

CHARTER TOWNSHIP OF DELTA
Public Meeting Room A
Delta Township Administration Building
7710 West Saginaw Highway
Lansing MI 48917

**TOWNSHIP BOARD REGULAR MEETING MINUTES FOR
MONDAY, SEPTEMBER 17, 2012**

I. CALL TO ORDER

Supervisor Ken Fletcher called the meeting to order at 6:00 p.m.

II. OPENING CEREMONIES – Pledge of Allegiance

III. ROLL CALL

Members Present: Supervisor Ken Fletcher, Clerk Mary Clark, Treasurer Howard Pizzo, and Trustees Barb Poma, Jan Cunningham, Cara Dobie, and Jeff Hicks.

Members Absent:

Others Present: Community Development Assistant Director Gary Bozek, Lt. Jeff Campbell, Finance Director Jeff Anderson, Fire Chief John Clark, and Township Manager Richard Watkins

IV. PRESENTATIONS AND PROCLAMATIONS

1. Badge-Pinning of Part-Time Fire Personnel

Chief Clark introduced the following personnel who recently started employment with the Township's Fire Department and welcomed them to Delta.

Daniel Bennett
Eric DeGroot
Tobias Grantham
Dustin Hall
Brian Karsten
Travis McMillan
Eric Miller
Paul Wittmann

V. SET/ADJUST AGENDA

TRUSTEE CUNNINGHAM MOVED THAT THE AGENDA BE APPROVED AS PRESENTED.

TREASURER PIZZO SUPPORTED THE MOTION. MOTION PASSED 7-0.

VI. PUBLIC HEARINGS - None

VII. COMMUNICATIONS

2. EATRAN

a. September 12, 2012 Board Agenda Packet

VIII. PUBLIC COMMENTS FOR ITEMS NOT ON AGENDA

Diana Bosworth introduced herself to the Board as a candidate for the Office of Eaton County Clerk which included the Register of Deeds and Circuit Court offices. Ms. Bosworth has been with Eaton County for 18 years, 12 of those years working in the County Clerk's Office. Ms. Bosworth currently served as Chief Deputy County Clerk and Elections Clerk and was a lifelong Eaton County resident. Ms. Bosworth is accredited with the State Bureau of Elections, the State Vital Records Bureau, and held a Bachelors Degree in Management and Organizational Development. She was also trained in election creation and ballot programing, as well as election night reporting. Ms. Bosworth stated that due to the fact that the County Clerk's Office encompassed three offices, it was critical that whoever was elected, have a firm grasp of the many responsibilities and functions of the County Clerk's office.

Marlene Trask, who lives on Clinton Street, provided the Board with pictures of her street and the fact that it was in extreme need of repair.

Supervisor Fletcher thanked Ms. Trask for bringing this to the Board's attention and that they would work with the Road Commission on this issue.

Ms. Trask questioned if the Township had conducted a survey of residents who lived on the north side of the river as to whether they were interested in the extension of public utilities.

Mr. Watkins said the Township had looked at the possibility of extending public utilities to the north in the past, but not recently.

Matt Radocy, Grape Arbor Lane, introduced himself to the Board as an emergency coordinator for the Barry-Eaton District Health Department. He noted that as part of the Health Department's new imitative to be more visible in the community, and as a Delta resident, he had volunteered to attend Township Board meetings.

IX. INTRODUCTION OF ORDINANCES - None

X. PASSAGE OF ORDINANCES

- 3. Adoption of Ordinance No. 12-70, adopt and enact a new code for the Charter Township of Delta** – The Manager’s Office recommends that the Delta Township Board adopt Ordinance 12-70, an ordinance to adopt and enact a new code for the Charter Township of Delta.

TRUSTEE HICKS MOVED THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA ADOPT ORDINANCE NO. 12-70, AN ORDINANCE TO ADOPT AND ENACT A NEW CODE FOR THE CHARTER TOWNSHIP OF DELTA, AND FURTHER, THE TOWNSHIP CLERK IS HEREBY AUTHORIZED AND DIRECTED TO PUBLISH SAID ORDINANCE IN LOCAL NEWSPAPERS.

