



**Montrose Charter Township**  
139 S. Saginaw Street, P.O. Box 3128 Montrose, MI 48457  
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**Montrose Township Regular Board Meeting**  
**Sept 16, 2008**

The meeting was called to order by, Supervisor, Mark Emmendorfer at 7:00 pm and began with the Pledge of Allegiance to the Flag.

**Roll Call:**

Present- John Newcomer, Fred Domine, Mark Emmendorfer, Gary Keeler, Tom Tithof, Don Sullivan, and Bill Persails. Absent- None

**Citizens Comments:**

Ron Polk suggested that there be a dividend check in the amount of \$107.52 in our winter tax bill to compensate for the garbage pickup charges.

**Minutes:** August 19, 2008 Regular Board meeting.

Mark Emmendorfer said that the McAfee Road Public Hearing was incorrect in the minutes. The Public Hearing is not to approve the McAfee Road Maintenance and Repair Association Inc as the official organization and spokesperson for McAfee Road. The Public Hearing is for the \$250.00 per parcel assessment recommended by the Association. Emmendorfer asked that the minutes be changed to correct the error.

John Newcomer made a **Motion** to accept the minutes for the August 19, 2008 Board Meeting with the change recommended by Mark Emmendorfer. Support by Tom Tithof. Vote- All yes. Motion passed.

**Public Hearing:** McAfee Road Assessment

Gary Keeler made a **Motion** to open the Public Hearing to create a Special Assessment District for McAfee Road. Support by Tom Tithof. Vote- All yes.

There was discussion on the Board about the townships responsibility for this Special Assessment District.

The McAfee Road Maintenance and repair Association Inc has recommended a special assessment of \$250.00 per parcel.

Otis explained that the Public Hearing request, if approved, would cause the Township to establish a Special Assessment District and that the Township Board would review the assessment amount on a yearly basis.

Mark Emmendorfer opened the Hearing to the public; Mary Jane Smith asked if properties that fronted on both Seymour Road and McAfee Road would be assessed. The answer was yes.

Emmendorfer asked if anyone else wished to speak on the issue.

John Newcomer made a **Motion** to close the Public Hearing. Support by Bill Persails. Vote- All Yes. Motion passed

Gary Keeler made a **Motion** to establish a Special Assessment District for the repair and maintenance of McAfee Road. The initial Assessment is to be \$250.00 per parcel with a one percent administrative fee added to the assessment for a total assessment of \$252.50. The McAfee Road Maintenance and Repair Association will also provide a yearly financial statement to the township for their review. Support for the motion by Tom Tithof. Vote- Keeler (yes), Domine (yes), Tithof (yes), Persails (yes), Sullivan (yes), Newcomer (yes), Emmendorfer (yes). Motion passed.

**Public Hearing:** Truth in Taxation.

Gary Keeler made a **Motion** to open the Truth in Taxation Public Hearing. Support by Tom Tithof. Vote- All yes. Motion passed.

This Public hearing was advertised in the Flint Journal and the Tri-County Citizen. This is an annual hearing that can be held under MCL section 211.24e.

Dennis Miller made a presentation that explained the Truth in Taxation procedure in detail. Montrose Township has two millages which are affected by Truth in Taxation; These are our two police millages. They are currently over 1 mil each and are therefore subject to Truth in Taxation. Under Truth in Taxation the Board has three choices. We can take no action, vote to roll the millage back to the previous year's amount, or set the millage at any point in between.

Mark Emmendorfer Opened the hearing for public input. Residents who had questions or wished to speak on the issue were Bill Tipton, John Bramble, Craig Birnie, Harry Powell, and Dan Hill. Mark and Dennis did their best to provide answers by providing examples and scenarios as to how these would impact individual taxes in our township.

Tom Tithof made a **Motion** to close the Public Hearing. Support by Bill Persails. Vote- All yes. Motion passed.

Tom Tithof made a **Motion** to override the 1.4748 mil police millage back to the 2007 amount of 1.4967mils and not to do anything with the 1.4248 mil police millage thus, it will remain 1.4039 mils. Support for the motion by Gary Keeler. Vote- Keeler (yes), Domine (yes), Tithof (yes), Persails (yes), Sullivan (yes), Newcomer (yes), Emmendorfer (no). Motion passed.

**Motion** by Gary Keeler to approve form L4029 to be submitted with the amounts for the police millage set at 1.4967 and 1.4039. Support by John Newcomer. Vote- All yes. Motion passed.

**Treasurers Report:** Don Sullivan gave the Treasurers Report.

**Presentation of Bills:**

Gary Keeler made a Motion to pay the bills as presented. Support by Bill Persails. Vote- Persails (yes), Sullivan (yes), Newcomer (yes), Emmendorfer (yes), Domine (yes), Tithof (yes), Keeler (yes). Motion passed.

