivan. Vote- All yes. Motion passed.

Mary Johnson's term on the ZBA has expired. Mary wrote a letter expressing her interest in continuing to serve on the ZBA. Supervisor Emmendorfer recommends that the Township Board appoint Mary Johnson to a term beginning January 1, 2009 and ending December 31, 2011.

Fred Domine made a **Motion** to Appoint Mary Johnson to the ZBA. Her term will start January 1, 2009 and expire December 31, 2011. Support by Gary Keeler. Vote- All yes. Motion passed.

Bruce Roth's term on the ZBA has expired. He has written a letter expressing his desire to continue serving on the ZBA. Supervisor Emmendorfer recommends that the Township Board appoint Bruce Roth to a term beginning January 1, 2009 and ending December 31, 2011.

Gary Keeler made a **Motion** to appoint Bruce Roth to the Montrose Township ZBA. His term will begin January 1, 2009 and end December 31, 2011. Support for the motion by Dan Hill. Vote- All yes. Motion passed.

Geraldine Cooper resignation letter. Geraldine Cooper has submitted a letter of resignation, effective immediately, and wishes to be replaced on the Planning Commission.

Dan Hill made a **Motion** to accept the resignation of Geraldine Cooper from the Montrose Township Planning Commission. Support for the motion by Don Sullivan. Vote- All yes. Motion passed.

Dan Hill asked Supervisor Emmendorfer if he would make his recommendations for Committee and Board Assignments for the Township Board members before recommending anyone to the Planning Commission.

Supervisor Emmendorfer agreed to do so. Mark stated that the "Supervisor is a member of all committees".

Police Committee- Domine, Tithof
 Building & Grounds- Tithof, Sullivan
 Community Center- Hill, Miller
 Planning Board Rep- Keeler

Fire Committee- Domine, Sullivan
 Building/Assessor- Keeler, Miller
 Finance- Domine, Sullivan
 ZBA Board Rep- Dan Hill

Fred Domine made a **Motion** to accept the Supervisors recommendations for these committee and board positions. Mark will evaluate these appointments in one year to see if any changes are necessary. Support by Don Sullivan. Vote- Yes 6, No 1. Motion Passed.

Janet Trueblood letter. Janet Trueblood has filed a letter with the township expressing an interest to serve On the Planning Commission. Supervisor Emmendorfer recommends that Janet Trueblood be appointed to the Montrose Township Planning Commission to replace Geraldine Cooper. Janet's term will expire August 1, 2009.

Gary Keeler made a **Motion** to appoint Janet Trueblood to fill the vacancy created by the resignation of Geraldine Cooper. Term will end August 1, 2009. Support for the motion by Don Sullivan. Vote- All yes. Motion passed.

Maurice Fikes- Currently on the Planning Commission. His term expired October of 2008. Supervisor Emmendorfer recommends that he be reappointed to the Planning Commission the term would run January 1, 2009 to December 31, 2011.

Gary Keeler made a **Motion** to reappoint Maurice Fikes to the Montrose Township Planning Commission his term would run January 1, 2009 to December 31, 2011. Support by Don Sullivan. Vote- All yes. Motion passed.

Donald Pollard- Supervisor Emmendorfer recommends that we appoint Don Pollard to fill the remaining position on the Planning Commission. Don Pollard's term would be January 1, 2009 to December 31, 2011.

Motion made by Don Sullivan to appoint Don Pollard to the Planning Commission. Term to be January 1, 2009 to December 31, 2011. Support by Fred Domine. Vote- 6 Yes, 1 No. Motion passed.

Supervisor Emmendorfer said that Bob Doyle has agreed to be the Planning Commission representative to the ZBA. Mark said that this was his recommendation.

Gary Keeler made a **Motion** to appoint Bob Doyle as the Planning Commission representative to the ZBA. Support by Dan Hill. Vote- All yes. Motion passed.