TRUSTEE DOBIE SUPPORTED THE MOTION. MOTION PASSED 7-0.

ORDINANCE NO. 12-70

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CHARTER TOWNSHIP OF DELTA, EATON COUNTY, MICHIGAN; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

THE CHARTER TOWNSHIP OF DELTA, EATON COUNTY, MICHIGAN ORDAINS:

Section 1. Short title. This ordinance shall be known as the “Code of Ordinances adopting ordinance” and may be so cited.

Section 2. Adoption of Code of Ordinances. The Code entitled "Code of Ordinances, Charter Township of Delta, Eaton County, Michigan," published by Municipal Code Corporation, consisting of chapters 1 through 42, each inclusive, is adopted.

Section 3. Repealer. All ordinances of a general and permanent nature enacted on or before April 16, 2012, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 4. Prior ordinances not revived. The repeal provided for in section 3 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 5. Penalty. Whenever in this code or any ordinance of the township an act is prohibited or is made or declared to be a misdemeanor or a municipal civil infraction, or whenever in this code or any ordinance the doing of any act is required or the failure to do any act is declared to be a misdemeanor or municipal civil infraction, the violation of any such provision by any person shall, upon conviction of a misdemeanor, be punished by a fine not exceeding \$500.00 or imprisonment for a term not exceeding 90 days, or both, except whenever a specific is otherwise provided. Whenever any such violation shall constitute a municipal civil infraction, a finding of responsibility shall be punished by a civil fine not exceeding \$500.00, except whenever a specific penalty is otherwise provided. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the Township may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

Section 6. Code additions or amendments. Additions or amendments to the Code when passed in such form as to indicate the intention of the Township Board to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 7. Later ordinances. Ordinances adopted after April 16, 2012 that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

XI. CONSENT AGENDA

TREASURER PIZZO MOVED THAT THE CONSENT AGENDA BE APPROVED AS PRESENTED.

TRUSTEE DOBIE SUPPORTED THE MOTION.

ROLL CALL:

AYES: TREASURER PIZZO, TRUSTEE DOBIE, TRUSTEE
 CUNNINGHAM, TRUSTEE HICKS, TRUSTEE POMA,
 CLERK CLARK, AND SUPERVISOR FLETCHER

NAYS:

ABSENT:

MOTION PASSED 7 TO 0.

4. Bills & Financial Transactions - \$7,715,689.72

TREASURER PIZZO MOVED THAT THE BILLS & FINANCIAL TRANSACTIONS BE APPROVED IN THE AMOUNT OF \$7,715,689.72.

Bond/Debt Payments	\$ 148,775.00
Investments	\$
Payroll & Related	\$ 309,892.04
Refunds	\$ 52,077.09
Tax Distributions	\$6,575,385.95
Vendor Claims	\$ 629,559.64

TRUSTEE DOBIE SUPPORTED THE MOTION. MOTION PASSED 7-0.

5. Minutes – September 4, 2012 Regular Board Meeting Minutes

TREASURER PIZZO MOVED THAT THE SEPTEMBER 4, 2012 REGULAR BOARD MEETING MINUTES BE APPROVED AS PRESENTED.

TRUSTEE DOBIE SUPPORTED THE MOTION. MOTION PASSED 7-0.

6. Correction of Section Number of New Code of Ordinances – The Manager's Office recommends that the Township Board approve the resolution setting fines for traffic code violations under the new section number 38-26.

TREASURER PIZZO MOVED THE FOLLOWING:

WHEREAS, THE CHARTER TOWNSHIP OF DELTA HAS ENACTED IN ITS CODE OF ORDINANCES ARTICLE 26 OF CHAPTER 38 WHICH, IN PART, REQUIRES THAT ALL NIGHT PARKING BE PROHIBITED; AND

WHEREAS, THE ORDINANCE REQUIRES THAT THE TOWNSHIP BOARD OF TRUSTEES DETERMINE FINES FOR VIOLATION OF THE ORDINANCE BY RESOLUTION; AND

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA, EATON COUNTY, MICHIGAN, THAT THE FINES WILL BE AS FOLLOWS:

ANY PERSON IN VIOLATION OF THIS ORDINANCE WILL BE FINED \$15.00 IF PAID WITHIN THE (10) DAYS OF CITATION ISSUANCE, AND \$25.00 IF PAID AFTER TEN (10) DAYS OF CITATION ISSUANCE, PER OFFENSE.

