

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF DECEMBER 5, 2016**

**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, Lorraine, Shumaker, Attorney Belzer and
Operations Manager Broecker.

Absent: Tucker, Kesler

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 added the following item:

Tim Jagielo – Tri-County Times

Motion to approve the 12/5/16 Fenton Township Board Meeting agenda as amended.

Motion by: Lorraine

Seconded: Shumaker

Ayes: All Present

Nays: None

Absent: Tucker, Kesler

Motion carried. The agenda is approved.

PRESENTATION:

Tim Jagielo, Media Editor for the Tri-County Times, introduced himself to the board and distributed business cards to the board members and the public in attendance. Mr. Jagielo urged officials and the general public to contact him for any newsworthy events to be photographed.

MEETING MINUTES:

The minutes for the 11/14/16 regular meeting and the 11/28/16 special meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$149,995.39 for payment as presented.

Motion by: Krug

Seconded: Shumaker

Ayes: Mathis, Krug, Goupil, Lorraine, Shumaker

Nays: None

Absent: Tucker, Kesler

Motion carried.

PUBLIC HEARINGS:

Proposed 2017 Fenton Township Budget

Supervisor Mathis reported that the proposed 2017 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 2017 as funds are

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF DECEMBER 5, 2016**

accumulated for the next capital purchase. The Solid Waste Management Fund budget projects a small deficit, which will reduce the fund balance slightly. The Mosquito Control fund budget projects a modest surplus for the year. The Sewer Fund projection includes a modest surplus for the year, resulting in a small increase to cash reserves. The proposed bond issue has not yet been factored into the proposed budget.

Public comment:

Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft stated that the increased sewer rate was supposed to pay off the bonds issued by the township to bring the system up to par. Why is another bond issue needed? Operations Manager Broecker explained that the focus of the system upgrades for the past 12-14 years has been the sewer lines and manholes. While the township continued to maintain the 57 pump stations, most of them are now beyond maintenance and need to be replaced. The proposed bond issue will upgrade the pump stations, which should reduce repair costs by more than the cost of the debt service.

Trustee Shumaker questioned the increase to building permit fees. Operations Manager Broecker stated that the latest projection for 2016 is \$200,000. The proposed 2017 budget of \$215,000 represents a 7.5% increase.

Clerk Krug presented the following resolution:

RESOLUTION NO. 2016-25

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 5, 2017.

Section 5: Estimated Revenues

Estimated township General Fund revenues for fiscal year 2017, including an operating millage of .7022 mills, and various miscellaneous revenues shall total \$3,410,500.

Estimated township Fire Fund revenues for fiscal year 2017 shall total \$642,500.

Estimated township Sewer Fund revenues for fiscal year 2017 shall total \$6,836,000.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF DECEMBER 5, 2016**

Estimated township Mosquito Control Fund revenues for fiscal year 2017 shall total \$195,000.

Estimated township Solid Waste Management Fund revenues for fiscal year 2017 shall total \$839,000.

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 .7022 mills for general township operations.

Section 7: Estimated Expenditures

Estimated township General Fund expenditures for fiscal year 2017 for the various township cost centers are as follows:

101-Township Board	\$ 87,100
171-Supervisor	42,700
191-Elections	3,000
209-Assessor	154,700
215-Clerk & General Administration	528,300
247-Board of Review	4,800
253-Treasurer	30,500
265-Building & Grounds	210,400
276-Cemeteries/Museums	11,500
286-Dog Park	20,000
301-Law Enforcement	707,000
371-Inspection/Ordinance Enforcement	93,600
401-Planning & Zoning	54,200
445-Drains At Large	42,300
446-Highways, Roads & Bridges	702,700
801-PEG Programming	122,000
805-Auditorium - Civic Center	10,200
815-Zoning Board of Appeals	12,700
865-Insurance	273,000
965-Operating Transfers	<u>300,000</u>
TOTAL	\$ 3,194,900

