



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

## **Montrose Township Board Meeting**

**PLACE:**

Montrose Township Hall, 139 S Saginaw Street, Montrose, MI 48457

**DATE:**

September 21, 2010

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

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

**Roll Call:** Present- Mark Emmendorfer, Fred Domine, Gail Fikes, Gary Keeler, Tom Tithof, Linda Miller, Dan Hill. Absent- 0

**Agenda Approval:** Gary Keeler made a **Motion** to approve the agenda. Support for the motion was given by Dan Hill. Vote- All yes. Motion passed.

**Citizens Comments:** None

**Minutes:** Dan Hill made a **Motion** to approve the August 17<sup>th</sup>, 2010 minutes as written. Support for the motion was given by Gary Keeler. Vote- All yes. Motion passed.

**Treasurer's Report:** Treasurer, Gail Fikes, presented the Treasurers report.

**Revenue Expenditure Report:** Supervisor, Emmendorfer, presented the Revenue/Expenditure report.

**Presentation of Bills:** Dan Hill made a **Motion** to pay the bills as presented. Support for the motion given by Tom Tithof. Vote- Miller (yes), Hill (yes), Keeler (yes), Tithof (yes), Fikes (yes), Domine (yes), Emmendorfer (yes). Motion passed.

**Reports:**

**Fire Department-** Report is on file with these minutes. Administrator, Darrell Ellis said that the firemen collected \$1,556.00 for Muscular Dystrophy on Labor Day.

**Police Department-** Report is on file with these minutes. Chief, Darrell Ellis said that the police department has received a grant for two PBT's (breathalyzers) from the Michigan State Police Department.

**Building Department-** Report is on file with these minutes.

**Senior Center-** Report is on file with these minutes. Director, Sandy Parra said that there was a lot of activity during the month of August. Sandy said that there has been a demand for the loan of medical equipment such as wheelchairs and walkers.

**Building and Grounds-** No report.

**Business:**

Supervisor Emmendorfer asked the Board to deviate from the order of business on the Agenda and place the Twin Township Ambulance Update & Contract first in the order of business.

Gary Keeler made a **Motion** place Twin Township Ambulance in number one spot on the agenda. Support for the motion by Dan Hill. Vote- All yes. Motion passed.

Twin Township Ambulance Update/Contract- Jeff Ebenhoeh, of Twin Township Ambulance said that the Twin Township Board had approved Addendums One and Two to the ambulance contract and authorized him to sign them. Addendum One authorizes Twin Township Ambulance to assume and fulfill the balance of the CM Ambulance contract. Addendum Two extends the ambulance contract to Twin Township until March 31, 2020. Addendum One was previously approved by the Montrose Township Board.

Fred Domine made a **Motion** to adopt Addendum Two to the Montrose Township/ Twin Township Ambulance Contract. This will extend the Contract to March 31, 2020. Support for the motion given by Gary Keeler. Vote- All yes. Motion passed.

Public Hearing for Truth in Taxation- Trustee Dan Hill called attention to the fact that the Truth in Taxation Hearing was published in the paper as beginning at 7:30pm. Dan suggested we postpone the hearing until that time.

Dan Hill made a **Motion** to table the Truth in Taxation Hearing until 7:30pm. Support for the motion given by Tom Tithof. Vote- All yes. Motion passed.

Resolution to Adopt the Special Assessment District for Wheeler Drive- Supervisor Emmendorfer opened the Public Hearing for the Special Assessment District on Wheeler Drive @ 7:15pm. Supervisor Emmendorfer explained that the township has been asked to establish a Special Assessment District for the maintenance of Wheeler Drive. Emmendorfer asked for comments from the public. Billy Sizemore asked "what is this all about?" Emmendorfer explained the procedures. There were no more public comments and the Public Hearing was closed at 7:20pm.

Resolution to adopt the Special Assessment District on Wheeler Drive- Gary Keeler made a **Motion** to adopt the resolution creating a Special Assessment District for Wheeler Drive. Support for the motion given by Dan Hill. Vote- All yes. Motion passed.

Request from the Persons Family for an additional grave marker- Chris and Bruce Persons have requested to place a second flat grave marker on the grave of her mother over the cremains of their her son Mark whose cremains are buried in the same grave.