**Reports:** Fire, Police, Senior Center and Building & Grounds are on file with these minutes.

**Business:**

**Abraham & Gaffney Audit Results;** Mark introduced Bill Tucker of Abraham & Gaffney and asked him to explain the audit to us. Bill Tucker walked the board through the audit letters and the audit financial statements. He explained that financially, the township is doing well. Our fund balance carry over for fiscal year 2007 was 25% which is more than adequate but we do have several areas that need improvement. Mark explained some of the things that we have been implementing to correct areas of concern.

Tom Tithof made a Motion to accept the audit report from Abraham & Gaffney. Support by Bill Persails. Vote- All yes. Motion passed.

**C & M Ambulance Contract;** Mark presented a revised contract from C&M Ambulance. the revision was to delete the wording (minimum monthly operating expenses, calculation based on) from the bottom of page two and the top of page three. C&M's attorney has requested this change. Otis Stout has reviewed the change and has no objection.

Gary Keeler made a Motion to accept the C&M Ambulance Contract as revised for ninety (90) days commencing October 1, 2008. Upon review, the contract will be renewable for another ninety day period. Support for the motion by Tom Tithof. Vote- All yes. Motion passed.

**Solid Waste Contract Proposal;** Mark outlined the proposed amendments to our waste pickup agreement as presented to us by Republic Waste Services. The amendment extends our present agreement for five (5) years with a 90 day notice cancellation provision by either party. Waste pickup cost will be \$8.96 per unit per month with CPI adjustments on a yearly basis not to exceed 3%. The contract also contains a fuel cost adjustment. The township will have unlimited pick up one week each month. The contract provides for the furnishing of either a 95 or 65 gallon waste containers with wheels. Waste management will also furnish recycle bins for those people that wish to participate in the free bi-weekly recycling program.

Bill Persails made a **Motion** for the Township of Montrose to accept the amendment to the Montrose Township Solid Waste Collection Agreement. Support for the Motion by Tom Tithof. Vote- All yes. Motion passed.

**Brent Run Landfill Rezoning;** Brent Run Landfill is requesting to rezone part of the landfill property from (RC) Recreational/Conservation to (I-2) Heavy Industrial. The Planning Commission has recommended this change because it will place the property in the proper zoning district to which it is currently being used. The landfill had been operating in a non-conforming use.

**Motion** made by Tom Tithof that the township adopt Ordinance 171 revising the Township of Montrose Zoning Map and allowing the re-zoning of a portion of a parcel of property known as (Republic Services)13-23-200-010 from (RC) Recreation/Conservation to (I2) Heavy Industrial. Support by Gary Keeler. Vote- Keeler (yes), Domine (yes), Tithof (yes), Persails (yes), Sullivan (yes), Newcomer (yes), Emmendorfer (yes). Motion passed.

**Accessory Building Ordinance Revision;** Our current ordinance does not allow for the placement of an accessory building in front of a residence. Dennis Miller said that the ZBA has had numerous requests for variances to this ordinance. Dennis Miller said that when an ordinance is subject to many variance requests it needs to be examined and changed if necessary. Changing this ordinance would allow structures in a front yard if they meet certain qualifications. Dennis went on to explain different scenarios that would apply.

Gary Keeler made A **Motion** to adopt the changes to sections 153.340 and 153.341 of the Code of Ordinances as written. This change to the Code of Ordinances would be known as Ordinance 170 Accessory Buildings. Support for the motion by John Newcomer. Vote- Keeler (yes), Domine (yes), Tithof (yes), Persails (yes), Sullivan (yes), Newcomer (yes), Emmendorfer (yes). Motion passed.

**Senior Center Recommendations;** Mark explained what has been happening at the Senior Center for the past two months. The remodeling of the Center building is complete and we are trying to come up with plans for a storage/pavilion type building to be constructed behind the center.

Our Senior Center budget has sufficient funds to do this as well as put up new signs identifying the Senior Center. Additional purchases that need to be made are some round and oval tables, a steam table and three computers (2 desk top and 1 lap top). Again, our budget has the funding to complete these purchases.

Otis Stout has also prepared two Rental Agreements. One Agreement is for the renting of the Senior Center and the other for the rental of the pavilion at the Township Park.

All of the above purchases and actions have been approved and recommended by the Senior Center Committee.

John Newcomer made a **Motion** to accept the Senior Center Rental Agreement as written. Support for the motion by Tom Tithof. Vote- All yes. Motion passed.

Gary Keeler made a **Motion** to purchase six round tables and one oval table, one steam table and three computers for the Senior Center. The amount for these purchases has already been approved in our Senior Budget. Support for the motion by John Newcomer. Vote- Keeler (yes), Domine (yes), Tithof (yes), Persails (yes), Sullivan (yes), Newcomer (yes), Emmendorfer (yes). Motion passed.

