



Montrose Charter Township
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Montrose Township Board Meeting

PLACE:

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

DATE:

April 20, 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

Citizens Comments:

Kyle Bourcier asked if he could give the Board an update on the fence project that he is doing at Barber Park. Kyle is constructing this fence as a project to earn his Eagle Scout Badge. Kyle apologized to the Board for “not doing a very good job” with his initial presentation. Supervisor Emmendorfer thanked Kyle for the apology and shared with Kyle that “life is a learning process”. Kyle gave a construction update for the fence and assured the Board that the fence would be done by Friday April 23.

Minutes: Gary Keeler made a **Motion** to approve the minutes of the March 20, 2010 regular board meeting with the following correction. Page three under the item **Watermain Extension**. Change the name of the engineering firm from Spicer to Wade Trim. Support for the motion was given by Dan Hill. Vote – All yes. Motion passed.

Treasurers Report:

Treasurer, Gail Fikes, presented the Treasurers Report.

Revenue/Expenditure Report:

Supervisor, Mark Emmendorfer, presented the Revenue/ Expenditure Report.

Presentation of Bills:

Supervisor Emmendorfer presented the Bills for approval. Trustee Hill questioned checks made out to the Michigan Tax Tribunal. Emmendorfer explained that these were for tribunal cases filed against Genesee County Water and Waste. These cases have been resolved.

Hill questioned the engineering payments made to Spicer Engineering for engineering work done at Barber Memorial Park. Emmendorfer explained that these bills have been previously authorized by the board.

Gary Keeler made a **Motion** to pay the bills as presented. Support for the motion was given by Tom Tithof. Vote- Linda Miller (yes), Fred Domine (yes), Gail Fikes (yes), Tom Tithof (yes), Gary Keeler (yes), Dan Hill (yes), Mark Emmendorfer (yes) Motion passed.

Reports:

Police- Report is on file with minutes. Danelle Barker said that officer Jeff Przepiora received an award from the Fraternal Order of Police for rescuing a man whose boat capsized last year. Danelle also said that the police department recovered two purses that were stolen in Burton last year.

Fire Department- Report is on file with minutes. Calls were down considerably for the month of March.

C M Ambulance- No Report

Building Department- Report is on file with these minutes.

Senior Center- Report is on file with these minutes. Sandy Parra said that the center has had a lot of activity and that their anniversary party was a great success.

Building and Grounds- Report is on file with these minutes. Emmendorfer informed the Board that the water has been turned on at the cemetery. Surveyors have started work on the new section of graves at the cemetery. The Park survey for our DNR Grant expansion project is ninety five percent complete.

Business:

2009 Audit Results (Barry Gaudette); Barry Gaudette explained that there are three opinions expressed as a result of an audit. These are; Unqualified, Qualified, or Adverse. He deemed our Audit as Unqualified which signifies that he did not take exception to or have any reservation about any of the township's accounting procedures. Barry made note of the fact that the townships' fund balance has increased by over \$1,000,000 in the last year. The townships expenses have decreased by about 11 percent in the last year.

Barry recommended that the bank deposits be checked and initialed by two people. He also recommended that invoices scheduled for payment be checked and initialed by an additional person other than the person that had scheduled the invoice for payment.

Barry also commented that the township was doing a good job on budget amendments.

Dan Hill asked about deferred revenue liability in our parks department. Fred Domine explained that the cell tower lease is shown as deferred revenue. It was suggested that we do this by our previous auditors.

Barry suggested that we investigate the possibility of entering into a collateral agreement with our bank.

Dan Hill made a **Motion** to accept the auditors report as presented. Support for the motion was given by Gail Fikes. Vote- Fikes (yes), Tithof (yes), Keeler (yes), Hill (yes), Miller (yes), Domine (yes), Emmendorfer (yes). Motion passed.

Waterline and Multiuse Trail Updates (Beth Schroeder- Wade Trim); Beth updated the Board on the waterline project. She said they will meet with the Drain Commissioner's Office and discuss the existing waterline from the city to the fire department. Wade Trim should have a set of preliminary water plans ready in May. We are on schedule for bidding out the project this fall and could commence work in spring of 2011.

Beth said we have received notification from the State that MDOT funds for the Multiuse trail were not available. This is a small project and did not have the impact and importance that was inherent in the larger and more costly projects.

Genesee County is taking applications for Congestion Mitigation and Air Quality Grants. If we demonstrate that we are reducing emissions because people will forgo driving and walk to the park we would be eligible to receive this grant. We have applied for this grant and should hear back from the county within the next couple of months. This grant is normally an 80% / 20% split. Beth said she had indicated to the county that the township might consider moving up to a 75% / 25% split.

