MINUTES OF THE CHARTER TOWNSHIP OF MUNDY
REGULAR BOARD MEETING HELD JANUARY 12, 2009

The Regular Meeting of the Charter Township of Mundy was called to order by Supervisor D. Guigear at 7:00 P.M. SUPERVISOR D. Guigear, CLERK T. Ketzler, TREASURER J. Oskey, TRUSTEES M. Frost, B. Hårrison, B. Morey and D. Owens were present. Also present was ATTORNEY J. Belzer, ASSISTANT FIRE CHIEF G. McNally and POLICE MARSHAL J. Petres. FIRE CHIEF T. Romans was absent.

Motion by Trustee B. Harrison, seconded by Trustee D. Owens to approve the Minutes of the Budget Meeting held on 11-20-08 as submitted. All ayes. Motion carried.

Motion by Trustee B. Harrison, seconded by Trustee D. Owens to approve the Minutes of the Regular Board Meeting held on 12-08-08 with the following amendments:
Page 1, Announcements, Supervisor should be D. Guigear not K. Bond.
Page 1, Committee Reports, Fire Department, Monthly Reports, should be Assistant Fire Chief G. McNally, not Fire Chief T. Romans.
All ayes. Motion carried.

PUBLIC COMMENTS: None.

ANNOUNCEMENTS:

Supervisor D. Guigear announced that the Planning Commission Meeting will be held on January 14, 2009 at 7:00 P.M. and the Zoning Board of Appeals Meeting will be held on January 28, 2009 at 7:00 P.M.

COMMITTEE REPORTS:

FIRE DEPARTMENT: Assistant Fire Chief G. McNally

Assistant Fire Chief G. McNally said there was no formal report from the Fire Department. The Board members have a copy of the number of burn permits for 2008. Trustee M. Frost inquired about the number of Year-to-Date False Alarms and asked if anything could be done to bring the number of false alarms down. Assistant Fire Chief McNally offer a series of scenarios as to why they receive false alarms. Supervisor D. Guigear suggested the discussion be held at a Fire Board meeting. Board discussion followed.

POLICE DEPARTMENT: Police Marshal J. Petres

A. Lifesaving Awards Presentation:

Marshal J. Petres gave a brief synopsis of the incident involving two Mundy Township residents and then proceeded to make a presentation of Lifesaving Awards to Officer Frost and Tricia Kirby the neighbor of ~~Laurel~~ ***Laura*** LeClaire. Mrs. LeClaire commented that if Tricia Kirby and Officer Frost had not been there in time she would not be alive today. Officer Frost and Ms. Kirby then introduced their families who were in the audience.

B. Monthly Report – October:

Marshal J. Petres explained that the Monthly Report also includes the Year-to-Date figures for FANG.

C. MACP Conference:

Marshal J. Petres said he is seeking Board approval for him to attend the MACP Conference on 2-4-09 through 2-6-09. The funding has already been approved in the budget.

Supervisor D. Guigear said he has an item on the agenda concerning travel expenses. Supervisor Guigear noted that when the 2009 budget was passed by the Board there were many conferences with overnight stays that were approved. When attending a conference that was approved through the budget process Supervisor Guigear said he doesn't believe it is necessary to obtain Board approval.

Motion by Supervisor D. Guigear, seconded by Clerk T. Ketzler to approve Marshal J. Petres to attend the MACP Mid-Winter Training Conference in February. All ayes. Motion carried.

D. Part-Time Officer Position Approval:

Marshal J. Petres said he is requesting approval from the Board to hire a part-time officer as one of the officers was injured in an accident on 12-24-08 and will have a lengthy recovery, possibly up to one year. Also, there is another officer who is on medical leave for a six to eight week period, which is causing a schedule shortage. Marshal Petres said an eligibility list was created last year and that list is still valid. Marshal Petres indicated that the next person on the list is still interested in the position. A background investigation would have to be done and if hired there would be no impact on the budget because of those who are on disability. Marshal Petres said he is requesting to make a conditional offer of employment. Board discussion followed.

Motion by Treasurer J. Oskey, seconded by Trustee B. Harrison to allow Marshal J. Petres to conduct the background investigation for the potential hiring of the part-time officer. All ayes. Motion carried.

