

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF DECEMBER 7, 2015**

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

Absent: None

OPENING PRAYER / PLEDGE OF ALLEGIANCE:

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

APPROVAL OF AGENDA:

Supervisor Mathis asked to have the ZBA appointment removed from the agenda. A second individual has submitted a letter of interest and she would prefer the opportunity to discuss at a workshop before taking action.

Motion to approve the 12/7/15 Fenton Township Board Meeting agenda as amended.

Motion by: Tucker

Seconded: Lorraine

Ayes: All

Nays: None

Motion carried. The agenda is approved.

PRESENTATION:

David Conklin, Director – Genesee District Library

Supervisor Mathis introduced David Conklin, Director of the Genesee District Library (GDL). Mr. Conklin gave an overview of the services offered by the GDL. Highlights include:

- GDL is the third largest library system in Michigan, with 19 branches spread out across Genesee County.
- GDL operates with fewer employees, lower tax revenues and a smaller budget than similar size library systems in Michigan.
- Every dollar spent by the GDL returns \$5.61 in services.
- GDL has taken steps to modernize its operations including e-books, downloadable magazines and computer access.
- The GDL website is “mobile friendly” – easily accessed and utilized from tablets or smart phones.

The board thanked Mr. Conklin for his informative report.

MEETING MINUTES

The minutes for the 11/23/15 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$187,022.69 for payment as presented.

Motion by: Shumaker

Seconded: Tucker

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

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Nays: None
Motion carried.

PUBLIC HEARINGS:

Proposed 2016 Fenton Township Budget

Supervisor Mathis reported that the proposed 2016 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 2016 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 about \$8,000 higher than expenditures/cash outflows, resulting in very little change in cash reserves. There was no public comment.

Trustee Shumaker asked why the proposed salary expense in the Inspection/Enforcement Department is significantly lower than 2015. Operations Manager Broecker stated that the previous Ordinance Enforcement Officer received a lump sum payout of approximately \$20,000 in 2015 for accumulated and unused vacation, personal and sick hours. Trustee Shumaker also asked how the budget would be adjusted if the Township is unable to sell tax reverted properties as proposed. Operations Manager Broecker stated that this would lower the cash reserves in the Sewer Fund or result in using General Fund reserves to support the Sewer Fund.

Trustee Lorraine questioned the proposed increase in salaries for the Clerk & General Department. Operations Manager Broecker stated that the proposed budget figure is based on current contracts, although the recent resignation of the Accounting Coordinator should reduce our salary expense since the new employee, when hired, will start at the bottom of the wage scale.

Clerk Krug presented the following resolution:

**RESOLUTION NO. 2015-25
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

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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 7, 2015.

Section 5: Estimated Revenues

Estimated township General Fund revenues for fiscal year 2016, including an operating millage of .7091 mills, and various miscellaneous revenues shall total \$3,194,900.

Estimated township Fire Fund revenues for fiscal year 2016 shall total \$642,000.

Estimated township Sewer Fund revenues for fiscal year 2016 shall total \$6,861,000.

Estimated township Mosquito Control Fund revenues for fiscal year 2016 shall total \$192,000.

Estimated township Solid Waste Management Fund revenues for fiscal year 2016 shall total \$830,000.

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 .7091 mills for general township operations.

Section 7: Estimated Expenditures

Estimated township General Fund expenditures for fiscal year 2016 for the various township cost centers are as follows:

101-Township Board	\$ 67,100
171-Supervisor	42,700
191-Elections	20,100
209-Assessor	168,000
215-Clerk & General Administration	524,300
247-Board of Review	4,300
253-Treasurer	30,500
265-Building & Grounds	231,400
276-Cemeteries/Museums	9,700
301-Law Enforcement	707,000
371-Inspection/Ordinance Enforcement	84,100
401-Planning & Zoning	54,200
445-Drains At Large	50,100
446-Highways, Roads & Bridges	386,300
801-PEG Programming	120,000
805-Auditorium - Civic Center	10,200
815-Zoning Board of Appeals	12,700
865-Insurance	272,200
965-Operating Transfers	<u>400,000</u>
TOTAL	\$ 3,194,900

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Estimated township Fire Fund expenditures for fiscal year 2016 for the various township cost centers are as follows:

265-Building & Grounds	\$ 52,000
336-Fire Dept. Operations	452,400
865-Insurance	<u>90,800</u>
TOTAL	\$ 595,200

Estimated township Sewer Fund expenditures, excluding capital improvements, for fiscal year 2016 for the various township cost centers are as follows:

000-County Services/Debt	\$ 3,078,300
265-Building & Grounds	13,200
536-Sewer Operations	1,370,000
865-Insurance	<u>88,000</u>
TOTAL	\$ 4,549,500

Estimated township Mosquito Control Fund expenditures for fiscal year 2016 shall total \$169,400.

Estimated township Solid Waste Management Fund expenditures for fiscal year 2016 shall total \$804,100.

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 2016 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

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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).

