

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF DECEMBER 6, 2010**

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

Supervisor Mathis called the meeting to order at 7:40 p.m.

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

Absent: None

PLEDGE OF ALLEGIANCE:

Supervisor Mathis led the pledge of allegiance to the flag.

APPROVAL OF AGENDA:

Treasurer Tucker asked to have the online tax information proposal removed from the agenda. The individual he needs to contact regarding the proposal will not be available until after the holidays. Clerk Krug asked to have a discussion item added under Board Comment regarding the purchase of a new fire truck. Motion to approve the 12/6/10 Fenton Township Board Meeting agenda as amended.

Motion by: Tucker

Seconded: Hill

Ayes: All

Nays: None

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes for the 11/22/10 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$228,384.92 for payment as presented.

Motion by: Hill

Seconded: Tucker

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

Nays: None

Motion carried.

PUBLIC HEARINGS:

**Crane Road/Lake Shore Drive Road Improvement Special Assessment District –
Hearing on Revised Special Assessment Roll**

Supervisor Mathis convened a public hearing on a revised special assessment roll for the Crane Road/Lake Shore Drive Road Improvement Special Assessment District. The project to repave Crane Road and Lake Shore Drive was completed several weeks ago. All costs have now been determined and the revised roll reflects the final actual costs, which were somewhat less than the estimates used to confirm the initial special assessment roll. As a result, all assessments will be lower than the amounts previously confirmed. The final assessment amounts contained in the revised special assessment roll are as follows:

Properties fronting Crane Road	\$ 510.45
Properties fronting Lake Shore Drive	813.25
Properties fronting Golden Pond Court	299.02
All other properties in the special assessment district	127.61

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF DECEMBER 6, 2010**

Public Comment:

William Lennox, 2470 Crane Road

Mr. Lennox, who has been in the business of building roads for many years, stated that he is concerned with some aspects of the paving project. He believes that some areas did not have enough tack applied before paving, while other areas were paved with only a thin layer of asphalt. Supervisor Mathis stated that she would forward his concerns to the Road Commission for a response.

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

RESOLUTION NO. 2010-31

WHEREAS, the township board of the Charter Township of Fenton, Genesee County, Michigan, after due and legal notice, has conducted a public hearing upon a revised assessment roll prepared by the supervisor and assessing officer of the Township for the purpose of defraying the costs of the road improvement project completed within the Crane Road/Lake Shore Drive Road Improvement Special Assessment District, and

WHEREAS, such public hearing was preceded by proper notice in a newspaper of general circulation in the Township, and by First Class Mail notice to each property owner of record within said district and upon said assessment roll, and

WHEREAS, all present at said public hearing were given the opportunity to be heard in the matter, and

WHEREAS, no written objections were received to said roll and levy, and

WHEREAS, a record of those present to protest, and of written protests submitted at or before the public hearing, if any, was made a part of the minutes of the hearing, and

WHEREAS, the Township Board has duly inspected the proposed assessment roll and considered all comments and proposed amendments thereto and has found the proposed assessment roll, as submitted, to be correct, just and reasonable;

THEREFORE BE IT RESOLVED, that the revised assessment roll submitted by the supervisor and assessing officer of the Township shall hereafter be designated as Fenton Township Special Assessment Roll No. 2010-2, and shall hereby be confirmed as the assessment roll for the Crane Road/Lake Shore Drive Road Improvement Special Assessment District.

BE IT FURTHER RESOLVED, that the assessments in said Fenton Township Crane Road/Lake Shore Drive Road Improvement Special Assessment Roll shall be divided into five (5) annual installments of principal with the first installment to be due on or before December 1, 2010 and the following installments to be due on or before the first day of December for the years 2011 through 2014, inclusive. All unpaid installments prior to their transfer to the tax roll as provided by Michigan Public Act 188 of 1954, as

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF DECEMBER 6, 2010**

amended, shall bear interest payable annually on each installment due date at a rate equal to five percent (5%).

BE IT FURTHER RESOLVED, that future due installments of an assessment against any parcel of land may be paid to the Fenton Township Treasurer at any time in full with interest accrued through the month in which the final installment is paid in accordance with Michigan Public Act 188 of 1954, as amended. If any installment of a special assessment is not paid when due, then the installment shall be considered to be delinquent and there shall be collected, in addition to interest as provided by this section, a penalty at the rate of 1% for each month, or fraction of a month, that the installment remains unpaid before being reported to the Township Board for reassessment upon the Township tax roll, also in accordance with said Act 188.

BE IT FURTHER RESOLVED, that the assessments made in said special assessment roll are hereby ordered and directed to be collected by the Township Treasurer, and the Township Clerk shall deliver said special assessment roll to said Treasurer with his warrant attached, commanding the Treasurer to collect such assessments in accordance with the direction of the Township Board and said P.A. 188 of 1954.