Estimated township Fire Fund expenditures for fiscal year 2017 for the various township cost centers are as follows:

265-Building & Grounds	\$ 67,000
336-Fire Dept. Operations	450,400
865-Insurance	<u>92,600</u>
TOTAL	\$ 610,000

Estimated township Sewer Fund expenditures, excluding capital improvements, for fiscal year 2017 for the various township cost centers are as follows:

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF DECEMBER 5, 2016**

000-County Services/Debt	\$2,958,300
265-Building & Grounds	17,700
536-Sewer Operations	1,316,000
865-Insurance	<u>88,000</u>
TOTAL	\$ 4,380,000

Estimated township Mosquito Control Fund expenditures for fiscal year 2017 shall total \$169,400.

Estimated township Solid Waste Management Fund expenditures for fiscal year 2017 shall total \$849,100.

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 2017 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:*

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF DECEMBER 5, 2016**

- 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. 2016-25 as presented.

Motion by: Goupil

Seconded: Shumaker

Ayes: Mathis, Krug, Goupil, Lorraine, Shumaker

Nays: None

Absent: Tucker, Kesler

Motion carried. Resolution declared adopted.

REPORTS:

Public Safety Committee Update

Trustee Goupil reported that the Fire Department will purchase a new “jaws of life” to replace the existing equipment, which is more than 30 years old.

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

Rezoning # R16-007 Corlin Builders, Parcels 06-11-200-030, 06-11-100-001, 06-11-504-009 & 06-11-504-010 (2294 & 2300 Sonora Drive / former Lang’s Marina); Revision to PUD Conditions/2nd Reading

Supervisor Mathis reviewed a proposed Zoning Ordinance amendment to revise the PUD conditions for previously zoned PUD property located on Sonora Drive, (commonly

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF DECEMBER 5, 2016**

known as Lang's Marina), which was introduced at the 11/14/16 meeting. There was no further discussion.

Clerk Krug asked how the dock access for the non-lakefront units will be protected in the future. Kevin Cook, engineer for the project, stated that the common dock area will be a limited common element, owned and controlled by the property owners. This will be spelled out in the master deed.

Don Niles, 1429 Edgewater Drive

Mr. Niles stated that the Planning Commission sent this issue back to the board for reconsideration. They did not recommend approval of the zoning amendment. Operations Manager Broecker, referring to the Planning Commission meeting minutes from 10/18/16, confirmed that the Planning Commission unanimously recommended approval of the proposed zoning amendment.

Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft questioned number of properties with lake access. Allowing non-lakefront units to have lake access violates the anti-keyholing provisions of the Zoning Ordinance. It was noted that the marina that will be eliminated with the redevelopment of the property had more boat slips than the 11 properties in this proposed development.

Trustee Shumaker expressed concern with storm water drainage issues and the size of the boat slips.

After additional discussion, the board agreed to postpone the issue to a future meeting.

Proposed Vehicle Code Ordinance/2nd Reading

The board reviewed a proposed Vehicle Code ordinance, which was introduced at the 11/14/16 meeting. If adopted, this updated ordinance will replace the existing version. Attorney Belzer explained that the new ordinance will bring everything up to date and will allow law enforcement officers to write more tickets under the township ordinance rather than state law.

Motion to adopt Ordinance No. 614-16, an updated Vehicle Code Ordinance, as presented.

Motion by: Lorraine

Seconded: Shumaker

Ayes: Mathis, Krug, Goupil, Lorraine, Shumaker

Nays: None

Absent: Tucker, Kesler

Motion carried. Ordinance declared adopted.

Proposed Waterways & Marine Safety Ordinance/1st Reading

The board reviewed a proposed Waterways & Marine Safety Ordinance, which was drafted by the Township Attorney. Attorney Belzer noted that the Township currently has no ordinance to cover boating violations. This ordinance will allow the township to recover fines and costs from prosecuting violations.