Resolution of Support for CMAQ Grant for Multi-use Trail; Tom Tithof made a **Motion** for the Charter Township of Montrose to adopt resolution 10-05 "Congestion Mitigation / Air Quality Grant Application" with the following correction. Change the second paragraph to read as follows: *The Township acknowledges that the level of funding of this grant would be a maximum of 80% of the project construction costs (currently estimated at \$132,000) and that the Township would be responsible for a portion of the project construction costs not to exceed \$41,300.00.* Support for the motion given by Linda Miller. Vote- Tithof (yes), Keeler (yes), Hill (yes), Miller (yes), Domine (yes), Fikes (yes), Emmendorfer (yes). Motion passed.

Proposals to review Zoning Ordinance compliance with the Right to Farm Act- Supervisor Emmendorfer said that the township has received two proposals to review the Montrose Township Zoning Ordinance to ensure that it is in compliance with the Right to Farm Act. The proposal from Spicer Engineering is \$3,700.00. Wade Trim's proposal is \$4,500.00. Discussion followed.

Tom Tithof made a **Motion** to accept Spicer Engineering's proposal in the amount of \$3,700.00 to review the Montrose Township Zoning Ordinance to ensure compliance with the Right to Farm Act. Support for the motion by Gary Keeler. Vote- Keeler (yes), Hill (yes), Miller (yes), Domine (yes), Fikes (yes), Tithof (yes), Emmendorfer (yes). Motion passed.

Township Hall Vestibule Bids; Supervisor Emmendorfer said that we published the request for bids in the newspaper and gave bid materials to seven different contractors.

We received two bids back for the project and the contractors that had indicated they thought the project would be in the \$35,000.00 range did not turn in bids.

The township received bids from R. E. Carroll Construction Co. of Flint, Michigan and Helfrich Builders LLC of Clio Michigan. Carroll Construction bid \$69,091.00. Helfrich Builders bid \$57,723.00. Mark commented that the bids were about \$20,000.00 more than anticipated. Mark said that he would meet with architect, Dave Boersma, and see if there are any changes that can be made to bring down the price of the project. Mark said that he would not incur additional expense over and above the \$4,700.00 already expended for the design.

Fred Domine made a **Motion** to reject the two bids received for the Township Hall Vestibule Project and return the bid deposit check and release the bid bond received. This motion also authorizes Supervisor Emmendorfer to explore ways to reduce the cost of the project. Support for the motion by Dan Hill. Vote – All yes. Motion passed.

Township Hall Break Room update and bids; Mark explained that he had found that he could purchase better quality cabinets from Iversons for our Break Room at a lower price than we received from Menards. He requested that the Board rescind the motion to purchase the cabinets from Menards.

Dan Hill made a **Motion** to rescind the motion made at the March 2010 meeting to purchase Break Room Cabinets from Menards. Support for the motion given by Gary Keeler. Vote- All yes. Motion passed.

Dan Hill made a **Motion** to purchase the Break Room cabinets, counter top, Stainless Steel sink and faucet assembly from Iversons for a total purchase price of \$2,492.00. Support for the motion given by Gail Fikes. Vote- Hill (yes), Miller (yes), Domine (yes), Fikes (yes), Tithof (yes), Keeler (yes), Emmendorfer (yes). Motion passed.

The township received two bids for the installation of the cabinets, counter top and sink for the Break Room. The bidders are;
 Allard Construction - \$750.00
 AMC Construction- \$ 2,000.00

Gary Keeler made a **Motion** to award the bid for the installations of the cabinets to Allard Construction. Support for the motion given by Dan Hill. Vote- Miller (yes), Domine (yes), Fikes (yes), Tithof (yes), Keeler (yes), Hill (yes), Emmendorfer (yes). Motion passed.

Zoning Ordinance Amended for Medical Marijuana Uses; Mark explained that the Hubbard Law Firm is presenting and hosting a seminar pertaining to the Medical Marihuana Act in Frankenmuth on Friday, May 7th, 2010. Dennis Miller has agreed to attend this seminar to ensure that our ordinance amendment is in compliance with the Medical Marijuana Act. Mark recommended that we table the Zoning Ordinance Amendment until next month.

Tom Tithof made a **Motion** to table the Medical Marijuana Act Zoning Amendment until the May 2010 meeting. Support for the motion given by Gary Keeler. Vote- All yes. Motion passed.

Budget Adjustments (Fred Domine): Planning Commission needs to increase Professional Services line item by \$3,700.00 to cover the Right to Farm Update awarded to Spicer Engineering. We will take this money from the General Fund.

Gary Keeler made a **Motion** to transfer \$3,700.00 from the General Fund to Planning Commission Professional Services (101-801-805.000). Support for the motion given by Linda Miller. Vote- Miller (yes), Hill (Yes), Keeler (yes), Tithof (yes), Fikes (yes), Domine (yes), Emmendorfer (yes). Motion passed.