BE IT FURTHER RESOLVED, that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Motion to adopt Resolution No. 2010-31 as presented

Motion by: Krug

Seconded: Tucker

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

Nays: None

Motion carried. Resolution declared adopted.

Proposed 2011 Fenton Township Budget

Supervisor Mathis reported that the proposed 2011 Fenton Township budget was distributed to the board at the last meeting and has also been on file at the Township office. Operations Manager Broecker briefly reviewed the entire budget. It was noted that the proposed budget for the General Fund is a "balanced budgets" (revenues = expenditures). The Fire Fund shows expenditure exceeding revenues due to the planned purchase of a new truck. In the Solid Waste Management and Mosquito Control budgets, the expenditures are slightly higher than the revenues since both funds have sufficient fund balances. The Sewer Fund projection includes revenues/cash inflows equaling expenditures/cash outflows, resulting in no change to the cash reserves.

Public comment:

Mike Vincent, 13227 Harborview Drive

Mr. Vincent asked if there is a projected date when the sewer use fees might be lowered. Operations Manager Broecker stated that, based on the current cash flow projections, the rate is not likely to decrease for the next 6-7 years. This could change, however, if other revenue sources come into play, (i.e. increased new connections, voter approved millage levy, etc.).

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF DECEMBER 6, 2010**

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

**RESOLUTION NO. 2010-32
GENERAL APPROPRIATIONS ACT**

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 in a newspaper of local circulation, and a public hearing on the proposed budget was held on December 6, 2010.

Section 5: Estimated Revenues

Estimated township General Fund revenues for fiscal year 2011, including an operating millage of .7122 mills, and various miscellaneous revenues shall total \$2,195,600.

Estimated township Fire Fund revenues for fiscal year 2011 shall total \$662,500.

Estimated township Sewer Fund revenues for fiscal year 2011 shall total \$6,098,500.

Estimated township Mosquito Control Fund revenues for fiscal year 2011 shall total \$153,500.

Estimated township Solid Waste Management Fund revenues for fiscal year 2011 shall total \$685,000.

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 2011 for the various township cost centers are as follows:

101-Township Board	\$	70,500
171-Supervisor		42,700
191-Elections		4,700
209-Assessor		153,800

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF DECEMBER 6, 2010**

215-Clerk & General Administration	497,800
247-Board of Review	3,200
253-Treasurer	26,000
265-Building & Grounds	185,300
276-Cemeteries	7,800
301-Law Enforcement	667,000
371-Inspection/Ordinance Enforcement	67,100
401-Planning & Zoning	52,200
445-Drains At Large	19,100
446-Highways, Roads & Bridges	145,700
805-Auditorium - Civic Center	9,400
815-Zoning Board of Appeals	8,300
865-Insurance	<u>235,000</u>
TOTAL	\$ 2,195,600

Estimated township Fire Fund expenditures for fiscal year 2011 for the various township cost centers are as follows:

265-Building & Grounds	\$ 36,500
336-Fire Dept. Operations	980,800
865-Insurance	<u>69,300</u>
TOTAL	\$ 1,086,600

Estimated township Sewer Fund expenditures, excluding capital improvements, for fiscal year 2011 for the various township cost centers are as follows:

000-County Services/Debt	\$ 3,164,000
536-Sewer Operations	1,092,000
865-Insurance	<u>96,500</u>
TOTAL	\$ 4,352,500

Estimated township Mosquito Control Fund expenditures for fiscal year 2011 shall total \$168,900.

Estimated township Solid Waste Management Fund expenditures for fiscal year 2011 shall total \$687,500.

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 2011 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.

CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES MINUTES FOR REGULAR MEETING OF DECEMBER 6, 2010

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;

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).

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF DECEMBER 6, 2010**

Section 16: Board Adoption

Motion to adopt Resolution No. 2010-32 as presented.

Motion by: Krug

Seconded: Tucker

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

Nays: None

Motion carried. Resolution declared adopted.

REPORTS:

Holiday Assistance

Supervisor Mathis stated that there are a number of families in desperate need of assistance during the holidays. Anyone interested in helping can contact her at the township office.

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

None

UNFINISHED BUSINESS:

Proposed Subgrant and Transfer of Equipment Agreement – Genesee County Sheriff Department

Supervisor Mathis reviewed a proposed agreement with the Genesee County Sheriff Department regarding the acquisition of equipment through Homeland Security. The agreement is really just a formality to allow the Township to take direct ownership of equipment acquired through Homeland Security.

Motion to approve the Subgrant and Transfer of Equipment Agreement with the Genesee County Sheriff Department as presented.

