

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF DECEMBER 3, 2018**

**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 Belzer  
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:**

Clerk Krug requested that a resignation from the Fire Department be added to the agenda. Motion to approve the 12/3/18 Fenton Township Board Meeting agenda as amended.

Motion by: Tucker

Seconded: Lorraine

Ayes: All

Nays: None

Motion carried. The agenda is approved.

**MEETING MINUTES:**

Treasurer Tucker noted a minor typo in the meeting minutes. The minutes for the 11/19/18 regular meeting stand approved as corrected.

**EXPENDITURES:**

Supervisor Mathis inquired about payments to the DEQ for Lake Christi and Optum Bank. Operations Manager Broecker explained that Optum Bank maintains the Health Savings Accounts for employees on the township's health insurance plan, and the DEQ payment is taken from the Lake Christi special assessment fund. Referencing the invoice for replacement of the broken glass on the board table, Treasurer Tucker stated he knows of other vendors who may be able to provide the same service for less cost. Motion to approve invoices and expenditures for all funds totaling \$306,442.79 for payment as presented.

Motion by: Tucker

Seconded: Lorraine

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

Nays: None

Motion carried.

**PUBLIC HEARINGS:**

**Proposed 2019 Fenton Township Budget**

Supervisor Mathis noted that the proposed 2019 Fenton Township budget was distributed to the board approximately two weeks ago and it has been on file at the Township office since that time. 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 modest surplus for 2019, as does the Solid Waste Management Fund, which is in the first year of a 4-year contract. The Mosquito Control fund budget projects a deficit as the assessment was reduced to use up excess fund

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF DECEMBER 3, 2018**

balance. The Sewer Fund projection includes a surplus for the year, resulting in an increase to cash reserves.

There was no public comment. Supervisor Mathis closed the public hearing.

Operations Manager Broecker presented the following resolution:

**RESOLUTION NO. 2018-44**

*The Board of Trustees of the Charter Township of Fenton resolves:*

**Section 1: Title**

*This resolution shall be known as the 2019 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, 2018.*

**Section 5: Estimated Revenues**

*Estimated township General Fund revenues for fiscal year 2019, including an operating millage of .6845 mills, and various miscellaneous revenues shall total \$3,217,900.*

*Estimated township Fire Fund revenues for fiscal year 2019 shall total \$641,500.*

*Estimated township Sewer Fund revenues for fiscal year 2019 shall total \$6,991,800.*

*Estimated township Mosquito Control Fund revenues for fiscal year 2019 shall total \$134,300.*

*Estimated township Solid Waste Management Fund revenues for fiscal year 2019 shall total \$1,095,000.*

*Estimated township Dog Park Fund revenues for fiscal year 2019 shall total \$20,000.*

**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 .6845 mills for general township operations.*

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF DECEMBER 3, 2018**

**Section 7: Estimated Expenditures**

*Estimated township General Fund expenditures for fiscal year 2019 for the various township cost centers are as follows:*

101-Township Board	\$ 133,800
171-Supervisor	42,700
215-Clerk & General Administration	593,800
247-Board of Review	5,100
253-Treasurer	32,300
257-Assessor	192,000
262-Elections	7,500
265-Building & Grounds	194,900
301-Law Enforcement	738,500
371-Inspection/Ordinance Enforcement	127,900
445-Drains at Large	50,100
446-Highways, Roads & Bridges	492,700
567-Cemetery	5,800
701-Planning & Zoning Admin	50,500
702-Zoning Board of Appeals	12,800
801-PEG Programming	116,000
804-Museums	8,200
805-Auditorium - Civic Center	13,200
865-Insurance	<u>350,100</u>
TOTAL	\$ 3,167,900

*Estimated township Fire Fund expenditures for fiscal year 2019 for the various township cost centers are as follows:*

265-Building & Grounds	\$ 67,000
336-Fire Dept. Operations	474,800
865-Insurance	<u>94,000</u>
TOTAL	\$ 635,800

