

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF DECEMBER 7, 2009**

**FENTON TOWNSHIP CIVIC COMMUNITY CENTER
12060 MANTAWAUKA DRIVE, FENTON, MICHIGAN**

Supervisor Mathis called the meeting to order at 7:30 p.m.

Present: Mathis, Krug, Tucker, Brown, Goupil, Hill, Kesler, Operations Manager
Broecker and Attorney Cooley

Absent: None

PLEDGE OF ALLEGIANCE:

The following members of Cub Scout Pack 111, Den 3 led the pledge of allegiance to the flag:

Myles Barrett
Brenden Jenkinson
Chase Ort
John Patrick Shayna
Toby Versola

APPROVAL OF AGENDA:

Trustee Brown asked to have the *Reports* portion of the agenda moved ahead of *Public Hearings*. Motion to approve the 12/7/09 Fenton Township Board Meeting agenda as amended.

Motion by: Hill
Seconded: Brown
Ayes: All
Nays: None

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes for the 11/23/09 regular meeting and the 11/30/09 workshop meeting stand approved as presented.

EXPENDITURES:

Regarding the invoice for Michigan Hydraulic Dredging, Trustee Brown asked if the dredging project for the Lake Ponemah Channel had been completed. It was confirmed that the mouth of the channel has been cleared out. Motion to approve invoices and expenditures for all funds totaling \$239,110.78 for payment as presented.

Motion by: Tucker
Seconded: Brown
Ayes: Mathis, Krug, Tucker, Brown, Goupil, Hill, Kesler
Nays: None

Motion carried.

REPORTS:

Fire Chief Report

Fire Chief Moulton provided Fire Department statistics for the month of November: 39 total alarms (1 in Tyrone Township). Of those alarms there were 0 fires, 23 EMS calls, 13 service calls and 3 good intent calls.

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PUBLIC HEARINGS:

Proposed 2010 Fenton Township Budget

Supervisor Mathis reported that the proposed 2010 Fenton Township budget was distributed to the board at the last meeting and has also been on file at the Township office and posted on the Township's website. She reviewed the total revenue projections for each fund. The board reviewed the entire budget by cost center. It was noted that the proposed budget for the General Fund and Fire Fund are "balanced budgets" (revenues = expenditures). In the Solid Waste Management and Mosquito Control budgets, the expenditures are higher than the revenues since both funds have sufficient fund balances. The Sewer Fund projection includes revenues/cash inflows exceeding expenditures/cash outflows by approximately \$250,000. Treasurer Tucker stated that he is pleased that the Township is able to maintain a balanced budget despite the difficult economic conditions.

There was no public comment. Clerk Krug presented the following resolution:

**RESOLUTION NO. 2009-39
GENERAL APPROPRIATIONS ACT**

A resolution to establish a general appropriations act for the Charter Township of Fenton; to define the powers and duties of the Fenton Township officers in relation to the administration of the budget; and to provide remedies for refusal or neglect to comply with the requirements of this resolution.

The Board of Trustees of the Charter Township of Fenton resolves:

Section 1: Title

This resolution shall be known as the Fenton Township General Appropriations Act.

Section 2: Chief Administrative Officer

The Supervisor shall be the Chief Administrative Officer and shall perform the duties of the Chief Administrative Officer enumerated in this act.

Section 3: Fiscal Officer

The Clerk shall be the Fiscal Officer and shall perform the duties of the Fiscal Officer enumerated in this act.

Section 4: Public Hearings on the Budget

Pursuant to MCLA 42.26, notice of a public hearing on the proposed budget was published on the Township's website and posted at the office of the Township Clerk, and a public hearing on the proposed budget was held on December 7, 2009.

Section 5: Estimated Revenues

Estimated township General Fund revenues for fiscal year 2010, including an operating millage of .7122 mills, and various miscellaneous revenues shall total \$2,236,800.

Estimated township Fire Fund revenues for fiscal year 2010 shall total \$636,500.

Estimated township Sewer Fund revenues for fiscal year 2010 shall total \$6,357,500.

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Estimated township Mosquito Control Fund revenues for fiscal year 2010 shall total \$154,500.

Estimated township Solid Waste Management Fund revenues for fiscal year 2010 shall total \$718,500.

Section 6: Millage Levy

The Fenton Township Board shall cause to be levied and collected the general property tax on all real and personal property within the township upon the current tax roll an amount equal to .7122 mills for general township operations.