The police department budget Equipment line item needs to be increased by \$500.00 to compensate for the \$500.00 donation they received from Wal-Mart.

Tom Tithof made a **Motion** to increase the police department Equipment line (207-000-984.000) by \$500.00. Support for the motion was given by Dan Hill. Vote- Domine (yes), Fikes (yes), Tithof (yes), Keeler (yes), Hill (yes), Miller (yes), Emmendorfer (yes). Motion passed.

The Capital Improvement line item for the Fire Department needs to be increased by \$1,000.00. They received a \$1,000.00 donation from Wal-Mart and using this money to do some renovation in the fire department offices.

Tom Tithof made a **Motion** to increase the Fire Department Capital Improvement line (205-000-983.000) by \$1,000.00. Support for the motion given by Dan Hill. Vote- Hill (yes), Miller (yes), Domine (yes), Fikes (yes), Tithof (yes), Keeler (yes), Emmendorfer (yes). Motion passed.

Resolution to sell shares of Principal Stock (Fred Domine): Domine explained that Montrose Township was issued 121 shares of common stock by the Principal Insurance Company when the company went public. The township should not own stock and I am requesting permission to sell these shares. I contacted the Principal Financial Group and asked them the procedure that we would have to follow to sell the 121 shares of common stock. I was instructed to forward a resolution of the Township Board authorizing the sale of the stock accompanied by letter on Township letterhead requesting that the shares be sold.

Gary Keeler made a **Motion** to sell the 121 shares of Principal Financial Group stock at market price and to adopt resolution 10-06 "A RESOLUTION APPROVING THE SALE OF 121 SHARES OF PRINCIPAL FINANCIAL GROUP COMMON STOCK BY THE TOWNSHIP OF MONTROSE". Support for the motion was given by Gail Fikes. Vote- Fikes (yes), Tithof (yes), Keeler (yes), Hill (yes), Miller (yes), Domine (yes), Emmendorfer (yes). Motion passed.

Gary Keeler made a **Motion** to deposit the proceeds from the sale of the Principal Financial Group stock into the General Fund. Support for the motion was given by Tom Tithof. Vote- All yes. Motion passed.

Resolution to Purchase Playground Equipment for Barber Park (Fred Domine): This resolution will allow the township to become part of a buying group and we will receive an additional 7.5% discount off the price of the new playground equipment at the park.

Gary Keeler made a **Motion** to adopt Resolution 10-03 “A RESOLUTION OF THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF MONTROSE, MONTROSE, MICHIGAN, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL AGREEMENT BETWEEN HARRIS COUNTY DEPARTMENT OF EDUCATION, WHICH SPONSERS CHOICE FACILITY PARTNERS, and PROVIDING FOR A COOPERATIVE PURCHASING PROGRAM FOR GOOD AND SERVICES”. Support for the Motion was given by Gail Fikes. Vote- Keeler (yes), Hill (yes), Miller (yes), Domine (yes), Fikes (yes), Tithof (yes), Emmendorfer (yes). Motion passed.

Resolution to Accept DNRE Trust Fund Grant monies for Barber Park; Supervisor advised the board that a copy of this resolution has to be returned to the State of Michigan with our signed contract accepting the DNRE grant.

Tom Tithof made a **Motion** to adopt resolution 10-04 “RESOLVED THAT MONTROSE CHARTER TOWNSHIP, MICHIGAN DOES HEREBY ACCEPT THE TERMS OF THE PENDING AGREEMENT FROM THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT”. Support for the motion was given by Dan Hill. Vote- Hill (yes), Miller (yes), Domine (yes), Fikes (yes), Tithof (yes), Keeler (yes), Emmendorfer (yes).

E-Z Dock Purchase for Barber Park Project; Spicer had originally projected the price of the ADA floating docks to be about \$50,000.00. If we agree to pay Blue Water Docks 50% of the purchase price up front, they will discount the price of the docks to \$30,712.04. Fifty percent of this amount would be \$15,356.02.

Gary Keeler made a **Motion** to pay Blue Water Docks up to \$15,360.00 for the ADA floating fishing piers. Support for the motion was given by Tom Tithof. Vote- Tithof (yes), Keeler (yes), Hill (yes), Miller (yes), Domine (yes), Fikes (yes), Emmendorfer (yes). Motion passed.

Burning Permit Proposal Review; Emmendorfer presented a proposed new Burning Permit procedure. Mark explained with the present procedure, residents call the township office for a permit which expires every Sunday. The office faxes the list of permits to the fire department each day. One of the biggest problems occurs when a burning ban goes into effect. When the ban goes into effect, we have to call every individual who has applied for a permit in that week. The proposed system would require the property owners to apply for the permit yearly. They would sign the burning permit document which incorporates the Burning Permit Rules. Residents would receive a copy of the burning permit which they would keep in their possession in the event the fire department was called. Mark said the new burning permits would be administered by the Public Safety Dept/Police/Fire. Emmendorfer said that he will schedule a meeting with the Policy and Procedure Committee to ensure that the new permit and the township ordinance are compatible. The recommendation of the Policy and Procedure Committee would then be presented to the township board. Discussion took place between the Township Board members, fire department personnel, city officials and township residents who were in attendance at the meeting.