There was no public comment. The second reading of the proposed ordinance will be conducted at the 12/19/16 meeting.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF DECEMBER 5, 2016**

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Disposition of Tax-Reverted Parcel – Donna Park (Lakeside Acres Subdivision)

Operations Manager Broecker reported that the Lakeside Acres Subdivision Association has inquired about re-acquiring Donna Park from the Township. Donna Park is a common area in the Lakeside Acres subdivision that serves as a drainage easement. Fenton Township assumed ownership of the park at the same time it took over 25 lots in this subdivision in 2013, which were subsequently sold. A quitclaim deed has been prepared to sell the parcel back to the association.

Motion to approve the sale of Donna Park in the Lakeside Acres subdivision to the Lakeside Acres Subdivision Association for a cost of \$2.00, as presented.

Motion by: Krug

Seconded: Shumaker

Ayes: Mathis, Krug, Goupil, Lorraine, Shumaker

Nays: None

Absent: Tucker, Kesler

Motion carried. Resolution declared adopted.

Resolution No. 2016-26, Acceptance of 2016 Tax-Reverted Parcels

The board reviewed information regarding four parcels that have been foreclosed upon due to unpaid property taxes. The Township will automatically assume ownership of these properties unless the board adopts a resolution of objection and sends it to the Genesee County Treasurer. Supervisor Mathis stated that she is in favor of accepting these properties with the intent of selling them to get them back on the active tax roll. A resolution has been prepared to formally accept all four parcels.

Clerk Krug presented the following resolution:

RESOLUTION NO. 2016-26

WHEREAS, the Genesee County Treasurer's office has identified 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 parcels:

Parcel Number
06-11-529-018

Address
V/L Dalhart Dr

City / Zip
Fenton / 48430

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF DECEMBER 5, 2016**

06-12-601-017	V/L Clover Knoll Dr	Fenton / 48430
06-15-400-028	13406 North Rd	Fenton / 48430
06-19-300-019	V/L Hogan Road	Linden / 48451

Motion to adopt Resolution No. 2016-26 as presented.

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

Motion carried. Resolution declared adopted.

Resolution No. 2016-27, Memorial for Patrick Carmody

Supervisor Mathis stated that Fenton Township lost a good friend recently when former Trustee and Treasurer Patrick Carmody passed away at the age of 79. A resolution has been drafted as a memorial to Mr. Carmody.

Clerk Krug presented the following resolution:

RESOLUTION NO. 2016-27

WHEREAS, former Fenton Township Trustee and Treasurer Patrick J. Carmody passed away on November 27, 2016, and

WHEREAS, Mr. Carmody was a resident of Fenton Township for many years, during which time he contributed greatly to the progress and welfare of the community, most notably as a Fenton Township Trustee and Fenton Township Treasurer, and

WHEREAS, Mr. Carmody's thoughtful nature and analytical skills were a true asset to Fenton Township as he served loyally and faithfully as Township Trustee from 2003 to 2004 and Township Treasurer from 2004 to 2008, exhibiting the qualities of vision and leadership throughout his tenure as an elected official;

NOW, THEREFORE, BE IT RESOLVED, that the Fenton Township Board of Trustees hereby honors Patrick J. Carmody for his valuable contributions to our community, conveys sincere appreciation and gratitude for his dedicated service to the government and citizens of Fenton Township and expresses profound sadness at his passing, and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the minutes of this meeting and a copy provided to Mr. Carmody's family.

Motion to adopt Resolution No. 2016-27 as presented.

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

Motion carried. Resolution declared adopted.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF DECEMBER 5, 2016**

BOARD COMMENT:

None

PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft questioned location of Donna Park. Trustee Goupil explained it is not a true park but a drainage easement for the Lakeside Acres subdivision, which is located off Rolston Road on the south side of Loon Lake.

Don Niles, 1429 Edgewater Drive

Mr. Niles again expressed his concern with drainage issues in proposed marina redevelopment project.

ADJOURN: Meeting adjourned at 8:57 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 12/6/16