ALL PRIOR RESOLUTIONS AND PARTS OF RESOLUTIONS INSOFAR AS THEY MAY BE IN CONFLICT WITH THIS RESOLUTION ARE HEREBY RESCINDED.

TRUSTEE DOBIE SUPPORTED THE MOTION. MOTION PASSED 7-0.

- 7. Correction of Section Number of New Code of Ordinances** – The Manager's Office recommends that the Township Board approve the resolution setting fines for violating the Leashed Animals on Public Property Ordinance under the new section number 28-145.

TREASURER PIZZO MOVED THE FOLLOWING:

WHEREAS, THE CHARTER TOWNSHIP OF DELTA HAS ENACTED IN ITS CODE OF ORDINANCES ARTICLE 145 OF CHAPTER 28 WHICH, IN PART, REQUIRES THAT ALL DOGS AND SMALL ANIMALS OR PETS BE LEASHED WHILE ON PUBLIC PROPERTY; AND

WHEREAS, THE ORDINANCE REQUIRES THAT THE TOWNSHIP BOARD OF TRUSTEES DETERMINE FINES FOR VIOLATION OF THE ORDINANCE BY RESOLUTION; AND

WHEREAS, THE TOWNSHIP HAS DETERMINED THAT IT IS IN THE BEST INTERESTS OF THE TOWNSHIP TO ENFORCE PROGRESSIVE FINES FOR FAILURE TO COMPLY WITH THIS ORDINANCE.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA, EATON COUNTY, MICHIGAN, THAT THE FINES WILL BE AS FOLLOWS:

1. ANY PERSON IN VIOLATION OF THIS ORDINANCE WILL BE FINED \$50.00 FOR HIS OR HER FIRST VIOLATION OF THE ORDINANCE.
2. ANY PERSON IN VIOLATION OF THIS ORDINANCE WILL BE FINED \$100.00 FOR HIS OR HER SECOND VIOLATION OF THE ORDINANCE.
3. ANY PERSON IN VIOLATION OF THIS ORDINANCE WILL BE FINED \$150.00 FOR HIS OR HER THIRD VIOLATION OF THE ORDINANCE.
4. ANY PERSON FOUND IN VIOLATION OF THIS ORDINANCE MORE THAN THREE TIMES SHALL BE SUBJECT TO A \$150.00 FINE FOR EACH VIOLATION THEREAFTER.

5. THESE FINES SHALL BE IN PLACE UNTIL THE TOWNSHIP BOARD, IN ITS DISCRETION, DETERMINES THAT THE FINES ARE INAPPROPRIATE AND MUST BE ADJUSTED.

ALL PRIOR RESOLUTIONS AND PARTS OF RESOLUTIONS INSOFAR AS THEY MAY BE IN CONFLICT WITH THIS RESOLUTION ARE HEREBY RESCINDED.

TRUSTEE DOBIE SUPPORTED THE MOTION. MOTION PASSED 7-0.

8. **Planning Commission Transmittal of the 2013-2018 Capital Improvements Program** – The Community Development Department recommends that the Township Board acknowledge receipt of the 2013-2018 Capital Improvements Program as prepared and adopted by the Delta Township Planning Commission.

TREASURER PIZZO MOVED THAT THE DELTA TOWNSHIP BOARD ACKNOWLEDGE RECEIPT OF THE 2013-2018 CAPITAL IMPROVEMENTS PROGRAM AS PREPARED AND ADOPTED BY THE DELTA TOWNSHIP PLANNING COMMISSION.

TRUSTEE DOBIE SUPPORTED THE MOTION. MOTION PASSED 7-0.