Motion by: Goupil

Seconded: Brown

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

Nays: None

Motion carried.

NEW BUSINESS:

Proposed 2011 GIS Services Agreement – North Arrow Technologies, Inc.

The board reviewed the proposed GIS services agreement with North Arrow Technologies for 2011. 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 have increased by \$5 from previous years. This is the first such increase in ten years, but the rates are still lower than most GIS service providers. The total projected cost for 2011 is \$50,980.00, which is approximately \$4,500 less than the 2010 contract.

Motion to approve the 2011 GIS Services agreement between the Charter Township of Fenton and North Arrow Technologies, Inc. as presented.

Motion by: Tucker

Seconded: Goupil

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF DECEMBER 6, 2010**

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

Appointments to Fenton Township Zoning Board of Appeals

Supervisor Mathis reported that three seats on the Fenton Township Zoning Board of Appeals expired as of 11/30/10. Both K.C. Baran and Jim Cady have expressed an interest in being re-appointed, while Les Scott has decided to step down from the ZBA. She is recommending the re-appointment of both Mr. Baran and Mr. Cady, and to fill the third seat she is recommending that Andy Marko be appointed to the ZBA. Trustee Brown commented that Mr. Marko would be a good addition to the ZBA and an asset to the Township.

Motion to re-appoint Kenneth C. Baran to the Fenton Township Zoning Board of Appeals for the term ending November 30, 2013.

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

Motion to re-appoint James R. Cady to the Fenton Township Zoning Board of Appeals for the term ending November 30, 2013.

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

Motion to appoint Andrew N. Marko to the Fenton Township Zoning Board of Appeals for the term ending November 30, 2013.

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

Appointment of Representatives – Genesee County Metropolitan Alliance.

Supervisor Mathis reviewed a letter from the Genesee County Metro Alliance regarding appointment of representatives. Trustee Kesler is the current Township Board representative with Treasurer Tucker serving as alternate. Vince Lorraine is the citizen representative. After some discussion, Trustee Kesler agreed to continue as the primary representative and Clerk Krug volunteered to be the alternate.

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

Primary member:	Robert Kesler
Alternate:	Robert Krug
Citizen Representative:	Vince Lorraine

Motion by: Brown
Seconded: Tucker

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF DECEMBER 6, 2010**

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

Appointment of Representatives – Genesee County Storm Water Committees

Supervisor Mathis reviewed a memo from the Genesee Drain Commissioner’s Office regarding appointment of representatives. Trustee Brown is the current representative on the advisory committee and Supervisor Mathis sits on the New Construction Standards Subcommittee. After a brief discussion, Trustee Kesler agreed to take over as the advisory committee representative. Supervisor Mathis will remain on the subcommittee.

Motion to make the following appointments for Storm Water 342 representatives to the Genesee County Drain Commissioner’s Office:

Storm Water Advisory Representative:	Robert Kesler
New Construction Standards Subcommittee:	Bonnie Mathis

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

Proposed METRO Act Right-of-Way Permit Extension – AT&T

Operations Manager Broecker reported that AT&T has formally requested that their METRO Act Right-of-Way permit be extended until the end of 2013. This type of extension is permitted under state law and AT&T is requesting a similar extension from every community they serve.

Clerk Krug stated that the City of Fenton is dealing with the same issue and they have concerns regarding AT&T’s ability to do pavement cuts to install cables without any additional approvals. It was recommended that this issue be researched before action is taken on the permit extension.

Motion to postpone action on the extension the existing METRO Act permit for AT&T Michigan, pending further investigation.

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

BOARD COMMENT:
Fire Truck Purchase

Operations Manager Broecker outlined the proposed purchase of a new tanker truck for Fire Station #1, replacing a 21-year old truck that has significant maintenance issues. The proposal submitted by the Fire Chief is for a Pierce Quantum tanker truck, purchased through Halt Fire, Inc. in Wixom. The base price of the truck is \$571,651.00. The Township can save approximately \$23,000 by paying the total contract cost up front. Also, if the truck is ordered and paid for before 1/1/11, the Township would avoid a 3%

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF DECEMBER 6, 2010**

price increase (approximately \$16,000). The Fire Fund, with possibly a small appropriation allocation from the General Fund, will have enough funds available before the end of the year to make the purchase.

There was also some discussion regarding the possibility of ordering a less expensive truck. It was pointed out that all pumpers and tankers purchased in the past 13 years have been from the Pierce Quantum series. Aside from the Quantum's proven track record of reliability and durability, having all of the primary trucks from the same series makes training easier and emergency operations more efficient.

The board agreed to place this issue on the 12/20/10 agenda and also asked for confirmation that multiple bids were solicited.

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

None

ADJOURN: Meeting adjourned at 8:45 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 12/8/10