

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF DECEMBER 3, 2012**

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

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

Present: Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker, Operations Manager  
Broecker and Attorney Cooley

Absent: Mathis

**PLEDGE OF ALLEGIANCE:**

Eagle Scout John Trecha led the pledge of allegiance to the flag.

**APPOINTMENT OF TEMPORARY CHAIRPERSON:**

Due to the absence of the Township Supervisor, a temporary chairperson needs to be appointed for tonight's meeting.

Motion to appoint Clerk Krug as chairman pro-tem.

Motion by: Goupil

Seconded: Tucker

Ayes: All Present

Nays: None

Absent: Mathis

Motion carried.

**APPROVAL OF AGENDA:**

Motion to approve the 12/3/12 Fenton Township Board Meeting agenda as presented.

Motion by: Goupil

Seconded: Tucker

Ayes: All Present

Nays: None

Absent: Mathis

Motion carried. The agenda is approved.

**MEETING MINUTES:**

Treasurer Tucker pointed out a typo in the 11/12/12 minutes regarding the 2013 meeting schedule. The minutes for the 11/12/12 regular meeting stand approved as corrected and the 11/26/12 workshop meeting minutes stand approved as presented.

**EXPENDITURES:**

Motion to approve invoices and expenditures for all funds totaling \$229,997.10 for payment as presented.

Motion by: Lorraine

Seconded: Tucker

Ayes: Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker

Nays: None

Absent: Mathis

Motion carried.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF DECEMBER 3, 2012**

**PUBLIC HEARINGS:**

**Proposed 2013 Fenton Township Budget**

Chairman Krug reported that the proposed 2013 Fenton Township budget was distributed to the board prior to 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 budget" (revenues = expenditures). The Fire Fund shows a projected surplus for 2013 as funds are accumulated for the next capital purchase. In the Solid Waste Management and Mosquito Control budgets, the budgeted expenditures are slightly higher than the revenues since both funds have sufficient fund balances. The Sewer Fund projection includes revenues/cash inflows \$67,000 less than expenditures/cash outflows, resulting in a slight reduction in cash reserves. There was no public comment.

Operations Manager Broecker presented the following resolution:

**RESOLUTION NO. 2012-30**

*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 3, 2012.*

**Section 5: Estimated Revenues**

*Estimated township General Fund revenues for fiscal year 2013, including an operating millage of .7122 mills, and various miscellaneous revenues shall total \$2,495,600.*

*Estimated township Fire Fund revenues for fiscal year 2013 shall total \$642,700.*

*Estimated township Sewer Fund revenues for fiscal year 2013 shall total \$6,080,200.*

*Estimated township Mosquito Control Fund revenues for fiscal year 2013 shall total \$152,500.*

*Estimated township Solid Waste Management Fund revenues for fiscal year 2013 shall total \$700,000.*

**Section 6: Millage Levy**

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF DECEMBER 3, 2012**

*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 2013 for the various township cost centers are as follows:*

101-Township Board	\$ 65,900
171-Supervisor	42,700
191-Elections	2,000
209-Assessor	152,900
215-Clerk & General Administration	516,800
247-Board of Review	4,300
253-Treasurer	26,000
265-Building & Grounds	193,400
276-Cemeteries/Museums	8,500
301-Law Enforcement	682,000
371-Inspection/Ordinance Enforcement	67,500
401-Planning & Zoning	55,200
445-Drains At Large	37,100
446-Highways, Roads & Bridges	283,000
805-Auditorium - Civic Center	9,400
815-Zoning Board of Appeals	8,400
865-Insurance	<u>250,500</u>
TOTAL	\$ 2,495,600

*Estimated township Fire Fund expenditures for fiscal year 2013 for the various township cost centers are as follows:*

265-Building & Grounds	\$ 50,500
336-Fire Dept. Operations	436,900
865-Insurance	<u>80,800</u>
TOTAL	\$ 568,200

*Estimated township Sewer Fund expenditures, excluding capital improvements, for fiscal year 2013 for the various township cost centers are as follows:*

000-County Services/Debt	\$ 2,932,300
536-Sewer Operations	1,231,900
865-Insurance	<u>74,000</u>
TOTAL	\$ 4,238,200

*Estimated township Mosquito Control Fund expenditures for fiscal year 2013 shall total \$172,400.*

*Estimated township Solid Waste Management Fund expenditures for fiscal year 2013 shall total \$736,500.*

**Section 8: Adoption of Budget by Reference**

# **CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES MINUTES FOR REGULAR MEETING OF DECEMBER 3, 2012**

*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 2013 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;*

## **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**

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF DECEMBER 3, 2012**

*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. 2012-30 as presented.