Tom Tithof made a **Motion** to allow the Persons to place a flush grave marker on the site of their son Mark's grave. Support for the motion given by Fred Domine. Vote- All yes. Motion passed.

In reference to the above request, Attorney, Richard Austin, recommended modifying our cemetery ordinance to facilitate the handling of these requests in the future.

Public Hearing for 2010 Truth in Taxation- Supervisor Emmendorfer opened the Public Hearing for Truth in Taxation at 7:30pm. Dennis Miller explained the Truth in Taxation rollback. Dennis said the taxable value of the township went from \$136 Million to \$119 Million. Montrose Township has the lowest taxable value of any township in Genesee County. Emmendorfer said that if we approve the tax role "with a hearing" the township will collect about \$2,400 more in taxes to fund the police department than if we did not hold the hearing. Supervisor Emmendorfer closed the Public Hearing at 7:43pm.

Motion to adopt the L4029 Millage Rate Form for the year 2010- Gary Keeler made a **Motion** to adopt the L4029 Millage Rate "With a Hearing". Support for the motion given by Fred Domine. Vote- Hill (no), Keeler (yes), Tithof (yes), Fikes (yes), Domine (yes), Miller (yes), Emmendorfer (yes). Motion passed.

ICMA-RC 401a Loan Program Recommendation- Emmendorfer said that the Finance Committee met with a representative of ICMA-RC and it is their recommendation that the Township allow loans from the 401a Plan with the following stipulations.

1. Allow only one loan at a time.
2. The loans are to be for "hardship" (hardship as defined by ICMA-RC).
3. Maximum pay back to be five years.

Tom Tithof made a **Motion** to allow employees to take loans out of their 401a plans based on the recommendations of the Finance Committee. Support for the motion was given by Dan Hill. Vote- All yes. Motion passed.

Motion on Planning Commission recommendation of Wind Energy Zoning Ordinance- Gary Keeler gave background information on the Wind Energy Ordinance. This Ordinance gives the Building Inspector the authority to determine if a Wind Turbine request would have to go to the Planning Commission for review. Also, prior to issuance of a construction permit for a WECS by the Building Official, a notice shall be mailed to

all adjoining property owners to receive public comments. The Planning Commission has recommended that Montrose Township adopt this ordinance.

Gary Keeler made a **Motion** to accept tonight's discussion as the First Reading of the Wind Energy Zoning Ordinance. Support for the motion was given by Gail Fikes. Vote- Keeler (yes), Tithof (yes), Fikes (yes), Domine (yes), Miller (yes), Hill (yes), Emmendorfer (yes). Motion passed.

Cemetery Church Preservation Plan Update- Supervisor Emmendorfer presented a proposal from Fisher Wrecking Inc. To move the church, would cost \$75,000.00 plus the cost of a new foundation, utilities, etc. There was a suggestion from the audience to contact Crossroads Village to see if they would be interested in the church. Supervisor Emmendorfer said that the Township spent close to \$100,000.00 of CBDG money on this building about eight or nine years ago. The building needs painting again which will cost about six or seven thousand dollars if we do the painting ourselves. All of this expenditure is for a building that no one uses. It does not have bathroom facilities or parking. Tom Tithof suggested that we publicize the dilemma with the church building and maybe some ideas would come forth from the community. No action was taken by the Board on this item.

Cemetery Interior Access Road and Parking Lot Bids- The request for bids for the cemetery access road was published in the Tri-County Citizen and we received three bids. Northwest Sand and Gravel bid \$15,003.00 using 23A Gravel. Newton Excavating bid \$11,721.00 with an alternate of an additional \$2,900.00 for 23A Limestone. M-57 Aggregate bid \$11,620.00 with no mention of the type of road bed material. It was assumed that that the three bids were all for 23A Gravel as called for in the specifications. Questions arose about the Specifications for the 23A gravel road instead of the limestone roads that are in the rest of the cemetery.

Tom Tithof asked about awarding the bid to other than the lowest bidder. The township purchasing policy says that we can choose other than the lowest bidder if it can be demonstrated that doing so is in the township's best interest.