Section 7: Estimated Expenditures

Estimated township General Fund expenditures for fiscal year 2010 for the various township cost centers are as follows:

101-Township Board	\$	76,900
171-Supervisor		42,700
191-Elections		21,600
209-Assessor		163,000
215-Clerk & General Administration		497,200
247-Board of Review		3,200
253-Treasurer		27,300
265-Building & Grounds		177,000
276-Cemeteries		7,800
301-Law Enforcement	657,000	
371-Inspection/Ordinance Enforcement		63,600
401-Planning & Zoning		52,700
445-Drains At Large		19,000
446-Highways, Roads & Bridges		165,100
805-Auditorium - Civic Center		8,700
815-Zoning Board of Appeals		8,800
865-Insurance		<u>245,200</u>
TOTAL	\$	2,236,800

Estimated township Fire Fund expenditures for fiscal year 2010 for the various township cost centers are as follows:

265-Building & Grounds	\$	80,800
336-Fire Dept. Operations		483,500
865-Insurance		<u>72,200</u>
TOTAL	\$	636,500

Estimated township Sewer Fund expenditures, excluding capital improvements, for fiscal year 2010 for the various township cost centers are as follows:

000-County Services/Debt	\$	3,226,000
536-Sewer Operations		1,251,200
865-Insurance		<u>60,000</u>
TOTAL	\$	4,537,200

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Estimated township Mosquito Control Fund expenditures for fiscal year 2010 shall total \$165,000.

Estimated township Solid Waste Management Fund expenditures for fiscal year 2010 shall total \$722,500.

Section 8: Adoption of Budget by Reference

The General Fund, Sewer Fund, Fire Fund, Mosquito Control Fund and Solid Waste Management Fund budgets of the Charter Township of Fenton are hereby adopted by reference, with revenues and activity expenditures as indicated in Sections 5 and 7 of this act.

Section 9: Adoption of Budget by Cost Center

The Board of Trustees of the Charter Township of Fenton adopts the 2010 fiscal year General Fund and Fire Fund Budgets and the Sewer Fund Financial Projections by cost center. Township officials responsible for the expenditures authorized in the budget are authorized to expend township funds up to, but not to exceed, the total appropriation authorized for each cost center, and to make transfers among the various line items contained in the cost center appropriation.

Section 10: Appropriation not a Mandate to Spend

Appropriations shall be deemed maximum authorizations to incur expenditures. The fiscal officer shall exercise supervision and control to ensure that expenditures are within appropriations, and shall not issue any township order for expenditures that exceed appropriations.

Section 11: Transfer Authority

The Chief Administrative Officer shall have the authority to make transfers among the various cost centers without prior board approval, if the amount to be transferred does not exceed \$10,000 or 10% of the appropriation item from which the transfer is to be made, whichever is less. The Board shall be notified at its next meeting of any such transfer made, and reserves the right to modify, amend or nullify any such transfers made. Under no circumstances may the total General Fund budget be changed without prior board approval.

Section 12: Periodic Fiscal Reports

The fiscal officer shall transmit to the board within 30 days of the end of each quarter, a report of financial operations, including, but not limited to:

- a. a summary statement showing the receipts and expenditures and encumbrances for the previous month, and for the current fiscal year to the end of the previous month.
- b. a detailed list of:
 - i. expected revenues by major source as estimated in the budget; actual receipts to date for the current fiscal year; and the balance of estimated revenues to be collected in the then current fiscal year.
 - ii. for each cost center: the amount appropriated; the year-to-date amount charged to each appropriation in the previous quarter for the current fiscal year; and the unencumbered balance of appropriations;

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Section 13: Limit on Obligations and Payments

No obligation shall be incurred against, and no payment shall be made from any appropriation account unless there is sufficient unencumbered balance in the appropriation and sufficient funds are or will be available to meet the obligation.

Section 14: Budget Monitoring

Whenever it appears to the Chief Administrative Officer or Township Board that the actual and probable revenues in any fund will be less than the estimated revenues upon which appropriations from such fund were based, and when it appears that the expenditures shall exceed an appropriation, the Chief Administrative Officer shall present to the township board recommendations to prevent expenditures from exceeding available revenues or appropriations for the current fiscal year. Such recommendations shall include proposals for reducing appropriations, increasing revenues, or both.

Section 15: Violations of This Act

Any obligation incurred or payment authorized in violation of this resolution shall be void and shall subject any responsible official(s) or employee(s) to disciplinary action as outlined in P.A. 621 (1978).

Section 16: Board Adoption

Motion to adopt Resolution No. 2009-39 as presented.

Motion by: Krug

Seconded: Tucker

Ayes: Mathis, Krug, Tucker, Brown, Goupil, Hill, Kesler

Nays: None

Motion carried. Resolution declared adopted.

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

Proposed Zoning Ordinance Amendment–Special Use Permit Reviews/1st Reading

Supervisor Mathis introduced a proposed Zoning Ordinance amendment to revise language regarding the review of special use permits. Treasurer Tucker explained that the amendment would establish a more formal review process for Special Use Permits.

Public Comment:

David Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft asked for a clarification of the intent of this ordinance. Treasurer Tucker explained that the review language is being added to the existing provisions regarding Special Use Permits to give the Planning Commission the authority to review and address non-compliance issues.

The second reading of the proposed ordinance will be conducted at the 12/21/09 meeting.