Motion to adopt Resolution No. 2015-25 as presented.

Motion by: Tucker

Seconded: Lorraine

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

Nays: None

Motion carried. Resolution declared adopted.

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REPORTS:

Power Outage

Supervisor Mathis reported that the Petts Road sewer pump station was down due to a power outage that damaged the pump station circuits. A generator is in place to power the station while repairs are being made.

Fire Chief Vehicle

Supervisor Mathis asked Trustee Shumaker if he was able to obtain value information for the current Fire Chief vehicles to determine if selling it independently would be more cost effective than trading it in. Trustee Shumaker reported that the current Fire Chief vehicle (2003 Chevrolet Tahoe 4x4) is worth significantly more than the trade-in offer. He suggests selling the vehicles via the Township's website and/or Craig's List.

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

Rezoning #R15-006, Greg Cislo, Parcel 06-21-400-003 (Vacant Land – Silver Lake Road); R-3 to C-2/2nd Reading

Supervisor Mathis reviewed a proposed Zoning Ordinance amendment to rezone vacant land on Silver Lake Road from R-3 to C-2, which was introduced at the 11/23/15 meeting. The Planning Commission has recommended denial of the proposed rezoning. Treasurer Tucker noted that proposed use of storage facility does not fit the profile of a "neighborhood business", which is permitted in the Zoning Ordinance and Future Land Use Plan.

Motion to deny a proposed amendment to Zoning Ordinance No. 594 to rezone parcel 06-21-400-003 from R-3 to C-2.

Motion by: Tucker

Seconded: Goupil

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

Nays: None

Motion carried. The proposed ordinance is not adopted.

UNFINISHED BUSINESS:

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

Operations Manager Broecker reviewed the requirements 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 2016 are \$6,142.11 for single, \$12,845.04 for 2-person and \$16,751.23 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.

For 2012 through 2015 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

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board needs to review this decision annually. The 80/20 option is again recommended for 2016. A flat percentage is the most equitable approach for all employees, and it will be more easily adaptable if the township changes plans in the future.

Motion to continue the optional 80/20 rules for 2016 to comply with the Publicly Funded Health Insurance Contribution Act, Public Act 152 of 2011.

Motion by: Tucker

Seconded: Kesler

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

Nays: Shumaker

Motion carried.

NEW BUSINESS:

Tom Atwell - Pinnacle Shores Subdivision

In response to the Township Board's request, Tom Atwell is in attendance to discuss the future plans for his Pinnacle Shores development. When the board granted Mr. Atwell's last extension request, the board members expressed some concern regarding the continued granting of extensions for a project that began 20 years ago and requested that the developer appear before the board before the next extension request to discuss the future plans for development of the property. Mr. Atwell stated that the first three phases of the development have completed the plat process, which includes 112 of the 210 approved lots. Approximately 72 of those lots are built and occupied and he expects to sell/build about ten lots per year.

The board thanked Mr. Atwell for the information.

Resolution No. 2015-26, Honoring Former Planning Commissioner David Franz

Supervisor Mathis noted that the board accepted Dave Franz's resignation from the Planning Commission and ZBA at the 11/23/15 meeting. Mr. Franz has moved out of Fenton Township and was no longer eligible to serve on these boards. A resolution has been prepared to honor Mr. Franz for his years of service to the Township. Clerk Krug presented the following resolution:

RESOLUTION NO. 2015-26

WHEREAS, David R. Franz has stepped down from his positions on the Fenton Township Planning Commission and Zoning Board of Appeals, and

WHEREAS, Mr. Franz 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 as a member of the Fenton Township Planning Commission and the Fenton Township Zoning Board of Appeals, and

WHEREAS, Mr. Franz served loyally and faithfully as a member of the Fenton Township Planning Commission from 2004 to 2015 and as a member of the Fenton Township Zoning Board of Appeals from 2008 to 2015, consistently exhibiting the qualities of vision and leadership throughout his years of public service;

NOW, THEREFORE, BE IT RESOLVED, that the Township Board of the Charter Township of Fenton hereby recognizes David R. Franz for his valuable contributions to

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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. Franz.

Motion to adopt Resolution No. 2015-26 as presented.

Motion by: Krug

Seconded: Tucker

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

Nays: None

Motion carried. Resolution declared adopted.

Resolution No. 2015-27, Honoring Julie Wendland

Supervisor Mathis noted that the board also accepted the resignation of long-time employee Julie Wendland at our last meeting. Julie is pursuing new career opportunities after 20 years with the Township. A resolution has been prepared to honor Julie for her years of service. Clerk Krug presented the following resolution:

RESOLUTION NO. 2015-27

WHEREAS, Julie A. Wendland has stepped down from her position with Fenton Township as of December 4, 2015 to pursue other career opportunities, and

WHEREAS, Ms. Wendland was employed by Fenton Township for more than twenty years, during which time she has contributed greatly to the growth and improvement of township operations and services, most notably in areas of accounting and accounts payable, and

WHEREAS, Ms. Wendland served loyally and faithfully as a valued member of the Fenton Township staff from 1995 to 2015, exhibiting the qualities of dedication and efficiency throughout her term of employment;

NOW, THEREFORE, BE IT RESOLVED, that the Township Board of the Charter Township of Fenton hereby recognizes Julie A. Wendland for her valuable contributions to the development of the township's services and overall operations, and to the Fenton Township community as a whole, and expresses sincere appreciation and gratitude for her 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 Ms. Wendland.