Dan Hill made a **Motion** to award the cemetery road contract to Newton Excavating for the amount of \$11,721.00 and to include the alternate price of \$2,900.00 for Limestone. This would make the total price \$14,621.00. Support for the motion given by Gary Keeler. Vote- Tithof (yes), Fikes (yes), Domine (yes), Miller (yes), Hill (yes), Keeler (yes), Emmendorfer (yes). Motion passed.

127 S Saginaw Street Parking Lot Bids- The bids for the parking lot were as follows;

1. L. Zellar & Sons	\$31,908.00	6. Jack Fick Excavating	\$37,719.28
2. Glaeser Dawes	\$34,115.31	7. Rohde Brothers Exc.	\$38,786.00
3. Newton Excavating	\$34,611.00	8. Waldorf & Sons	\$39,621.00
4. Sterling Excavation	\$34,700.00	9. L. A. Construction	\$40,699.00
5. Heystek Construction	\$35,538.00	10. Cataldo Inc.	\$46,356.00

Supervisor, Emmendorfer, referenced the “Recommendation of Award” letter from WadeTrim. Discussion followed about the preparation of the parking lot base. The township purchasing policy was discussed and Newton’s bid of \$34,611.00 with the 5% allowance per our Township Purchasing Policy is \$32,881.00. The low bid by L. Zellar & Sons Excavating is \$31,908.00.

Tom Tithof made a **Motion** to accept the bid of L. Zellar & Sons Excavating in the amount of \$31,908.00 for the construction of the parking lot at 127 S. Saginaw Street. Support for the motion was given by Gary Keeler. Vote- Fikes (yes), Domine (yes), Miller (no), Hill (no), Keeler (yes), Tithof (yes), Emmendorfer (yes). Motion passed.

Second Reading of Ordinance 10-187, This ordinance is to re-adopt all township ordinances from May 2008 thru August 2010- Dan Hill made a **Motion** to accept tonight as the second reading of Ordinance 10-187. Support for the motion given by Gary Keeler. Vote- Domine (yes), Miller (yes), Hill (yes), Keeler (yes), Tithof (yes), Fikes (yes), Emmendorfer (yes). Motion passed.

First Addendum to the Agreement with G. R. Coon Inc for the Vestibule Project- Emmendorfer explained that the addendum inserts a Penalty Clause into the existing contract for the vestibule. The penalty is \$500.00 per day for every day after October 15<sup>th</sup>, 2010 that the project is not finished. Emmendorfer said that G. R. Coon has already signed this Addendum. Tom Tithof made a **Motion** to add the “Penalty Claus” First Addendum to the Vestibule addition contract with G.R. Coon. Support for the motion given by Gary Keeler. Vote- All yes. Motion passed.

Budget Amendments (Fred Domine)- Domine explained that he had several budget amendments and asked if they had to be voted on separately. Supervisor Emmendorfer said that he thought that they would need to be voted separately.

1. Move \$100.00 from the General Fund to Fund 101-738-931.000 Repairs and Maintenance for the Library. **Motion** made by Tom Tithof to amend budget. Support by Dan Hill. Vote- Emmendorfer (yes), Domine (yes), Fikes (yes), Tithof (yes), Keeler (yes), Hill (yes), Miller (yes). Motion passed.
2. Move up to \$300,000.00 from Impact to Park Capital Improvement 208-000-983.000. **Motion** made by Gary Keeler to amend the budget. Support by Dan Hill. Vote- Emmendorfer (yes), Domine (yes), Fikes (yes), Tithof (yes), Keeler (yes), Hill (yes), Miller (yes). Motion passed.
3. Increase Revenue Impact 277-000-694.000 Misc Revenue to account for monies received from the Genesee County in 2008 to purchase the Senior Center. There was discussion as to whether the budget needed to be adjusted to accommodate increases in revenue. Domine said that the book keeper and our former auditors, Abraham and Gaffney said that we needed to make these adjustments. Tom Tithof made a **Motion** to increase revenue 277-000-694.000 by \$54,726.00. Support for the motion given by Gail Fikes. Vote- Emmendorfer (yes), Domine