Motion by: Tucker  
Seconded: Lorraine  
Ayes: Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker  
Nays: None  
Absent: Mathis

Motion carried. Resolution declared adopted.

**REPORTS:**

None

**COMMUNICATIONS:**

None

**ADOPTION OF ORDINANCES:**

None

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

**Resolution No. 2012-31, Honoring Eagle Scout John Trecha**

Chairman Krug reported that the Township has been notified that Fenton Township resident John Trecha has achieved the rank of Eagle Scout in Boy Scout Troop 219. A resolution has been prepared to honor young Mr. Trecha for his accomplishments.

Operations Manager Broecker presented the following resolution:

**RESOLUTION NO. 2012-31**

*WHEREAS, John Joseph Trecha, a Fenton Township resident, has been an active member of the community through Scouting activities for several years, and*

*WHEREAS, Mr. Trecha has recently attained the rank of Eagle in Boy Scout Troop 219, earning 132 of 134 possible Boy Scout merit badges and receiving numerous other awards;*

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF DECEMBER 3, 2012**

*NOW, THEREFORE, BE IT RESOLVED, that the Township Board of the Charter Township of Fenton hereby applauds the commitment and dedication of John Joseph Trecha and extends its heartiest congratulations to him on the occasion of his attaining the rank of Eagle Scout, and*

*BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this meeting and a copy provided to Mr. Trecha.*

Motion to adopt Resolution No. 2012-31 as presented.

Motion by: Krug  
Seconded: Tucker  
Ayes: Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker  
Nays: None  
Absent: Mathis

Motion carried. Resolution declared adopted.

Chairman Krug presented a formal copy of the resolution to Mr. Trecha, who received well-deserved applause from everyone in attendance.

**Resolution No. 2012-32, Non-Profit Designation-Lake Fenton Youth Wrestling Club**

Chairman Krug reported that the Lake Fenton Youth Wrestling Club has applied to the State Lottery Bureau for a gaming license in order to conduct fundraising activities. A resolution from the local unit of government supporting their request to be recognized as a charitable non-profit organization is a requirement for obtaining the gaming license. Such a resolution has been prepared for board consideration.

Operations Manager Broecker presented the following resolution:

**RESOLUTION NO. 2012-32**

*WHEREAS, the Lake Fenton Youth Wrestling Club was established to provide coaching and training for youth wrestlers and provide support to the Lake Fenton High School wrestling program, and*

*WHEREAS, the Lake Fenton Youth Wrestling Club has been designated as a 501(c)3 exempt public charity by the Internal Revenue Service, and*

*WHEREAS, the Lake Fenton Youth Wrestling Club wishes to obtain a charitable gaming license from the Michigan Bureau of State Lottery for the purpose of conducting fund raising activities, and*

*WHEREAS, in order to obtain said license, the local municipality must adopt a resolution supporting the request;*

*NOW, THEREFORE, BE IT RESOLVED, by the Township Board of the Charter Township of Fenton that the request from **Lake Fenton Youth Wrestling Club** of Fenton Township, County of Genesee, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license, be considered for **Approval**.*

Motion to adopt Resolution No. 2012-32 as presented.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF DECEMBER 3, 2012**

Motion by: Goupil  
Seconded: Tucker  
Ayes: Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker  
Nays: None  
Absent: Mathis

Motion carried. Resolution declared adopted.

