

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF DECEMBER 1, 2014**

**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, Goupil, Kesler, Shumaker, Attorney Cooley and Operations  
Manager Broecker.

Absent: Tucker, Lorraine

**PLEDGE OF ALLEGIANCE / OPENING PRAYER:**

Trustee Goupil offered the opening prayer. Supervisor Mathis led the pledge of allegiance to the flag.

**APPROVAL OF AGENDA:**

Supervisor Mathis asked to remove the agenda item regarding boat storage issues and add it to the 12/15/14 agenda. Motion to approve the 12/1/14 Fenton Township Board Meeting agenda as amended.

Motion by: Krug

Seconded: Shumaker

Ayes: All Present

Nays: None

Absent: Tucker, Lorraine

Motion carried. The agenda is approved.

**MEETING MINUTES**

The minutes for the 11/10/14 regular meeting and the 11/24/14 workshop meeting stand approved as presented.

**EXPENDITURES:**

Motion to approve invoices and expenditures for all funds totaling \$220,274.13 for payment as presented.

Motion by: Shumaker

Seconded: Goupil

Ayes: Mathis, Krug, Goupil, Kesler, Shumaker

Nays: None

Absent: Tucker, Lorraine

Motion carried.

**PUBLIC HEARINGS:**

**Proposed 2015 Fenton Township Budget**

Supervisor Mathis reported that the proposed 2015 Fenton Township budget was previously distributed to the board 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 2015 as funds are accumulated for the next capital purchase. Both the Solid Waste Management and Mosquito Control budgets project a modest surplus for the year. The Sewer Fund projection includes revenues/cash inflows \$157,700 less than expenditures/cash outflows, resulting in a reduction in cash reserves. There was no public comment.

Clerk Krug presented the following resolution:

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**RESOLUTION NO. 2014-37**

*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 1, 2014.*

**Section 5: Estimated Revenues**

*Estimated township General Fund revenues for fiscal year 2015, including an operating millage of .7109 mills, and various miscellaneous revenues shall total \$2,756,200.*

*Estimated township Fire Fund revenues for fiscal year 2015 shall total \$642,500.*

*Estimated township Sewer Fund revenues for fiscal year 2015 shall total \$6,489,200.*

*Estimated township Mosquito Control Fund revenues for fiscal year 2015 shall total \$190,500.*

*Estimated township Solid Waste Management Fund revenues for fiscal year 2015 shall total \$843,000.*

**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 .7109 mills for general township operations.*

**Section 7: Estimated Expenditures**

*Estimated township General Fund expenditures for fiscal year 2015 for the various township cost centers are as follows:*

101-Township Board	\$	61,900
171-Supervisor		42,700
191-Elections		1,500
209-Assessor		160,200
215-Clerk & General Administration		526,800
247-Board of Review		4,300

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253-Treasurer	30,500
265-Building & Grounds	212,100
276-Cemeteries/Museums	9,000
301-Law Enforcement	682,000
371-Inspection/Ordinance Enforcement	71,800
401-Planning & Zoning	54,200
445-Drains At Large	42,100
446-Highways, Roads & Bridges	311,400
801-PEG Programming	112,000
805-Auditorium - Civic Center	10,200
815-Zoning Board of Appeals	10,500
865-Insurance	263,500
965-Operating Transfers	<u>150,000</u>
TOTAL	\$ 2,756,200

*Estimated township Fire Fund expenditures for fiscal year 2015 for the various township cost centers are as follows:*

265-Building & Grounds	\$ 52,500
336-Fire Dept. Operations	444,900
865-Insurance	<u>90,800</u>
TOTAL	\$ 588,200

*Estimated township Sewer Fund expenditures, excluding capital improvements, for fiscal year 2015 for the various township cost centers are as follows:*

000-County Services/Debt	\$ 3,178,300
536-Sewer Operations	1,255,000
865-Insurance	<u>73,000</u>
TOTAL	\$ 4,506,300

*Estimated township Mosquito Control Fund expenditures for fiscal year 2015 shall total \$169,300.*

*Estimated township Solid Waste Management Fund expenditures for fiscal year 2015 shall total \$807,000.*

**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 2015 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.*

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**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).*

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Motion to adopt Resolution No. 2014-37 as presented.

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

Motion carried. Resolution declared adopted.

**REPORTS:**

None

**COMMUNICATIONS:**

None

**ADOPTION OF ORDINANCES:**

**Proposed Zoning Ordinance Amendment-Wholesale and Warehousing/1<sup>st</sup> Reading**

Supervisor Mathis introduced a proposed Zoning Ordinance amendment to revise the definition of **Wholesale and Warehousing**, and to add this use as a principal permitted use in the C-3 and M-1 zoning districts. Operations Manager Broecker reported that the Planning Commission had unanimously approved the proposed amendment.