- (yes), Fikes (yes), Tithof (yes), Keeler (yes), Hill (no), Miller (yes). Motion passed.
4. Increase Police Delinquent Property Tax 207-000-407.000 by \$38,000.00. Tom Tithof made a **Motion** to increase revenue 207-000-407.000 by \$38,000.00. Support by Gail Fikes. Vote- Emmendorfer (yes), Domine (yes), Fikes (yes), Tithof (yes), Keeler (yes), Hill (no), Miller (yes). Motion passed.
  5. Increase Police Grant Revenue 207-000-505.000 by \$1375.00. Tom Tithof made a **Motion** to increase this item by \$1375.00. Support for the motion given by Gary Keeler. Vote- Emmendorfer (yes), Domine (yes), Fikes (yes), Tithof (yes), Keeler (yes), Hill (nos), Miller (yes). Motion passed.
  6. Increase Notary Fee Police 207-000-651.001. Dan Hill Made a **Motion** to increase this budget line by \$120.00. Support was given by Tom Tithof. Vote- Emmendorfer (yes), Domine (yes), Fikes (yes), Tithof (yes), Keeler (yes), Hill (yes), Miller (yes). Motion passed.
  7. Police Dept. Fines & Forfeiture 207-000-655.000. Increase budget by \$2,800.00. Tom Tithof made a **Motion** to increase budget by \$2,800.00. Support for the motion by Gail Fikes. Vote- Emmendorfer (yes), Domine (yes), Fikes (yes), Tithof (yes), Keeler (yes), Hill (no), Miller (yes). Motion passed.
  8. Increase sale of Sale of Assets Cemetery 209-000-488.000. Proceeds from sale of used equipment. Increase by \$650.00. Tom Tithof made a **Motion** to increase this line by \$650.00. Support for the motion by Gail Fikes. Vote- Emmendorfer (yes), Domine (yes), Fikes (yes), Tithof (yes), Keeler (yes), Hill (no), Miller (yes). Motion passed.
  9. Fire Department Delinquent Property Tax 206-000-407.000. Increase this line by \$2,900.00. Gail Fikes made a **Motion** to increase 206-000-446.000 line by \$2,900.00. Support for the motion by Linda Miller. Vote- Emmendorfer (yes), Domine (yes), Fikes (yes), Tithof (yes), Keeler (yes), Hill (no), Miller (yes). Motion passed.

There seemed to be some consternation among the Board members about the number of budget adjustments. Attorney Austin said that he thought I could read all of the remaining revenue adjustments and that the Board could adopt them with one motion.

1. Increase Revenue Interest 206-000-446.000 by \$5.00.
2. Increase Fire Operating Delinquent Property tax 205-000-407.000 by \$6,000.00.
3. Increase 101-000-407.000 Delinquent Property Tax by \$11,200.00.
4. Increase 101-000-478.000 Building Permits by \$5,600.00.
5. Increase 101-000-603.000 Senior Center Service Fee by \$3,400.00.
6. Increase 101-000-610.000 Planning Commission fees by \$150.00
7. Increase 101-000-651.001 Notary Fees by \$15.00.

8. Increase 101-000-661.000 Donations by \$445.00.
9. Increase 101-000-694 Misc. by \$3761.61. (Sale of Principal Stock)

Gary Keeler made a **Motion** to adopt all of the above revenue budget adjustments. Support for the motion given by Gail Fikes. Vote- Emmendorfer (yes), Domine (yes), Fikes (yes), Tithof (yes), Keeler (yes), Hill (no), Miller (yes). Motion passed.

**Extended Board Member Comments;**

Gary Keeler asked about smell at the landfill.

Dan Hill asked if the ZBA had ever made an official request to remove Bill Persails as an alternate on the ZBA Board. Supervisor Emmendorfer answered no.

Dan Hill asked if any Trustees served on the Finance Committee. Supervisor Emmendorfer answered no.

**Citizens Comments;**

Travis Newton thanked the Board for entertaining thoughts of awarding the Contract to his company.

**Adjournment;**

Gary Keeler made a **Motion** to adjourn the meeting. Support for the motion given by Dan Hill. The meeting adjourned at 9:35PM.

Submitted by  
Fred Domine  
Montrose Township Clerk

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Mark Emmendorfer, Supervisor

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Fred Domine, Clerk

**Mark Emmendorfer** Supervisor      **Fred Domine** Clerk      **Gail Fikes** Treasurer  
**Dan Hill** Trustee    **Gary Keeler** Trustee    **Linda Miller** Trustee    **Tom Tithof** Trustee