E. Surplus Property Disposal – Bid Corp:

Marshal J. Petres explained that recently websites have been developed that deal with primarily with government business and we wouldn't have to wait as long in disposing of surplus property by using the on-line service. Bid Corp is used by the State of Michigan. Marshal Petres said he is not asking for final approval but he would like the Board to approve the concept of the idea.

Supervisor D. Guigear said he would like to review the information before giving his approval. Supervisor Guigear asked Marshal Petres if he would bring forward of list of items that needs to be disposed. Marshal Petres said his plan is to bring a list to the Township Board for disposal of various items and ask the Board to consider using an on-line auction service.

Motion by Clerk T. Ketzler, seconded by Treasurer J. Oskey to allow Marshal J. Petres the ability to look into the policy of on-line auction services to dispose of property and proceed to take the information to the Police Commission for their review and make a presentation to the Township Board for their approval. All ayes. Motion carried.

ATTORNEY: J. Belzer

A. 2nd Reading – Ordinance No. 92-U Sanitary Sewer Rates & Charges:

Attorney J. Belzer said the ordinance to adopt new sewer rates addresses charges we incurred from the county and to pass along the increases to the residents of the township.

Treasurer J. Oskey commented about the county needing to look at the problem for the metered and non-metered customers. Supervisor D. Guigear said that Mr. Wright will address some of the issues at the next board meeting. Supervisor Guigear said, based on the advice of Attorney Belzer, there is nothing we can do other than contact our neighboring communities. The water rates increased by 110%. Supervisor Guigear said he believes that Treasurer Oskey is prepared to network with other communities regarding the sewer rates. Treasurer J. Oskey said he is not willing to pass any more costs on to the residents until Jeff Wright addresses the Board and the residents.

Attorney J. Belzer stated that it will cost the Township money by not acting on the Ordinance this evening. Everybody will pay for these charges out of the sewer fund and the fees will be paid whether the resolution is passed or not tonight. Supervisor D. Guigear noted that the rate increase was passed by the Sewer & Water Advisory Board just prior to the November election so we were taken by surprise when we learned about the increase in rates. A lengthy discussion followed by the Board. Attorney Belzer commented that if the Board chooses to pass on the rate increase they could always amend the Ordinance in the future and adjust the rates.

Motion by Trustee D. Owens, seconded by Trustee B. Harrison to approve the second reading of Ordinance No. 92-U for the Sewer Rate increase, passing the rates on to the residents of the Township. Motion carried 5-2 with JO and MF voting no.

TOWNSHIP COMMUNICATIONS:

Supervisor Guigear said he and Treasurer J. Oskey met with Representative Paul Scott regarding the goals he has in mind as State Representative. Supervisor Guigear also noted that per the MTA with the rising energy costs from Consumer Energy municipalities no longer get credit for pumping stations in their communities. Supervisor Guigear also received information regarding the PASER ratings for paved road surfaces in each Township in Genesee County.

SUPERVISOR: D. Guigear:

A. Genesee County Road Culvert Bill:

Supervisor Guigear said an invoice was received from the Genesee County Road Commission for the Cook and Ray Road Pilot Program for culverts. The culverts increased in price from $117.00 to $130.00 and it is time to pay for those culverts. We have to pay for the culverts they have installed and we need to reach some type of accord with the county. Supervisor Guigear also commented that he believes the four residents on Torrey Road should also be included when they bring in their paid invoices.

Motion by Supervisor D. Guigear, seconded by Treasurer J. Oskey to pay the culvert invoice for Cook and Ray Roads Pilot Program and send a letter to the Genesee County Road Commission indicating that Mundy Township would like to explore other ways of paying for this process. The payment for the culverts is also to include the four residences on Torrey Road by bringing in their paid invoices. All ayes. Motion carried.

Trustee M. Frost asked if the residents on Jennings Road would also get their culverts paid. Supervisor Guigear the culverts on Ray, Cook and Torrey Roads were done after Jennings Road. However, we could explore those at a later date and time.

B. Extension of Wade Trim Contract:

Supervisor Guigear said this issue was previously discussed and we have a new program coming forward from Wade Trim. Previously, Supervisor Guigear asked for a six-month extension for this contract and he is now asking for approval from the Board.