The second reading of the proposed ordinance will be conducted at the 12/15/14 meeting.

**UNFINISHED BUSINESS:**

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

Supervisor Mathis stated that, at the last meeting, the board decided to postpone action on the annual requirement to determine how the Township will comply with the **Publicly Funded Health Insurance Contribution Act** (PA 152 of 2011) in order to have further discussion at a workshop meeting.

PA 152 places limits on how much a public employer can pay toward employee healthcare. There are three options for PA 152 compliance.

1. The default option is that employers cannot pay more than the prescribed "hard caps" established by the State of Michigan. The hard caps for 2015 are \$5,992.30 per single, \$12,531.75 per couple and \$16,342.66 for family coverage.
2. The second option, commonly referred to as an 80/20 plan, requires that the employer pays no more than 80% of the total cost.
3. 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.

For 2012, 2013 and 2014 the Township Board chose the 80/20 cost sharing option to comply with this statute. These approvals were each effective for one year and the board needs to review this decision annually.

After a lengthy discussion at the workshop meeting, the consensus of the board was to renew the 80/20 option for 2015, with the knowledge that the new insurance plan will cost the Township approximately 9% less than the previous plan. The board also

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directed management to investigate other health care options, (cafeteria plans, flexible spending accounts, etc.), for potential implementation at a subsequent renewal period.

Motion to continue the optional 80/20 rules for 2015 to comply with the Publicly Funded Health Insurance Contribution Act, Public Act 152 of 2011.

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

Motion carried.

**NEW BUSINESS:**

**Proposed 2015 GIS Services Agreement - North Arrow Technologies**

Supervisor Mathis reviewed a proposed GIS Services Agreement with North Arrow Technologies for 2015. The hourly rates have not changed and scope of work in the agreement is very similar to the 2014 agreement, with total estimated costs decreasing by \$2,475. There was no further discussion.

Motion to approve the 2015 GIS Services agreement between the Charter Township of Fenton and North Arrow Technologies, Inc. as presented.

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

Motion carried.

**Proposal to Upgrade Cityworks GIS Inventory Processing**

Jeff Lewis of North Arrow Technologies presented a proposal to upgrade the Cityworks GIS Inventory Processing System currently used by our Township for sewers and roads. Every work order for the past 12+ years has been entered into the program, providing easy access to maintenance and repair history for sewer pump stations, manholes, etc. Cityworks is discontinuing the desktop version of their software and will now only offer a web based product. This will require the Township to upgrade and migrate to the new platform. Mr. Lewis is suggesting an enhanced upgrade, which would provide data access to additional users, including our maintenance contractor. Having this information will be more efficient and cost effective for sewer maintenance issues. For example:

Currently, if a part in a pump station must be replaced, the contractor must go to the pump station to retrieve the necessary part information. By building a data base of all part numbers for each pump station into Cityworks, this information could be obtained by the contractor directly from Cityworks, thereby saving time and money.

The enhanced upgrade, which would cost approximately \$3,000 more than a "standard" upgrade, will provide greater flexibility and efficiency, which will save money in the long term.

Motion to approve the Cityworks Enhanced Service Upgrade, as presented.

Motion by: Krug  
Seconded: Kesler

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

Motion carried.

**Contract Award – Solid Waste Collection Services**

Supervisor Mathis reported that Fenton Township recently solicited proposals for a new 4-year solid waste collection agreement, which includes trash, recycling and yard waste. Three companies, Emterra Environmental, Republic Services and Waste Management, submitted proposals. Two of the companies, Emterra and Republic, also submitted an alternate proposal that included the implementation of a carted system. The board reviewed an analysis of the proposals. The 4-year average annual costs for all proposals submitted are as follow:

<u>Proponent</u>	<u>Per bid specs</u>	<u>Alternate/Carted Trash</u>
Waste Management	\$ 155.25	
Emterra	\$ 123.48	\$ 131.48
Republic	\$ 130.95	\$ 131.28

Supervisor Mathis noted that Emterra did not provide all information required in the RFP, (insurance certificates, business license & itemized equipment list).

Trustee Shumaker stated that, based on discussions with residents, he believes the Township should move toward the carted option.

Clerk Krug asked if Emterra was owned by a Canadian company. An Emterra representative clarified that Emterra Environmental USA is an American company, affiliated with a Canadian company and owned by a Canadian individual.

Trustees Goupil and Kesler stated that they are very satisfied with the service provided by Republic.