*Estimated township Sewer Fund expenditures, excluding capital improvements, for fiscal year 2019 for the various township cost centers are as follows:*

000-County Services/Debt	\$ 2,968,300
265-Building & Grounds	18,200
536-Sewer Operations	1,254,000
865-Insurance	<u>65,000</u>
TOTAL	\$ 4,305,500

*Estimated township Mosquito Control Fund expenditures for fiscal year 2019 shall total \$151,500.*

*Estimated township Solid Waste Management Fund expenditures for fiscal year 2019 shall total \$1,034,500.*

*Estimated township Dog Park Fund expenditures for fiscal year 2019 shall total \$20,000.*

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF DECEMBER 3, 2018**

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

*The General Fund, Sewer Fund, Fire Fund, Mosquito Control Fund, Solid Waste Management Fund and Dog Park 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 2019 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.*

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF DECEMBER 3, 2018**

**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 of 1978.*

**Section 16: Board Adoption**

Motion to adopt Resolution No. 2018-44 as presented.

Motion by: Goupil

Seconded: Lorraine

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

Nays: None

Motion carried. Resolution declared adopted.

**REPORTS:**

None

**COMMUNICATIONS:**

None

**ADOPTION OF ORDINANCES:**

None

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

**Lake Ponemah Improvement Special Assessment District - Proposed Termination of Aquatic Nuisance Contract**

Supervisor Mathis stated that Progressive AE, the consultant managing the lake treatments for Lake Ponemah, has recommended that the contract with Aquatic Nuisance Plant Control to perform the treatments be terminated due to poor performance. The board would like to hear from all parties before making any decisions.

Rick Buteyn, Progressive AE

As the consultant managing the Lake Ponemah project, they are recommending termination of the contract with Aquatic Nuisance due to lack of responsiveness and poor effectiveness of the treatments. Treasurer Tucker asked what actually went wrong. Mr. Buteyn stated that the initial treatments were done too late to be effective, which negatively impacted the remainder of the treatment year.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF DECEMBER 3, 2018**

Treasurer Tucker noted that Aquatic Nuisance had provided a letter explaining the reasons behind the timing issues, including an opinion that the requested treatment timing was too early due to Lake Ponemah being part of a river system. After the initial treatment, the communication process improved and other treatments were completed as requested.

Dominic Corso, Vice-President of PST Lake Association, stated that the association received numerous complaints from lake residents this year due to weed problems on the lake. The association officers and members support terminating the Aquatic Nuisance contract.

Motion to terminate the Lake Ponemah treatment contract with Aquatic Nuisance Plant Control and authorize the solicitation of new bids.

Motion by: Shumaker

Seconded: Tucker

Ayes: Tucker, Goupil, Kesler, Lorraine, Shumaker

Nays: Mathis, Krug

Motion carried.

The board continued to discuss the issue, including questions regarding the contract in question. Attorney Belzer suggested placing a hold on the previous action, pending a review of the contract.

Motion to make the termination of the Aquatic Nuisance Plant Control contract for Lake Ponemah conditional, pending a review of the contract by the Township Attorney

Motion by: Goupil

Seconded: Lorraine

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

Nays: None

Motion carried.

**Appointment of Fenton Township Representatives - Southern Lakes Parks & Recreation Board of Directors**

Supervisor Mathis stated that, as discussed at the 11/14/18 special meeting, the terms of both Fenton Township representatives on the Southern Lakes Parks & Recreation board will expire at the end of 2018. The board needs to make appointments to fill the next 3-year term.

Trustee Kesler indicated he is willing to continue serving on the SLPR Board. Clerk Krug stated his is willing to be appointed to the SLPR board if no one else is interested. Trustee Shumaker suggested offering the second seat to whomever is appointed to his Trustee seat. After a brief discussion, the board agreed to this approach.

Motion to re-appoint Trustee Robert Kesler to the Southern Lakes Parks & Recreation Board of Directors for the term ending December 31, 2021.