Motion by Trustee B. Harrison, seconded by Treasurer J. Oskey to approve to extend the current terms of the contract with Wade Trim Professional Planning Services for a six month period. All ayes. Motion carried.

C. Resolution 09-01 Department Head Designation:

Supervisor Guigear said he believes it is time for the Financial Director to have a Department Head designation as she has staff members working for her.

Motion by Supervisor D. Guigear, seconded by Clerk T. Ketzler to approve Resolution No. 09-01 designating the Financial Director as a Department Head. All ayes. Motion carried.

A. Farm Market Committee:

Supervisor D. Guigear said he spoke with some of the Board members concerning the separation of the Farm Market from the Park and Recreation Committee. The Supervisor is asking the Board to consider forming a five-person Farm Market Committee.

Motion by Supervisor D. Guigear, seconded by Clerk T. Ketzler to approve separating the Farm Market from the Park and Recreation Committee and form a five-person Farm Market Committee for Mundy Township. All ayes. Motion carried unanimously.

B. Retirement Letter and Replacement:

A letter was submitted from Christine Walker who will be retiring soon. Supervisor Guigear read the letter submitted by Mrs. Walker and asked that the Township Board formally accept her resignation.

Motion by Clerk T. Ketzler, seconded by Treasurer J. Oskey to accept the letter of resignation from Christine Walker due to her retirement. All ayes. Motion carried unanimously.

Supervisor D. Guigear explained there are two positions posted, being the Assistant to the Clerk and the Bookkeeper positions. We are anticipating the transfer of the person in the Building Department to the Clerk's Department. We are accepting applications and need to move forward as quickly as possible so we can get these people trained and on board. The deadline for the applications is 1-16-09 and we have approximately 80 to 90 applications for each position.

C. Park and Recreation Internal Control:

Supervisor Guigear said a letter was received from the Finance Director concerning internal controls for the Park and Recreation Committee. The Financial Director is asking that the Board pass a motion with internal controls that in the future any financial transactions are to be restricted and handled by authorized Township employees only. Ms. Ruddy believes this will protect not only the financial well being of the individual but also the Township. Ms. Ruddy said we presently have internal controls in place but this is about designating people who are taking in cash. Clerk T. Ketzler said this is to also protect the committee members.

Motion by Treasurer J. Oskey, seconded by Trustee D. Owens to have internal controls for the Park and Recreation Committee and in the future all financial transactions are to be handled by authorized employees of Mundy Township. All ayes. Motion carried unanimously.

D. Appointment of Ed Blight to Disaster Committee:

Supervisor Guigear said he is asking the Board to appoint Ed Blight to the Disaster Committee and have the Police Marshal be the Chairperson and schedule a committee meeting as soon as possible. This committee has been neglected in the past and we need to address this issue. The departments involved in this committee are the Building, Fire, Police and Assessor.

Motion by Supervisor D. Guigear, seconded by Clerk T. Ketzler to approve the appointment of Ed Blight to the Disaster Committee. Also, ~~have Police Marshal as the Chairperson of the committee~~ ***that Marshal Petres should chair the meeting and the committee to then select a chairperson*** and request that a meeting be scheduled as soon as possible. All ayes. Motion carried.

CLERK: T. Ketzler:

A. Rezoning Fenton/Cook Road:

Clerk T. Ketzler said the property is zoned RA and doesn't fit the zoning in that area. The zoning needs to be changed to commercial and the Planning Commission is asking the Township Board to approve the zoning change. Attorney J. Belzer said the application was brought forward by the property owner and there would be special uses such as those stated in Section 2 of the ordinance. There is only a one time reading of the ordinance needed because it is amending our zoning ordinance. This property abuts residential property to the North and across the street. This will be a nice buffer to the residential area. The uses being presented are un-intrusive to the area.

Motion by Trustee D. Owens, seconded by Supervisor D. Guigear to have the Planning Commission move forward with the rezoning of the property at 9146 Fenton Road to approve the amendment of Ordinance No. Z-218. All ayes. Motion carried.

B. Hiring of Amanda Bastuk:

Clerk T. Ketzler said Amanda is coming from the Building Department to the Clerk's Department. The Township Board hires and fires and this is being brought before the Board for your information as this will be an internal move.

