



Montrose Charter Township
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Montrose Township Regular Board Meeting
November 10, 2008

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

Roll Call:

Present- Mark Emmendorfer, Gary Keeler, John Newcomer, Don Sullivan, Bill Persails, Tom Tithof, Fred Domine.

Absent- 0

Citizens Comments:

Dan Hill commented about the Enabling Act removing authority from the ZBA.

Dan Hill questioned the Fire Department restructuring. He asked if there had been input from the Fire Committee and the Fire Department. Mark explained that the Fire Committee had recommended the restructuring. Mark further explained that fire department officers had been contacted and asked for their input.

Minutes:

Gary Keeler asked that the dollar amount owed to Gail Neff for the sewer line be inserted into the minutes. Otis Stout confirmed that the Amount owed to Mr. Neff is \$36,396.95.

Gary Keeler made a **Motion** to accept the minutes of the October 21st, 2008 Board meeting with the above correction. Support by Bill Persails. Vote- All yes. Motion passed.

Treasurers Report:

Treasurer Donald Sullivan gave the treasurers report.

Revenue/Expenditure Report:

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

Presentation of Bills:

Gary Keeler and John Newcomer questioned the amount of the C & M Ambulance billing.

Gary Keeler said that according to the contract, the amount should be \$2,375.00 for the month of October. John Newcomer made a **Motion** to pay only \$2,375.00 for the C & M October billing.

Support by Gary Keeler. Vote- Donald Sullivan (yes), Gary Keeler (yes), John Newcomer (yes), Tom Tithof (yes), Bill Persails (yes), Mark Emmendorfer (yes) Fred Domine (yes). Motion passed 7-0.

Gary Keeler made a **Motion** to pay the bills as presented except for the C & M bill. Support by Bill Persails. Vote- - Donald Sullivan (yes), Gary Keeler (yes), John Newcomer (yes), Tom Tithof (yes), Bill Persails (yes), Mark Emmendorfer (yes) Fred Domine (yes). Motion passed 7-0.

Reports:

Fire- Report on file.

Police- Report on file.

Building Department- Report on file. Dennis made the Board aware of a 400 thousand Square foot Paint Ball facility that is in the planning stage. Dennis said that they have to appear before the Planning Commission to receive final Site Plan Approval.

Building and Grounds- Report on file.

Senior Center- Report on file. Sandy said that there have been lots of inquiries about Medicare. She also said that the foundation is in place for the new sign at the Senior Center.

Business:

Letter to Genesee County Board of Commissioners;

As directed at the October Board meeting, Otis Stout drafted a letter to the Genesee County Board of Commissioners asking them to send a representative to our November meeting. The Township Board had hoped to ask questions about the purchase of a warehouse facility in Flint. Otis received a reply from Woodrow Stanley which said that he had other obligations on the evening of November 10th and would not be able to attend our meeting.

C&M Ambulance Update;

The C&M ambulance based in Montrose responded to 51 emergency calls in the month of October of these 51 calls, 10 were refusals or cancelations. Supervisor Emmendorfer discussed the billing received from C&M Ambulance in the amount of \$3,801.28. Mark said that by next month he hoped to have the billing question straightened out. Mark asked Tom Tithof and Fred Domine to meet with C&M Ambulance and discuss their billing.

Resolution for Montrose Youth Baseball:

Montrose Youth Baseball organization is asking for the Township Board to approve a Resolution for a Charitable Gaming License. With this resolution they will be able to conduct fund raising activities such as Texas Holdem tournaments at an approved facility and the Youth Baseball Organization will receive a share of the profits from the tournament.

Bill Persails made a **Motion** to adopt the resolution for a charitable Gaming License for the Montrose Youth Baseball program. Support by Gary Keeler. Vote- All yes. Motion passed.

Genesee County Library Agreement;

As requested at the October Board Meeting, Otis Stout presented the Board with a Library agreement for the Montrose-Jennings Memorial Library. This agreement is between the Township of Montrose, The City of Montrose and the Montrose School District. The agreement says that the City and the Township will reimburse the School District on a 50/50 basis for water, sewer, electricity and gas. The School District will invoice the Township and the City on a quarterly basis for the cost of these usages.

Motion by Tom Tithof that the Township of Montrose to enter into an Intergovernmental Maintenance Agreement for the Montrose Jennings Memorial Library. This agreement to be approved by the City of Montrose and the Montrose School District before it becomes effective. The agreement will take effect January 1, 2009. Support by Gary Keeler. Vote- All yes. Motion passed.

Fire Administrator Appointment / Fire Department Command Structure;

Supervisor Emmendorfer presented a Resolution Approving the Creation of a New Position of Fire Administrator, and a New Proposed Chain of Command within the Montrose Township Fire Department.

Gary Keeler questioned whether Chief Ellis would be required to work additional hours? Would a new second contract have to be developed for this position?

Otis Stout said that the contract would probably be have to be restructured.

Dan Hill inquired if the Fire Committee had met and discussed the restructuring of the Fire Department? Mark answered that they had and it was their recommendation that these changes be implemented. Hill said that he did not find any minutes of this meeting. Supervisor Emmendorfer assured him that there were minutes of the meeting but he did not bring them to tonight's meeting. Emmendorfer offered his apology for this oversight

Supervisor Emmendorfer explained that he had involved many of the Fire Department officers and had asked them to submit to him their recommendations for restructuring the Fire Department. Mark also explained that this was not a spur of the moment decision. He has been reviewing various options for the past three or four months but had to wait until Albert Rush committed to a retirement date before making any changes in the department. Emmendorfer also explained that he has went over all of this information concerning the restructuring of the Fire Department with both Chief Rush and assistant Chief Newcomer and he asked them to share the information with the rest of the department.