XII. ITEMS REMOVED FROM CONSENT AGENDA FOR DISCUSSION – None

XIII. ITEMS ADDED TO AGENDA UNDER SECTION V. SET/ADJUST AGENDA - None

XIV. ITEMS OF BUSINESS

9. **Schedule of Fees** – The Manager’s Office recommends that the Township Board approve the schedule of fees referenced in the sections of the new Code of Ordinances.

TRUSTEE CUNNINGHAM MOVED THAT:

WHEREAS, THE CHARTER TOWNSHIP OF DELTA HEREBY ESTABLISHES, PURSUANT TO CHAPTER 1, SECTION 1-12. FEES AND CHARGES, ATTACHMENT A FOR ITS SCHEDULE OF FEES AND CHARGES FOR TOWNSHIP SERVICES.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA, EATON COUNTY, MICHIGAN, AS FOLLOWS:

1. THE TOWNSHIP BOARD HEREBY ENACTS ATTACHMENT A - TOWNSHIP FEES AND CHARGES FOR TOWNSHIP SERVICES. AND

2. ALL PRIOR RESOLUTIONS AND PARTS OF RESOLUTIONS INsofar AS THEY MAY BE IN CONFLICT WITH THIS RESOLUTION ARE HEREBY RESCINDED.

TRUSTEE DOBIE SUPPORTED THE MOTION. MOTION PASSED 7-0.

- 10. Request for Extension of Joshua's Place Foster Care Group Home Special Land Use Permit, Case No. 8-10-17** - The Community Development Department recommends that the Township Board grant a one year extension of the Special Land Use Permit issued for the Joshua's Place Group Home.

TRUSTEE POMA MOVED THAT THE DELTA TOWNSHIP BOARD GRANT A ONE YEAR EXTENSION OF THE SPECIAL LAND USE PERMIT ISSUED FOR THE JOSHUA'S PLACE GROUP HOME PROPERTY IN CASE NO. 8-10-17.

TRUSTEE DOBIE SUPPORTED THE MOTION. MOTION PASSED 7-0.

XV. MANAGER'S REPORT

Mr. Watkins reported that Delta and the five other communities involved in the Regional Fire Study met to discuss how they would proceed to move forward with recommendations contained in the study. He noted that the group had put together an outline to move forward with the first recommendation for automatic mutual aid and explore other areas of cooperation in order to provide better services to the residents. Mr. Watkins noted that the Michigan Avenue Extension would be opening very shortly.

XVI. COMMITTEE OF THE WHOLE

11. 2013 Proposed Budget Discussion, Jeff Anderson

Finance Director Jeff Anderson reviewed the budget process by noting that information was sent out in July to department directors. Mr. Anderson indicated that once department directors formulated their requests, he met with each director and reviewed their requests in order to finalize their requests. He indicated that the director's requests were then forwarded to the Manager's office for further reviews and a summary was compiled for the Board's review.

Mr. Anderson reviewed the following with the Board:

The 2013 Recommended Budget

- Was prepared in accordance with the Uniform Accounting & Budgeting Act.
- Follows the Township's Strategic Plan.

- Continued to allocate funding to provide continued high quality public safety services and provided funding for several programs to keep Delta Township a great place to live, work, and play.

The 2013 Budget Goals & Priorities

- Maintain service levels.
- Submit a balanced General Fund Budget.
- Maintain high quality water and sewer services at affordable prices.
- Continue to fund future liabilities (OPEB) contributions for future retirement health care costs and putting monies aside for capital needs.

2013 Budget Challenges

- Continued declining home values and property tax reductions.
- Continued low interest rates.
- The budget contained projected benefit cost increases.
- Increased funding needs for Capital Projects fund.

General Fund Highlights/Major Changes

- Balanced budget with revenues exceeding expenditures by \$70,000.
- Adhered to the Board's self-imposed budget requirement of a minimum of 50% unassigned fund balance (unassigned fund balance must be equal to at least 6 months operating expenses (projected to be 8.5 months).
- Funds the General Fund portion of the OPEB annual required contribution at 100%.
- Funds future capital expenditures through a transfer of funds to the Capital Projects fund in the amount of \$147,000.
- 18% reduction in the Clerk's office expenditures due to reduction in the number of elections for 2013.
- Increased funding for roads, sidewalks, and pathways.

