

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR SPECIAL MEETING OF NOVEMBER 28, 2016**

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

Supervisor Mathis called the meeting to order at 7:05 p.m.

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

Absent: None

**EXPENDITURES:**

Motion to approve invoices and expenditures for all funds totaling \$51,056.44 for payment as presented.

Motion by: Tucker

Seconded: Goupil

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

Nays: None

Motion carried.

**UNFINISHED BUSINESS:**

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 2017 are \$6,344.80 for single, \$13,268.93 for 2-person and \$17,304.02 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 2016 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. The 80/20 option is again recommended for 2017. 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 2017 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, Shumaker

Nays: None

Motion carried.

**NEW BUSINESS:**

**Resolution No. 2016-24, Authorizing Issuance of Capital Improvement Bonds for Sanitary Sewer Upgrade Project**

Supervisor Mathis noted that the board has been working for several months on a project to upgrade pump stations in the Township's sanitary sewer system. The final version of the project was reviewed at a workshop meeting in October. The Township's

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR SPECIAL MEETING OF NOVEMBER 28, 2016**

bond counsel has provided the necessary resolution to start the process to issue capital improvement bonds to finance the upgrade project.

Trustee Shumaker stated that he is in favor of the proposed system improvements but is concerned about the cost. Based on his research, the prevailing wage for equipment operation in state funded projects is \$35 per hour. He believes the township is overpaying at \$75 per hour.

Trustee Lorraine noted that the projections provided by Lawrence Engineering indicate that the cost savings should exceed debt service cost. As long as we are comfortable with the numbers it's an easy decision. He plans to hold Lawrence Engineering accountable for the cost savings.

Treasurer Tucker stated that the Township must rely on professional advice of our consultants. He also noted that there is plenty of cushion in the projected numbers.

The board also discussed Sewer Committee meetings and agreed to post all future meetings so additional board members may attend without violating the Open Meetings Act.

Clerk Krug presented the following resolution:

**RESOLUTION NO. 2016-24**

*WHEREAS, the Township Board of the Charter Township of Fenton, County of Genesee, State of Michigan (the "Township"), intends to issue and sell general obligation capital improvement bonds, pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), in an amount not to exceed Two Million Dollars (\$2,000,000) in one or more series for the purpose of paying all or part of the cost of acquiring, constructing, furnishing and equipping improvements to the Township's sanitary sewer system, consisting generally of pump station improvements and generators, together with all necessary interests in land, and all related sites, structures, equipment, appurtenances and attachments thereto (the "Project"); and*

*WHEREAS, a notice of intent to issue the bonds must be published before the issuance of the Bonds in order to comply with the requirements of Section 517 of Act 34; and*

*WHEREAS, the Township intends at this time to state its intention to be reimbursed from proceeds of the bonds for any expenditures undertaken by the Township for the Project prior to issuance of the bonds.*

**NOW, THEREFORE, BE IT RESOLVED THAT:**

- 1. The Township Clerk is hereby authorized and directed to publish a notice of intent to issue bonds in the Tri-County Times, a newspaper of general circulation in the Township.*
- 2. Said notice of intent shall be published as a one-quarter (¼) page display advertisement in substantially the form set forth in Appendix A hereto and by this reference made a part hereof.*

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR SPECIAL MEETING OF NOVEMBER 28, 2016**

3. *The Township Board does hereby determine that the form of notice of intent to issue bonds set forth in Appendix A to this resolution and the manner of publication directed is the method best calculated to give notice to the Township taxpayers and electors of this Board's intent to issue the bonds, the maximum amount of bonds to be issued, the purpose of the bonds, the source of payment, and the right of referendum relating thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.*
4. *The Township makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:*
  - (a) *As of the date hereof, the Township reasonably expects to reimburse itself for the expenditures described in (b) below with proceeds of debt to be incurred by the Township.*
  - (b) *The expenditures described in this paragraph (b) are for the costs of acquiring and constructing the Project which were paid subsequent to sixty (60) days prior to the date hereof or which will be paid prior to the issuance of the bonds from the general fund or sanitary sewer fund of the Township.*
  - (c) *The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$2,000,000.*
5. *The Supervisor, Clerk, and Treasurer are authorized and directed to take other steps as necessary or convenient to carry out the purposes of this resolution.*
6. *The Township Board hereby confirms the retention of Miller, Canfield, Paddock and Stone, P.L.C. as bond counsel in connection with the issuance of the bonds.*
7. *The Township Board hereby confirms the retention of H.J. Umbaugh & Associates as municipal advisor in connection with the issuance of the bonds.*
8. *All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.*

Motion to adopt Resolution No. 2016-24 as presented.

Motion by: Krug

Seconded: Goupil

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

Nays: Shumaker

Motion carried. Resolution declared adopted.