Tom Tithof asked about job descriptions and chain of command? Rich Cummings said that the Fire Department Procedure Manual has job descriptions for all of the positions except Fire Administrator. Supervisor Emmendorfer said that he would expect the Administrator would involve whoever he felt necessary to fine tune the job descriptions and chain of command.

Fred Domine made a **Motion** to adopt the Resolution approving the creation of a new position of Fire Administrator within the Montrose Township Fire Department and a new Chain of Command within the Montrose Township Fire Department. Support by Bill Persails. Vote- Don Sullivan (yes), Tom Tithof (yes), Gary Keeler (yes), Bill Persails (yes), John Newcomer (abstained), Fred Domine (yes), Mark Emmendorfer (yes). Motion passed. Resolution is adopted.

Proposed Revisions to Montrose Charter Township Policy and Procedure Manual;

Supervisor Emmendorfer explained that when the Fire Department Policy and procedure Manual was updated, Article XVII (Years of Service) was overlooked and not included in the revision. This omission became apparent with Chief Rush's retirement. Mark thought that we should have a comprehensive retirement policy that would include all of the departments within the township. Emmendorfer said that it soon became apparent that this was more complex than he anticipated. The departments differ enough that it is going to take some time and thought to develop a township wide retirement policy. Therefore, he thought that for Albert Rush the Township should follow past practice.

John Newcomer made a **Motion** to allow Albert Rush to retire and receive the following items; Helmet, Boots, Regular Badge, Dress Uniform, Gold Badge, Plaque, \$500.00 cash minus applicable taxes. Also, Supervisor Emmendorfer is to appoint a committee to develop a comprehensive retirement policy for Montrose Township. Support for the motion by Gary Keeler. Vote- Mark Emmendorfer (yes), Fred Domine (yes), Donald Sullivan (yes), Tom Tithof (yes), Gary Keeler (yes), Bill Parsails (yes), John Newcomer (yes). Motion passed.

Proposed Subdivision Development Ordinance;

The Planning Commission held a Public Hearing on this Ordinance and has recommended that the Township Board adopt this ordinance. The proposed ordinance is modeled after a MTA sample ordinance and complies with the requirements and intent of the new Planning Enabling Act. The proposed ordinance has been reviewed and approved by the Township Attorney.

Tom Tithof made a **Motion** for Montrose Charter Township to Adopt the Subdivision Development Ordinance (Ordinance 175). Support by Bill Persails. Vote- Persails (yes), Domine (yes), Sullivan (yes), Tithof (yes), Newcomer (yes), Emmendorfer (yes). Motion passed.

Changes to Zoning Ordinance- New Planning Enabling Act;

The township Planning Commission held a Public Hearing on this ordinance and has recommended it be adopted. Attorney Stout has read and reviewed the ordinance and he recommends the township adopt the ordinance.

Gary Keeler made a **Motion** that the Charter Township of Montrose adopt Ordinance 174. An Ordinance amending the Montrose Township Zoning Ordinance to comply with Public Acts 12 and 33 of 2008. Known as the New Planning Enabling Act. Support by Bill Persails. Vote- Persails (yes), Domine (yes), Sullivan (yes), Tithof (yes), Newcomer (yes), Emmendorfer (yes) Keeler (yes). Motion passed.

Changes to Zoning Ordinance- Signage:

Known as "Ordinance 173", An Ordinance Amending The Montrose Township Zoning Ordinance Reference to Sign Regulations. The township Planning Commission held a Public Hearing on this ordinance and has submitted the ordinance to the Township Board for review. However, attorney Otis Stout does not recommend that the Montrose Township adopt the Ordinance in its present form. Attorney Stout takes exception to wording in Section 153.299 Item (A) "***No on site sign shall be permitted or allowed to display any libelous or slanderous statements or advertising.***" Attorney Stout does not recommend we adopt this section with its present wording.

Gary Keeler made a **Motion** to send this Ordinance back to the Planning Commission for review of Section 153.299 paragraph (A), only. After review, the Planning Commission will send their recommendation back to the Township Board. Support for the motion by Tom Tithof. Vote- Persails (yes), Domine (yes), Sullivan (yes), Tithof (yes), Newcomer (yes), Emmendorfer (yes) Keeler (yes). Motion passed.

Any Other Business:

Donald Simota- letter of resignation; Mark Emmendorfer read Donald Simota's letter of resignation dated 11/08/08 advising that he is resigning from the Montrose Township Fire Department effective 11/24/2008.

Tom Tithof made **Motion** to accept the resignation of Donald Simota effective 11/24/2008. Support by Gary Keeler. Vote- All yes. Motion passed.

Melvin S. Crawford- letter of resignation; Mark Emmendorfer read Melvin S. Crawford's letter of resignation dated 10/31/2008. Advising that he is retiring from the Montrose Township Fire Department.

Gary Keeler made a **Motion** to accept the resignation of Melvin S. Crawford per his letter dated 10/31/2008. Support by Bill Parsails. Vote- All yes. Motion passed.

John Newcomer said that he has enjoyed his time on the Montrose Township Board even though there have been differences of opinion at times.

Bill Persails said that he has enjoyed his eight years serving on the Montrose Township Board.

Supervisor Emmendorfer thanked both of them and acknowledged their service to the Montrose Township and the Community.

Tom Tithof asked about MTA training in Frankenmuth for newly elected officials? Fred Domine said he will look into it and sign up the people that want to attend.

Adjournment:

Bill Parsails made a **Motion** to adjourn the meeting. Support by John Newcomer. Vote- All yes, Motion passed. Meeting adjourned at 9:45 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, John Newcomer, William Persails, Tom Tithof**