Remove Special Assessment from Parcel 13-04-400-001;

Supervisor Emmendorfer explained that there was a land split on this property and a clerical error was made resulting in a garbage assessment being placed upon the property in error.

Gary Keeler made a **Motion** to remove the Garbage Assessment from parcel 13-04-400-001 per Mr. Branford's request. Support for the motion by Tom Tithof. Vote- All yes. Motion passed.

Fire Department Resignations;

Terry Marks has submitted a letter of resignation from the Montrose Township Fire Department effective December 1, 2008.

Dan Hill made a **Motion** to accept the resignation of Terry Marks from the Montrose Township Fire Department effective December 1, 2008. Support by Gary Keeler. Vote- All yes. Motion passed.

Clint Diffin has Submitted a letter of resignation from the Montrose Township Fire Department effective December 10, 2008. Clint asked that he receive retirement status because he has served over five years.

Tom Tithof asked about the five year retirement that Clint alluded to in his letter. Mark explained that in the past, firemen with minimum five years in the department received a magazine and insurance. The Township eliminated these items last year, choosing to give active firemen better insurance coverage.

Don Sullivan made a **Motion** to accept the resignation of Clint Diffin effective December 10, 2008. Support for the motion by Tom Tithof. Vote- All yes. Motion passed.

Other Business:

1. Supervisor Mark Emmendorfer presented a request from David Gold concerning his donation of 10 trees to the Barber Memorial Park. Gold placed a value of \$1,000.00. on these trees. Mr. Gold would like a letter from the Township acknowledging this donation. He would use this letter to claim a deduction on his income tax.

Attorney Otis Stout suggested that the Township have a written policy in place to address such requests.

Don Sullivan made a **Motion** to furnish a letter to David Gold acknowledging his donation of the trees to the Montrose Township Barber Memorial Park. His motion also directed Attorney, Otis Stout to develop a policy for the Township which will be referenced when requests of this type are received in the future. Support for the motion by Dan Hill. Vote all yes. Motion passed.

2. Supervisor Emmendorfer presented a letter from ICMA our 401plan administrator. They are asking the Township to Adopt a "Pick-Up Contribution Resolution" by December 31st, 2008. This resolution is to retained in our records with our plan document materials.

Tom Tithof made a **Motion** for Montrose Township to adopt a "Pick-Up Contribution Resolution" as recommended by ICMA. Support for the resolution by Dan Hill. Vote- All yes. Motion passed.

3. Supervisor Emmendorfer said Chief Ellis has talked to him about the township adopting a Cost Recovery Ordinance with which the township could recover so of their costs associated with accidents, fires, etc. Attorney, Otis Stout said that he could research and draft such an ordinance.

Tom Tithof made a **Motion** to have Attorney Stout draft a Cost Recovery Ordinance and present it at our next meeting. Support by Don Sullivan. Vote- All yes. Motion passed.

4. Mark spoke about reviewing the Policy and Procedure Manual. Some areas of the manual need a little fine tuning. Mark formed a committee of Dan Hill, Fred Domine, Rich Cummings, and himself to review and recommend changes to the Policy and Procedure Manual.
5. Supervisor Emmendorfer said that he would like to schedule a Budget Meeting for December 30, 2008 at 5:00PM. This meeting would be to review and adopt the 2009 Township Budget. Clerk Fred Domine is to post the meeting and publish notice of it in the Tri-County Citizen.
6. Dan Hill asked about employee reviews? Check signing designation for a Trustee? Progress of Assessing in the Township? Dan also said that he was disappointed with appointments to the Planning Commission.
7. Bev Diffin asked about keeping track of expenses by Chief Ellis on the township automobile that he will be allowed to use.
8. John Soave said he should have received two garbage containers because there are two residences on his driveway.

Adjournment:

Gary Keeler made a Motion to adjourn the meeting. Support by Dan Hill. Vote- All yes. Meeting adjourned at 10:18PM.

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**