Proposed Zoning Ordinance Amendment – Wind Energy Systems/1st Reading

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Supervisor Mathis introduced a proposed Zoning Ordinance amendment to add language regarding wind energy systems. Treasurer Tucker stated that wind energy is being looked to nationwide as a “green” energy alternative. The proposed ordinance addresses both large and small scale systems.

There was no public comment. The second reading of the proposed ordinance will be conducted at the 12/21/09 meeting.

Proposed Sign Ordinance Amendment – Digital Signs/1st reading

Supervisor Mathis introduced a proposed amendment to the Sign Regulation Ordinance to add language regarding digital signs. Treasurer Tucker noted that the Township’s existing Sign Regulation ordinance does not address digital signs. The proposed amendment adds language to deal with the newer technology. Full motion video signs are prohibited and other digital signs would be subject to specific criteria.

There was no public comment. The second reading of the proposed ordinance will be conducted at the 12/21/09 meeting.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Proposed 2010 GIS Services Agreement – North Arrow Technologies, Inc.

The board reviewed the proposed GIS services agreement with North Arrow Technologies for 2010. In addition to the standard GIS services and updates, North Arrow will also continue to maintain the Township’s website. Operations Manager Broecker noted that the hourly rates are the same as the 2009 contract. The total projected cost for 2010 is approximately \$55,500.00, which is \$3,500 less than the 2009 contract.

Motion to approve the 2010 GIS Services agreement between the Charter Township of Fenton and North Arrow Technologies, Inc. as presented.

Motion by: Tucker
Seconded: Krug
Ayes: Mathis, Krug, Tucker, Brown, Goupil, Hill, Kesler
Nays: None

Motion carried.

Appointment of Representatives – Genesee County Metropolitan Alliance

Supervisor Mathis reported that Genesee County has asked the Township to confirm our representatives on the Metropolitan Alliance. This issue was discussed at the recent workshop.

Motion to make the following appointments of representatives to the Genesee County Metropolitan Alliance:

Primary member: Trustee Robert Kesler
Alternate: Treasurer John Tucker
Citizen Representative: Vince Lorraine

Motion by: Brown
Seconded: Hill

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Nays: None
Motion carried.

Appointments to Dangerous Building Board of Appeals

Supervisor Mathis reported that the recently adopted Dangerous Buildings Ordinance requires the appointment of a 5-member board of appeals. Specific qualifications are as follows:

1. Registered Building Contractor.
2. Registered Architect or engineer.
3. Registered Building Official, Building Inspector or Plan Reviewer.
4. 2 members of the general public.

The following individuals have been contacted and have agreed to serve on this board:

1. Chris Weir (contractor)
2. Kim Procnier (architect)
3. Brad Hissong (building official)
4. John Shayna (general public)
5. Jack Darnell (general public)

Motion to appoint Kim L. Procnier to the Fenton Township Dangerous Buildings Board of Appeals for the term ending December 31, 2012.

Motion by: Brown
Seconded: Krug
Ayes: Mathis, Krug, Tucker, Brown, Goupil, Hill, Kesler
Nays: None
Motion carried.

Motion to appoint Brad Hissong to the Fenton Township Dangerous Buildings Board of Appeals for the term ending December 31, 2011.

Motion by: Mathis
Seconded: Krug
Ayes: Mathis, Krug, Tucker, Brown, Goupil, Hill, Kesler
Nays: None
Motion carried.

Motion to appoint Chris Weir to the Fenton Township Dangerous Buildings Board of Appeals for the term ending December 31, 2011.

Motion by: Tucker
Seconded: Hill
Ayes: Mathis, Krug, Tucker, Brown, Goupil, Hill, Kesler
Nays: None
Motion carried.

Motion to appoint John Shayna to the Fenton Township Dangerous Buildings Board of Appeals for the term ending December 31, 2010.

Motion by: Krug
Seconded: Brown
Ayes: Mathis, Krug, Tucker, Brown, Goupil, Hill, Kesler
Nays: None
Motion carried.

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Motion to appoint Jack Darnell to the Fenton Township Dangerous Buildings Board of Appeals for the term ending December 31, 2010.

Motion by: Krug

Seconded: Hill

Ayes: Mathis, Krug, Tucker, Brown, Goupil, Hill, Kesler

Nays: None

Motion carried.

BOARD COMMENT:

Clerk Krug reported that the traffic signal is installed and operating at the intersection of Torrey and Thompson Roads. Temporary warning signs have been installed in each direction as motorists approach the intersection.

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

David Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft asked about the Settle home on Lake Valley Drive. Supervisor Mathis confirmed that the lawsuit is still pending, although the sewer repair work and all restoration have been completed.

Mr. Hawcroft asked if the increase in foreclosures and decrease in property values are impacting the Township financially. Treasurer Tucker stated that the decreased tax base certainly has a negative impact on the Township's revenues. Because we only levy 0.7122 mills, however, the financial impact on Fenton Township is less severe than in most communities.

ADJOURN: Meeting adjourned at 8:25 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 12/8/09