**ZBA Letter of Resignation – Michael Finch**

Chairman Krug stated that ZBA member Mike Finch had submitted his letter of resignation due to scheduling conflicts with other commitments. Mr. Finch has been a valuable member of the ZBA and will be missed.

Motion to accept, with regret, the resignation of Michael Finch from the Fenton Township Zoning Board of Appeals.

Motion by: Lorraine  
Seconded: Tucker  
Ayes: Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker  
Nays: None  
Absent: Mathis

Motion carried.

**Resolution No. 2012-33, Honoring Michael Finch**

Chairman Krug stated that a resolution has been prepared to honor Mike Finch for his public service. Operations Manager Broecker presented the following resolution:

**RESOLUTION NO. 2012-33**

*WHEREAS, Michael D. Finch stepped down from his position on the Fenton Township Zoning Board of Appeals as of December 3, 2012, and*

*WHEREAS, Mr. Finch has been a resident of Fenton Township for many years, during which time he has contributed greatly to the progress and welfare of the community, most notably as a member of the Fenton Township Zoning Board of Appeals, serving two separate terms under different administrations, and*

*WHEREAS, Mr. Finch served loyally and faithfully as a member of the Fenton Township Zoning Board of Appeals from 1994 to 1998 and again from 2008 to 2012, exhibiting the qualities of vision and leadership throughout his tenure as an appointed official;*

*NOW, THEREFORE, BE IT RESOLVED, that the Township Board of the Charter Township of Fenton hereby recognizes Michael D. Finch for his valuable contributions to our community and expresses sincere appreciation and gratitude for his dedicated service to the government and citizens of Fenton Township, and*

*BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this meeting and a copy provided to Mr. Finch.*

Motion to adopt Resolution No. 2012-33 as presented.

Motion by: Krug  
Seconded: Lorraine

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF DECEMBER 3, 2012**

Ayes: Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker  
Nays: None  
Absent: Mathis

Motion carried. Resolution declared adopted.

**Appointment to Zoning Board of Appeals**

Chairman Krug noted that, with Mr. Finch's resignation, there is now a vacancy on the Zoning Board of Appeals. As it turns out, former ZBA member Pete Matta recently moved back to Fenton Township and is interested in filling this position.

Motion to appoint Peter R. Matta to the Fenton Township Zoning Board of Appeals for the term ending November 30, 2014.

Motion by: Tucker  
Seconded: Lorraine  
Ayes: Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker  
Nays: None  
Absent: Mathis

Motion carried.

**Appointments to Southern Lakes Parks & Recreation Board of Directors**

Chairman Krug noted that, as discussed at last week's workshop meeting, the terms of he and Dan Zawlocki as members of the Southern Lakes Parks & Recreation Board of Directors will expire at the end of December. At the workshop the board also expressed a preference at this time to have two elected officials serve on this board. Mr. Krug and Trustee Shumaker are both interested in filling these seats.

Motion to re-appoint Robert Krug as Fenton Township representative on the Southern Lakes Parks & Recreation Board of Directors for the term ending December 31, 2015.

Motion by: Tucker  
Seconded: Goupil  
Ayes: Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker  
Nays: None  
Absent: Mathis

Motion carried.

Motion to appoint Shaun Shumaker as Fenton Township representative on the Southern Lakes Parks & Recreation Board of Directors for the term ending December 31, 2015.

Motion by: Tucker  
Seconded: Goupil  
Ayes: Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker  
Nays: None  
Absent: Mathis

Motion carried.

**Proposed Sale of Fire Truck**

Chairman Krug reported that the Township has been working with the Genesee Area Skill Center (GASC) to transfer the ownership of a 1981 American LaFrance fire truck that is no longer in service. The Township Attorney has recommended selling the truck for \$1 rather than making it a donation. Mike Martel, Placement Director for the GASC indicated that their plans include having the truck refurbished by automotive classes,

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF DECEMBER 3, 2012**

then used for training in Public Safety/Homeland Security, Emergency Medical Training and Heavy Equipment classes. It would also be used for parades and special events.

Motion to sell a 1981 American LaFrance fire truck to the GASC Technology Center for \$1.00.