Clerk Krug stated that he favors the carted option and recommended awarding the contract to Republic Services.

Motion to award the 2015-2018 solid waste collection contract to Republic Services, subject to negotiation of a final contract to include carted trash or carted trash and recycling.

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

Motion carried.

**Proposed 2015 Building Inspection Services Agreement - D&G of Michigan, Inc**

Supervisor Mathis noted that the Township has utilized David Gibson as a contracted Building Official since 2009. This arrangement has worked out very well and Mr. Gibson has done an outstanding job for the Township. Although the level of building activity has increased, the use of a contracted inspector will still be the most cost-effective option

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and she recommends renewal this agreement for 2015. Other than the appropriate date changes, the proposed agreement is identical to the current one.

Clerk Krug noted that Mr. Gibson works very efficiently and is well liked and well respected by the Township staff and builders.

Motion to approve the 2015 Building Inspection Services agreement with D&G of Michigan, Inc. as presented.

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

Motion carried.

**Proposed GCRC Road Improvement Agreement – Dartmouth Drive**

Supervisor Mathis noted that the Township approved a special assessment to repave Dartmouth Drive earlier this year. Before the engineering design for this project can begin, an agreement must be executed between the Township and the road commission.

Trustee Kesler asked if the proposed cost includes a reduction in the scope of work that was requested by some of the residents. Operations Manager Broecker clarified that the road commission is aware of the request to look at reducing costs if possible, however the engineering design cannot be started until this agreement is executed.

Motion to approve the Dartmouth Drive Local Road Agreement with the Genesee County Road Commission Resolution as presented.

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

Motion carried.

**Resolution No. 2014-38, Transfer of CDBG Funds**

Operations Manager Broecker explained that the Township is working on a Community Development Block Grant (CDBG) project to dig new ditches and replace driveway culverts within the area designated as “low-moderate” income. The recent project to demolish the old Frank’s Tavern building has remaining balance of \$850.00, which can be used toward the ditching/culvert project. A resolution is required to transfer those funds.

Clerk Krug presented the following resolution:

**RESOLUTION NO. 2014-38**

*WHEREAS, the Charter Township of Fenton has \$850.00 in 2013 Community Development Block Grant (CDBG) funds left over from the blighted structure demolition project, and*

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*WHEREAS, the Township has identified another use for those funds, namely ditching and driveway culvert replacement on Jennings Road, Odell Road, Fairbanks Road and Ray Road,;*

*NOW, THEREFORE, BE IT RESOLVED, that the Fenton Township Board of Trustees hereby authorizes the transfer of \$850.00 from the blighted structure demolition project to the road ditching and culvert replacement project.*

Motion to adopt Resolution No. 2014-38 as presented.

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

Motion carried. Resolution declared adopted.

**Resolution No. 2014-39, Disposition of Tax-Reverted Property**

Operations Manager Broecker reviewed a property that has been foreclosed upon for non-payment of property taxes. It is an abandoned house at the intersection of Fenton Road and Triple Oak Drive. The Township has the option to reject or accept ownership of this property. If the Township accepts ownership, CDBG funds could be used to demolish the structure, allowing the property to be sold. After a brief discussion, the board agreed to accept ownership of the property.

Clerk Krug presented the following resolution:

**RESOLUTION NO. 2014-39**

*WHEREAS, the Genesee County Treasurer's office has certain tax reverted properties located within the Charter Township of Fenton, and*

*WHEREAS, state law requires the Genesee County Treasurer's office to provide to the Charter Township of Fenton properties located within the Township that have not been sold by the County at the annual auction, and*

*WHEREAS, the law allows the Township to object in writing to the transfer of any such properties to the Township and, upon failure to do so, the property does revert back to the Township, and*

*NOW, THEREFORE, BE IT RESOLVED, that the Township Board of the Charter Township of Fenton hereby specifically accepts the transfer of the following parcel:*

<u>Parcel Number</u>	<u>Address</u>	<u>City / Zip</u>
06-12-552-001	12480 Fenton Rd	Fenton / 48430

Motion to adopt Resolution No. 2014-39 as presented.

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

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Motion carried. Resolution declared adopted.

**BOARD COMMENT:**

None

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

Gary Hicks, Republic Services

Mr. Hicks thanked the board for awarding the contract to Republic Services. He believes the recent approval of the trash assessment renewal proposal by 73% of the voters serves as a rating of their service. He also stated that he truly appreciates the confidence shown in their company.

**ADJOURN:** Meeting adjourned at 8:40 p.m.

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Bonnie Mathis, Supervisor

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Robert Krug, Clerk

**Minutes Posted 12/2/14**