Appendix A

**NOTICE TO TAXPAYERS AND ELECTORS  
OF THE CHARTER TOWNSHIP OF FENTON  
OF INTENT TO ISSUE BONDS SECURED BY THE TAXING  
POWER OF THE TOWNSHIP AND RIGHT OF REFERENDUM THEREON**

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR SPECIAL MEETING OF NOVEMBER 28, 2016**

*PLEASE TAKE NOTICE that the Township Board of the Charter Township of Fenton, County of Genesee, State of Michigan, intends to issue and sell general obligation capital improvement bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), in an amount not to exceed Two Million Dollars (\$2,000,000), in one or more series, for the purpose of paying all or part of the cost of acquiring, constructing, furnishing and equipping improvements to the Township's sanitary sewer system, consisting generally of pump station improvements and generators, together with all necessary interests in land, and all related sites, structures, equipment, appurtenances and attachments thereto.*

**BOND DETAILS**

*SAID BONDS shall mature in annual installments not to exceed twenty-five (25) in number, with interest rates to be determined at a public or private sale but in no event to exceeding the maximum rate permitted by law on the unpaid balance from time to time remaining outstanding on said bonds.*

**SOURCE OF PAYMENT OF BONDS**

*THE PRINCIPAL AND INTEREST OF THE BONDS shall be payable from the general funds of the Township lawfully available for such purposes including property taxes levied within applicable constitutional and statutory tax rate limitations. The Township anticipates making debt service payments on the bonds from revenues received by the Township from the operation of its sanitary sewer system.*

**RIGHT OF REFERENDUM**

*THE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A VALID PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS RESIDING WITHIN THE BOUNDARIES OF THE TOWNSHIP IS FILED WITH THE TOWNSHIP CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED, THE BONDS MAY NOT BE ISSUED WITHOUT AN APPROVING VOTE OF A MAJORITY OF THE QUALIFIED ELECTORS RESIDING WITHIN THE BOUNDARIES OF THE TOWNSHIP VOTING THEREON.*

*THIS NOTICE is given pursuant to the requirements of Section 517, Act 34, Public Acts of Michigan, 2001, as amended.*

*Robert E. Krug, Township Clerk  
Charter Township of Fenton*

**Committee Appointments 2016-2020**

The board reviewed proposed internal and external committee appointments for the 2016-2020 term. After discussion, the following committee appointments were presented for approval:

**CHARTER TOWNSHIP OF FENTON**

Committee Appointments 2016-2020

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR SPECIAL MEETING OF NOVEMBER 28, 2016**

**Internal Committees /Appointments**

**Planning Commission**

John Tucker

**Zoning Board of Appeals**

Robert Krug

**Election Commission**

Robert Krug, Chair

Mark Goupil

Robert Kesler

**Fence Viewer**

Robert Krug

**Public Safety Committee (Police/Fire)**

Mark Goupil, Chair

Robert Krug

Robert Kesler

**Building & Facilities Committee**

Bonnie Mathis

Robert Krug

John Tucker

**Parks & Recreation Committee**

Robert Krug - Chair

Mark Goupil

Vince Lorraine

Robert Kesler (alternate)

**Personnel Committee**

Bonnie Mathis - Chair

Robert Krug

John Tucker

Thomas Broecker

**Sanitary Sewer Committee**

Bonnie Mathis

John Tucker

Robert Krug

**School District Liaison**

Robert Krug

Mark Goupil (alternate)

Shaun Shumaker (alternate)

**CBA Negotiating Committee**

Committee of the whole (entire board)

**External Committees/Appointments**

**Genesee County Metropolitan**

**Alliance**

Robert Kesler

Robert Krug (alternate)

Andrew Marko (citizen representative)

**Genesee County WWS Advisory**

**Committee**

Bonnie Mathis

Thomas Broecker (alternate)

**Genesee County SWM Advisory**

**Committee**

Bonnie Mathis

Thomas Broecker (alternate)

**Genesee County Roads & Bridges**

**Advisory Committee**

Bonnie Mathis

Thomas Broecker (alternate)

**Genesee County 911 Consortium**

Bonnie Mathis (primary)

Fire Chief Ryan Volz

**Fenton Area Cable Television (FACT)**

**Consortium**

Thomas Broecker

**Flint River Watershed Committee**

Bonnie Mathis

**Emergency Management Director**

Bonnie Mathis

Fire Chief Ryan Volz

Mark Goupil (alternate)

Motion to approve 2016-2020 committee appointments as presented.

Motion by: Shumaker

Seconded: Goupil

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR SPECIAL MEETING OF NOVEMBER 28, 2016**

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

**Employment Agreement – Operations Manager**

The board reviewed a proposed employment agreement for Operations Manager Thomas Broecker. After a brief discussion the board decided to schedule a workshop meeting for 1/23/17 or 1/30/17 to continue discussion on the proposed agreement.

**BOARD COMMENT:**

None

**PUBLIC COMMENT:**

None

**ADJOURN:**

Meeting adjourned at 9:15 p.m.

---

Bonnie Mathis, Supervisor

---

Robert Krug, Clerk

**Minutes Posted 11/29/16**