Sanitary Sewer Hook-ups; State law requires hook up to an available sanitary sewer.

Montrose Township Ordinance requires connection to a sanitary sewer within eighteen months of notification that it is available. Connection in the township is required of all buildings within 200 feet of the right-of-way.

Attorney Otis Stout issued the following opinion “It is my opinion, that all Township property owners who originate sewage discharge from their structure, have an obligation to connect to available public sewer service within 18 months of notice to do so. It is further my opinion, that the State Law and Township Ordinance as cited herein does not allow the Township to waive the obligation to connect to a public sewer line where one is available and when a structure is in fact discharging sewage”.

Emmendorfer explained that a previous Board allowed some individuals to ignore the law and not hook up to the sanitary sewer as required. These individuals were allowed to install and or keep using their septic systems. The Township is looking for a equitable way to have these connections made as required under the law.

The Montrose Township Water & Waste Committee recommended that the township send out letters to every individual who has sanitary sewer available to them. These letters would inform the people that they have eighteen months to hook up to the sewer line or provide proof that they are not required to hook up.

Discussion on having Special Board Meeting on May 4th for Brent Run Presentation: Waste Connections has asked for a Special Board meeting on May 4th to make a presentation about the possible expansion of the Brent Run Landfill to the Township Board. They will pay the cost of the meeting. This is the same day as the school board election. The Township Hall and Senior Center are both Voting precincts.

Fred Domine made a **Motion** to hold a Special Board Meeting on May 11th at 7:00PM to hear a presentation from Waste Connections about the possible expansion of the Brent Run Landfill. Waste Connections will pay the cost for this meeting. Support for the motion given by Gary Keeler. Vote- All yes. Motion passed.

Supervisor Emmendorfer said that Waste Connections also will have a public meeting at a later date to address questions from township residents.

Discussion on Membership in Gain; The township can join GAIN for \$500.00 for the year. GAIN has worked with our Police Department in the past and we are currently working with them on a case. The prior case involved insurance fraud. Chief Ellis said that membership is money well spent but he does not have the money in his budget this year. Chief Ellis said he would need an appropriation from the General Fund to pay for this membership.

Dan Hill made a **Motion** for Montrose Township to join GAIN for the quoted \$500.00 membership fee. Support for the motion was given by Tom Tithof. Vote- Domine (yes), Fikes (yes), Tithof (yes), Keeler (yes), Hill (yes), Miller (yes), Emmendorfer (yes). Motion passed.

Any Other Business:

Emmendorfer said 911 will begin doing county wide EMS dispatching. The consortium has the money to proceed with this program.

McKinley Road from M-57 to .3 mile north of Farrand Road will have “chip and seal” applied. Chip and Seal will also be applied to Seymour Road from M-57 to just north of Farrand Road. McKinley Road near Dodge Road will have some safety upgrades made.

Supervisor Emmendorfer explained the tax rate comparison charts included in our packets. These are tax rates imposed by townships in Genesee County. The charts refute the claim that Montrose Township imposes the highest tax rates in the county. In fact, Montrose Township provides more services per tax dollar collected than many of our neighboring townships.

Fred Domine said he thought the Board should transfer money into the police budget to fund the GAIN membership.

Fred Domine made a **Motion** to transfer \$500.00 for the GAIN membership into Police Membership and Dues 207-000-958.000 from the General Fund. Support for the motion given by Gail Fikes. Vote- Fikes (yes), Tithof (yes), Keeler (yes), Hill (yes), Miller (yes), Domine (yes), Emmendorfer (yes). Motion passed.

Citizens Comments:

Rich Cummings commented on the Business Expo sponsored by the Chamber of Commerce. Cummings said that Fire Dept handed out about 150 coloring books, stickers and severe weather information pamphlets.

Bev Diffin commented about Burn Permits. Bev asked when we are going to start fining people who violate the Burning Ordinance.

Les Christensen commented about the Brent Run Landfill accepting Canadian trash.

Adjournment:

Gary Keeler made a Motion to adjourn the meeting. Support for the motion was given by Gail Fikes. Vote- All yes. Meeting adjourned at 10:25 PM.

Submitted by

Fred Domine, clerk

Mark Emmendorfer, Supervisor

Fred Domine, Clerk

<p>Mark Emmendorfer, Supervisor Fred Domine, Clerk Gail Fikes, Treasurer Trustees Dan Hill, Gary Keeler, Linda Miller, Tom Tithof</p>
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