Motion by: Shumaker

Seconded: Lorraine

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

Nays: None

Motion carried.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF DECEMBER 3, 2018**

**Proposed Employment Agreement - Zoning Administrator**

Supervisor Mathis stated that, as previously reported to the board, Michael Deem has accepted the position of Zoning Administrator for Fenton Township, effective January 1, 2019. An employment agreement has been drafted for board approval.

Trustee Lorraine asked if Mr. Deem has taken the diversity/anti-harassment class required of all employees. Operations Manager Broecker stated that he had not, but a suitable training will be scheduled as soon as practical.

Motion to approve the employment agreement for Zoning Administrator Michael C. Deem as presented.

Motion by: Goupil

Seconded: Tucker

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

Nays: None

Motion carried.

**Proposed GIS Services Agreement - North Arrow Technologies, Inc.**

The board reviewed a proposed GIS services agreement with North Arrow Technologies for 2019. It was noted that the proposed agreement maintains the hourly rate for all GIS work at \$80 per hour. The total projected budget for the agreement is \$47,680, the same amount as the 2018 agreement.

For comparison purposes, rate quotes were requested from the two other companies in Michigan that provide the same services, (GIS and Cityworks®). Ritter GIS, located in Plymouth, did not respond to the rate quote request. GIS, Inc., located in Southfield, provided a rate quote range, the lowest of which is \$123.05 per hour.

Motion to approve the 2019 GIS Services agreement between the Charter Township of Fenton and North Arrow Technologies, Inc. as presented.

Motion by: Lorraine

Seconded: Tucker

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

Nays: None

Motion carried.

**Proposed Law Enforcement Services Agreement - Genesee County Sheriff Department**

The board reviewed a 2-year agreement to continue to contract law enforcement services through the Genesee County Sheriff Department. The agreement maintains the existing level of service: 5 full time deputies and 60% of the cost of a detective. The projected cost is just under \$700,000 per year, which is consistent with the 2017-18 contract.

Treasurer Tucker asked if we have always executed 2-year contracts. Operations Manager Broecker stated that the 2017-18 agreement was the first 2-year contract. All previous agreements were for one year. Trustee Shumaker asked if the Township is billed based on the salary and benefits of the actual deputies assigned to Fenton Township and, if so, how do we prevent having higher seniority (higher cost) deputies assigned to our contract. Operations Manager Broecker stated that the costs are monitored and compared to the budget throughout the year. The Sheriff Department has always worked with the

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF DECEMBER 3, 2018**

Township to make sure costs are controlled within the budget as much as possible. Clerk Krug pointed out the “not to exceed” amount of \$698,974 in Section 9 of the agreement. While not an absolute guarantee, this should be sufficient to provide the framework for controlling the costs.

Attorney Belzer stated that, in his professional opinion, contracting with the Sheriff Department is a good value as compared to operating a separate police department.

Trustee Shumaker stated that he would like the Township to have the ability to control costs by requesting personnel changes, if needed. Supervisor Mathis stated that the Township does have that ability, and has done this in the past.

Motion to approve the 2019-20 Law Enforcement Services Agreement with the Genesee County Sheriff Department as presented.

Motion by: Shumaker

Seconded: Kesler

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

Nays: None

Motion carried.

**Resignation from Fenton Township Fire Department**

Supervisor Mathis reported that Lieutenant Scott Cole, a 20-year member of the Fenton Township Fire Department, has submitted his letter of resignation. The board is required to take action on all employment terminations.

Motion to accept, with deep regret, the resignation of Lt. Scott Cole from the Fenton Township Fire Department, effective immediately.

Motion by: Krug

Seconded: Lorraine

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

Nays: None

Motion carried.

**BOARD COMMENT:**

None

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

None

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

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Bonnie Mathis, Supervisor

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Robert Krug, Clerk

**Minutes Posted 12/04/18**