Motion to adopt Resolution No. 2015-27 as presented.

Motion by: Krug

Seconded: Mathis

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

Nays: None

Motion carried. Resolution declared adopted.

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Appointment to Fenton Township Planning Commission

Supervisor Mathis reported that the recent resignation of Dave Franz created a vacancy on the Planning Commission. Current ZBA member Andy Marko has expressed an interest in being appointed to the Planning Commission but would also like to remain on the ZBA. Supervisor Mathis believes Mr. Marko will do a fine job serving on both boards and recommends his appointment. To accomplish this, the board will first have to remove Mr. Marko from his current ZBA seat, appoint him to the Planning Commission and appoint him as the Planning Commission representative on the ZBA.

Motion to remove Andrew N. Marko from the Fenton Township Zoning Board of Appeals, effective immediately.

Motion by: Goupil

Seconded: Tucker

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

Nays: None

Motion carried.

Motion to appoint Andrew N. Marko to the Fenton Township Planning Commission for the term ending May 31, 2017.

Motion by: Goupil

Seconded: Shumaker

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

Nays: None

Motion carried.

Motion to appoint Andrew N. Marko as the Planning Commission representative on the Fenton Township Zoning Board of Appeals.

Motion by: Shumaker

Seconded: Krug

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

Nays: None

Motion carried.

Proposed 2016 GIS Services Agreement - North Arrow Technologies

Supervisor Mathis presented for board consideration a proposed GIS Services Agreement with North Arrow Technologies for 2016. The hourly rates are unchanged and the scope of work in the agreement is very similar to the 2015 agreement, with total estimated costs decreasing by \$750.

Trustee Lorraine asked if proposals were solicited from any other firms. Operations Manager Broecker confirmed that no other proposals were sought. There are only two companies in Michigan that provide similar GIS services. When price quotes were last obtained in 2011, their rates were significantly higher than North Arrow's. Since North Arrow has not increased rates, price quotes were not obtained.

Motion to approve the 2016 GIS Services agreement between the Charter Township of Fenton and North Arrow Technologies, Inc. as presented.

Motion by: Goupil

Seconded: Kesler

Ayes: Mathis, Krug, Tucker, Goupil, Kesler

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Nays: Lorraine, Shumaker
Motion carried.

Proposed Change to 2016 Township Board Meeting Schedule

Supervisor Mathis, noting the unanticipated resignation of the Township's Accounting Coordinator, suggested that the 2016 meeting schedule be revised to avoid having a meeting on the first day after the holiday break. Included in the packet is a proposed revised meeting schedule that sets the meeting dates for the first three meetings one week later than the previously approved schedule.

Motion to adopt the revised 2016 Fenton Township Meeting Schedule as presented.

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

BOARD COMMENT:

None

PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft noted that there are 26 different line items on the property tax bills. He believes taxpayers should have more say in how their tax dollars are spent.

Mr. Hawcroft also asked about the status of Port Huron to Genesee County water line. Clerk Krug responded that the KWA water line project is scheduled for completion in the spring of 2017.

Alan Mayner, 14479 Hogan Road

Mr. Mayner expressed concern that promises made by the Genesee County Drain Commissioner and Supervisor Mathis to pave Hogan Road have never been kept. Supervisor Mathis clarified that she did say that paving Hogan Road is a top priority and the township would like to pave the road if the funds were available, however there was never any "promise" to pave the road. As it stands, the cost to pave the road is well beyond the Township's budgetary means. Operations Manager Broecker confirmed that a 2012 cost estimate provided by the Genesee County Road Commission places the cost of paving Hogan Road from Silver Lake Road to West Rolston Road at \$2.3 million. The Township's share of this estimated cost, which includes replacing the Hogan Road bridge, would be approximately \$1.3 million. Mr. Mayner stated that more money needs to be put into Hogan Road to maintain it. Other issues raised by Mr. Mayner include clearing trees from the right-of-way, not enough grading/chloriding of the road, the road is not centered in the right-of-way, heavy truck traffic and speed limits.

EXECUTIVE SESSION:

Motion to recess the open meeting for the purpose of convening an executive session to discuss a proposed employment agreement.

Motion by: Tucker
Seconded: Shumaker
Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker

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Nays: None
Motion carried.

The regular meeting was recessed at 8:55 p.m.

RECONVENE:

The regular meeting was reconvened at 9:30 p.m.

ADJOURN: Meeting adjourned at 9:30 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 12/8/15