Motion by: Lorraine  
Seconded: Goupil  
Ayes: Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker  
Nays: None  
Absent: Mathis

Motion carried.

**2012-2016 Committee Appointments**

Chairman Krug noted that the board discussed the various internal and external committee appointments for the new term of office at last week's workshop meeting. Included in the packet is the final listing of appointments for board approval. There was no further discussion.

Motion to approve Fenton Township committee appointments as presented.

Motion by: Tucker  
Seconded: Shumaker  
Ayes: Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker  
Nays: None  
Absent: Mathis

Motion carried.

**Selection of Option - PA 152 Compliance (Health Insurance Costs)**

Operations Manager Broecker reminded the board of the ***Publicly Funded Health Insurance Contribution Act*** (PA 152 of 2011), which places limits on how much a public employer can pay toward employee healthcare. There are three options for PA 152 compliance. The default option is that employers cannot pay more than the prescribed "hard caps" established by the State of Michigan. The hard caps for 2013 are \$5,692.50 per single, \$11,385 per couple and \$15,525 for family coverage. The second option is a flat 80/20 cost sharing arrangement where the employer pays no more than 80% of the total cost. The third option is to opt out of the requirement altogether. A 2/3 majority vote of the Township Board is required to choose the 80/20 or opt out option.

In December of 2011 the Township Board chose the 80/20 cost sharing option to comply with this statute. This approval was only effective for the year 2012 and the board needs to review this decision annually. The 80/20 option is once again recommended for 2013. A flat percentage will be the most equitable approach for all employees when they become subject to these requirements, and would also be simpler to implement and more easily adaptable if we change plans in the future.

Motion to continue the optional 80/20 rules for 2013 to comply with the Publicly Funded Health Insurance Contribution Act, Public Act 152 of 2011.

Motion by: Tucker  
Seconded: Lorraine  
Ayes: Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker  
Nays: None  
Absent: Mathis

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF DECEMBER 3, 2012**

Motion carried.

**Appointment to Dangerous Buildings Board of Appeals**

Operations Manager Broecker reported that, with the recent appointment of John Shayna as the Dangerous Buildings Hearing Officer, a vacancy has been created on the Dangerous Buildings Board of Appeals, (DBBA). Mark Mustola, a former Planning Commissioner and owner of ValueCheck Home Inspections Inc., has indicated interest in filling the vacancy on the DBBA. Additionally, since this board has not met for some time, the entire board needs to be appointed/re-appointed.

Motion to re-appoint Jack Darnell to the Fenton Township Dangerous Building Board of Appeals for the term ending December 31, 2013.

Motion by: Tucker  
Seconded: Kesler  
Ayes: Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker  
Nays: None  
Absent: Mathis

Motion carried.

Motion to appoint Mark Mustola to the Fenton Township Dangerous Building Board of Appeals for the term ending December 31, 2013.

Motion by: Tucker  
Seconded: Kesler  
Ayes: Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker  
Nays: None  
Absent: Mathis

Motion carried.

Motion to re-appoint Brad Hissong to the Fenton Township Dangerous Building Board of Appeals for the term ending December 31, 2014.

Motion by: Tucker  
Seconded: Kesler  
Ayes: Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker  
Nays: None  
Absent: Mathis

Motion carried.

Motion to re-appoint Chris Weir to the Fenton Township Dangerous Building Board of Appeals for the term ending December 31, 2014.

Motion by: Lorraine  
Seconded: Kesler  
Ayes: Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker  
Nays: None  
Absent: Mathis

Motion carried.

Motion to re-appoint Kim Procnier to the Fenton Township Dangerous Building Board of Appeals for the term ending December 31, 2015.

Motion by: Shumaker  
Seconded: Goupil  
Ayes: Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker  
Nays: None

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF DECEMBER 3, 2012**

Absent: Mathis  
Motion carried.

**BOARD COMMENT:**

None

**PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:**

None

**ADJOURN:** Meeting adjourned at 8:00 p.m.

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Robert Krug, Chairman Pro-Tem

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Thomas Broecker, Deputy Clerk

**Minutes Posted 12/4/12**