Tom Tithof made a **Motion** to accept the new Rental Agreement for the pavilion at the Township Park as written. Support by Gary Keeler. Vote- All yes. Motion passed.

Gary Keeler made a **Motion** to solicit bids for new signs and a storage/pavilion building at the Senior Center. Expenditure for the signs is not to exceed \$6,000.00 and the storage/pavilion building is not to exceed \$16,297.00. Support for the motion by John Newcomer. Vote- All yes. Motion passed.

**Fireman Resignation:** Mark Emmendorfer presented a letter of resignation from Ben Maviglia. Ben wrote in the letter that he has moved out of the township and that his resignation was effective August 1, 2008.

Gary Keeler made a **Motion** to accept the resignation of Ben Maviglia effective 08/01/08. Support for the motion by Tom Tithof. Vote- All yes. Motion passed.

**Fire Chief's Resignation:** The Township has received a letter of resignation/retirement from our Fire Chief, Albert Rush. His resignation will be effective December 3, 2008. Albert has been on the fire department for 54 years. Mark described it as "Albert has decided to turn in his bunker gear".

Mark said that even though Albert has submitted his resignation tonight, we would like to have an official retirement ceremony with his family and friends in attendance at our November board meeting.

Fred Domine made a **Motion** to accept the retirement/resignation of Albert Rush to be effective December 3, 2008. Support by Bill Persails. Vote- All yes. Motion passed.

**Standard of Conduct for Public Officials:** Don Sullivan made a Motion to postpone this item until the October meeting. Support by Bill Persails. Vote- All yes. Motion passed.

**John Deere and Trac-Vac Purchase:** This equipment is for use at the cemetery. The Trac-Vac will be used to pick up leaves and grass. The Z820A mower is a 60" cut and will be able to mow the areas between the rows of graves in two passes. In addition, it is more maneuverable and faster. The Building and Grounds committee has recommended these purchases.

Sealed bids will be requested for this equipment. Mark told the Board that he was asking for approval to spend up to \$7,400.00 for the Z820A and \$2,700.00 for the 580C Trac-Vac.

**Motion** by Gary Keeler to purchase a John Deere Z820A- 60" mower and a Trac-Vac 580C Vacuum unit for use at the cemetery. Purchase price for the mower is not to exceed \$7,400.00 and the Trac-Vac not to exceed \$2,700.00. Support for the motion by Bill Persails. Vote- Keeler (yes), Domine (yes), Tithof (yes), Persails (yes), Sullivan (yes), Newcomer (yes), Emmendorfer (yes). Motion passed.

**Flint Area Narcotics Group (FANG) Dues for 2009:** The Township has received an invoice from FANG for our 2008/2009 dues in the amount of \$5,339.79.

John Newcomer made a **Motion** to pay The Townships dues to FANG for the 2008/2009 year. Tom Tithof supported the motion. Vote- Keeler (yes), Domine (yes), Tithof (yes), Persails (yes), Sullivan (yes), Newcomer (yes), Emmendorfer (yes). Motion passed.

**Seymour Road Culvert:** The County Road Commission has received bids for the Seymour Road Culvert Replacement Project. The total low bid is \$297,952.50. Montrose Township's share of this project is \$74,488.13. The Township Board is being asked to approve our share of the project cost.

Gary Keeler made a Motion to agree to pay The Genesee County Road Commission \$74,488.13 as our 25% share for replacing the culvert under Seymour Road. Support by Tom Tithof. Vote- Keeler (yes), Domine (yes), Tithof (yes), Persails (yes), Sullivan (yes), Newcomer (yes), Emmendorfer (yes). Motion passed.

**Any Other Business:** Mark brought to our attention a letter that the Township received from Genesee County Water and Waste explaining that because we have our sewer maintenance done by the them, we are not responsible for \$46,189.00 in potential penalties because of excess water infiltration into the system.

**Citizens Comments:**

Dennis Miller said that he wanted to thank Harry Powell and his employees for helping clean up over 1000 old tires from a residence in Montrose Township.

**Adjournment:**

Gary Keeler made a **Motion** to adjourn the meeting. Support for the motion by Tom Tithof. Vote- All yes. Motion passed. Meeting adjourned at 10:30pm.

Submitted by  
Fred Domine, Township Clerk

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Mark Emmendorfer, Supervisor

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Fred Domine, Clerk

**Mark Emmendorfer** - Supervisor   **Fred Domine** – Clerk   **Donald Sullivan** – Treasurer  
Township Trustees - **Gary Keeler, John Newcomer, William Persails, Tom Tithof**