Clerk Ketzler also noted that there will be a meeting at the Township on Thursday and Friday for the Clerks in Genesee County who must have a certification meeting. There are many new clerks throughout Genesee County.

TREASURER: J. Oskey:

Treasurer Oskey said the Board has a copy of the November Financial Report and Karen Ruddy is here if anyone has any questions concerning the report. A brief discussion followed.

K. Ruddy, Financial Director, stated that we are under budget. The Board has the November Financial Report, which is usually presented at the second meeting of the month. However, in December we didn't have a second meeting so that is why you are receiving the report at this meeting. Discussion followed regarding the interest rates and the impact the economy is having on the financial status. Treasurer J. Oskey commented that this will be a tight year financially and 2010 doesn't look like it will be much better.

BOARD MEMBERS CONCERNS:

A. Travel Expense Clarification:

Supervisor D. Guigear said once a vote is made at Budget time the travel expenses should not have to be reviewed by the Township Board. Treasurer J. Oskey said he agrees with the Supervisor as long as the travel expenses are included in the budget. Supervisor Guigear said the Board has in your packet a copy of the current Business Travel Expenses. A lengthy discussion followed regarding the travel expenses.

Treasurer J. Oskey said possibly the Department Head could advise the Board as to where they are going rather than seeking a motion for approval to attend the conference. Trustee Owens said it is common courtesy to inform the Board of conferences that the Department Heads will be attending and no vote would be necessary if it is included in the budget.

PUBLIC COMMENTS:

Mike Taylor, 4445 Cook Rd., said Mr. Godley was going to speak to the Board about the two

new members of the Park and Recreation Committee. Mr. Taylor said the committee is not against separation of the Farm Market from the Park and Recreation Committee, but they would like to have discussed this at the committee level. We don't have a Better Business Bureau or DDA to help support us as other areas do for their Park and Recreation Committee. Mr. Taylor indicated that they are attempting to get grants. Mr. Taylor asked if a Township Board member would be assigned to the Park and Recreation Committee. Mr. Taylor commented that he didn't think it was a good vote at this time. Further discussion followed.

Rick Frost spoke in reference to a past board member trying to collect unemployment and praised the Board for rejecting the vote for the unemployment. Mr. Frost said he believes Treasurer Oskey is right on point with the sewer increase not being passed on to the residents. Mr. Frost said there were six comments made this evening regarding increases in one way or another.

Motion by Supervisor D. Guigear, seconded by Treasurer J. Oskey to move into Executive Session for the purpose of discussion regarding the Police, Fire and AFSCME Union negotiations. All ayes. Motion carried.

The Board recessed at 8:25 P.M. to go into Executive Session and reconvened at 9:51 P.M. Supervisor Guigear said no decisions were made during the Executive Session.

Moved by Clerk T. Ketzler, seconded by Trustee J. Owens to approve D. Guigear, Supervisor and Ray Knott, Labor Consultant to meet with the three bargaining units and show them the new insurance program that ~~we~~ ***they*** will be implementing, which is equal to what we currently have. The new program will help to off-set costs that will be increasing over the next year and it will be implemented as soon as possible. The insurance program is in line with the requirements of the ~~insurance carrier~~ ***labor contract***. All ayes. Motion carried.

ACCOUNTS PAYABLE:

Motion by Treasurer J. Oskey, seconded by Clerk T. Ketzler to pay all invoices totaling $763,125.49 Checks #53684 thru #53780 the General Fund-Total $229,732.26 and DD #2139 thru #2282 and Checks #15368 thru Check #15390, the Payroll-Total $236,829.58 and Checks #1858 thru #1862 the Sewer-Total $296,563.65 were issued. Checks dated prior to 01-12-09 shall be post audited per Resolution 08-12. All ayes. Motion carried.

Motion by Trustee D. Owens, seconded by Treasurer J. Oskey to adjourn the meeting. All ayes. Motion carried.

Meeting adjourned at 9:55 P.M.

Respectfully Submitted,

2/5/2009
Dated
TK/cml

Tonya D. Ketzler, Clerk

Approved:

2/5/09
Dated
KLB/cml

David L. Guigear, Supervisor

These minutes were prepared by Cheryl M. Ladd, CMC, for Mundy Township.

February 5, 2009
Dated

Cheryl M. Ladd, CMC, Recording Secretary