- The budget includes the elimination of one full-time parks maintenance supervisor position. (This position was consolidated due to a retirement in Nov. 2011)
- There are no new full-time positions included in the budget.
- There are no layoffs included in the budget.
- Budgets for health insurance costs adhere to the estimated “Hard Cap” for 2013. (The Hard Cap figures for 2013 were due October 1st which was tied to medical inflation. For budget purposes, Township costs were compiled and the Hard Cap and medical inflation were estimated between 4% and 5%. The budget contains a 10% premium increase and should be near the cap.)

General Fund Revenues

- The Board was provided with a chart that illustrated where the Township’s revenues came from with taxes being the largest source of revenue.
- The Board was provided with a graph that illustrated the percent of total General Fund revenues in each major category versus last year. There was a lot of consistency except for the transfers-in category. The Township transferred \$600,000 from the Assigned Fund Balance for the General Fund in 2012 for the Michigan Avenue Extension and road projects. Road projects within the budget were not being funded from transfers from reserve funds, but rather the Township was paying for capital needs through current revenues.
- The Board was provided with a graph illustrating a declining trend of General Fund revenues. However, when transfers were taken out from 2012 to 2013, there was only a 1% increase with no declines in revenue projected in the future.
- General Fund Revenue Summary for 2013 is as follows:
 - Taxes = 1.9% decrease
 - Licenses/Permits = 15.9% increase
 - State Revenue Sharing = 8.1% increase
 - Fees & Charges = 1% decrease
 - Interest = 2.9% decrease
 - Other Charges for Service = 8.5% increase
 - Grant Revenue/Misc. = 63% decrease
 - Transfers-In = 25.1% decrease

Total General Fund Revenues = 2.8% decrease

General Fund Expenditures by Object

- The Board was provided with a graph that illustrated Township costs by departments. Personnel and public safety made up 89% of the General Fund's expenditures.
- The Board was provided with a summary of Township expenditures which illustrated a 4.6% decrease in expenditures in 2013 from the 2012 budget.

Other Township Funds

- Debt Service – Library Millage revenue and payback of bonds
- Ambulance Fund – Paramedic Millage
- EDC Fund
- Capital Projects Fund – future expenditures
- Budget Stabilization Fund
- Capital Projects – How the Township tracked funds by department. New this year was setting aside funds for future costs associated with election equipment.
- Sewer & Water Funds

2 Year Projection

The Board was provided with a summary of General Fund Revenues by Department through 2014. Costs were rolled forwarded 2% and any known major expenditures were calculated:

Total General Fund Expenditures:

2013 Budgeted = \$15,498,563

2014 Projected = \$15,959,084

Delta Township Wage Information – Wages/Non-Union

Information was provided that compared Delta with other communities, but the comparison didn't show any type of distinguishable pattern. If there weren't any wage increases for non-union personnel, an additional \$50,400 would be added to the General Fund's bottom line. A 2% wage increase would cost the General Fund \$50,400 more in 2013 and a 3% wage increase would cost the General Fund \$100,800 more in the 2013 budget.

Mr. Anderson completed his presentation by stating that the 2013 Budget was fiscally responsible in that service levels were being maintained and enhancements were being made for roads and pathways. The budget contained a surplus of \$70,000, however, the budget didn't address any changes that may occur in personal property tax law.

The budget would be brought back before the Board at their October 1st meeting for further discussion and a public hearing to approve the budget would be held at the Board's October 15th meeting.

XVII PUBLIC COMMENTS – None

XVIII ADJOURNMENT

Supervisor Fletcher adjourned the meeting at 7:18 p.m.

CHARTER TOWNSHIP OF DELTA

MARY CLARK, TOWNSHIP CLERK

KENNETH FLETCHER, TOWNSHIP SUPERVISOR