

BOARD MEMBERS PRESENT:

Gary Wall, Supervisor
Sue Camilleri, Clerk
Anthony Bartolotta, Trustee
Michael Healy, Trustee
Karen Joliat, Trustee
Steven Thomas, Trustee

BOARD MEMBERS ABSENT:

Margaret Birch, Treasurer

OTHERS PRESENT

Marty Kuhn
La Mexicana #4 & #5
Matt Jones
Joan Rogers
Donna Wall
John Lyman
Charlotte Cito
Dawn Cito

Derek Diederich
Barb Miller
Sharon Thomas
Sheila Seaver
Brad S. Conley
Amy Williams
Shelly Robinson
Jen Thom

Richard Kuhn, Jr.
Wendell Evans
Louis W. Feurino
Gary Allison
Jared Black
Alison Swanson
Kent Douglas

Supervisor Gary Wall called the meeting to order at 6:03 p.m. and asked for a moment of silence for the brave men and women who have served our Country. Brownie and Girl Scout Troop 71086 of Waterford and West Bloomfield lead the Pledge of Allegiance and sang six carols.

Roll call was taken and all Board Members were present except for Treasurer Birch.

Moved by Camilleri;

Seconded by Joliat; RESOLVED, to amend the December 12, 2016, Township Board agenda by adding item 8.2a, 2017 Water and Sewer Fund Special Appropriations Act and Budget Approval Resolution.

Motion carried unanimously.

Moved by Joliat;

Seconded by Bartolotta; RESOLVED, to approve the agenda for December 12, 2016, agenda as amended.

Motion carried unanimously.

Moved by Bartolotta,

Seconded by Thomas; RESOLVED, to approve the November 28, 2016, Township Board Meeting minutes, as presented.

Motion carried unanimously.

Moved by Bartolotta;

Seconded by Joliat; to approve the payment of the bills for December 12, 2016, as presented. A list of the bills is attached to these minutes. A roll call vote was taken.

Ayes: Wall, Camilleri, Bartolotta, Healy, Joliat and Thomas

Nays: None

Absent: Birch

Motion carried unanimously.

ANNOUNCEMENTS

- 4.1 Attention all "Snowbirds"! Headed to a warmer climate? Please contact the Waterford Assessing Department with your forwarding address if you are leaving town for the winter. Even though you may have your mail forwarded by the U.S. Post Office, property tax bills and assessments notices are not forwarded. Please call 248-674-6270 to let us know your Winter address.
- 4.2 Waterford Township Administrative offices will be closed Friday, December 23rd, Monday, December 26th, Friday December 30th, and Monday, January 2nd in observance of Christmas Eve, Christmas, New Year's Eve and New Year's Day. Emergency services remain available during this administrative closure.
- 4.3 The Waterford Public Library will be closed on the following dates: (Please note the Library is always closed on Fridays in addition to the following dates) December 24, 25 & 26, 2016, December 30, 2016, and January 2, 2017
- 4.4 On behalf of the Board of Trustees and the employees of Waterford Township, we wish you a safe, happy, and healthy holiday season.

5. Awards & Presentations

5.1 2016 Year in Review

5.2 2017 Budget Presentation

Derek Diederich, Budget Director and DPW Administrative Superintendent, and Barb Miller, Assistant Budget Director and Accounting Manager, made a presentation.

REPORTS

1. Clerk's Office Report – October 2016

Moved by Joliat;

Seconded by Bartolotta; RESOLVED, to receive October 2016, Clerk's Office Report.

Motion carried unanimously.

2. Development Services Report – October 2016

Moved by Bartolotta;

Seconded by Healy; RESOLVED, to receive October 2016, Development Services Report.

Motion carried unanimously.

NEW BUSINESS**1. 2017 Budget Public Hearing**

Supervisor Wall opened the Public Hearing at 7:10 p.m. No members of the public commented.
Supervisor Wall closed the public hearing 7:11 p.m.

2. Appropriations Act of 2017

Clerk Camilleri read the 2017 Appropriations Act Resolution.

**Charter Township of Waterford
Oakland County, Michigan**

2017 General Appropriations Act

Whereas, according to the Uniform Budgeting and Accounting Act, Public Act 2 of 1968 as amended, the Waterford Township Supervisor is Chief Administrative Officer with the authority to prepare the budget and control expenditures there under; and

Whereas, the Notice of Public Hearing of the Townships proposed budget was published in the Oakland Press on November 27, 2016; and

Whereas, the Waterford Township Board of Trustees held a Public Hearing on its budget on December 12, 2016; and

Whereas, the proposed 2017 tax rate to be levied by the Charter Township of Waterford is 11.5064 mills; and

Whereas, the estimated 2017 revenues and expenses for the Charter Township of Waterford are as follows:

	2017 REVENUES	2016 FUND BALANCE (EST.)	2017 TOTAL FUNDS AVAILABLE	2017 EXPENDITURES
GENERAL FUND*	18,511,601	7,483,025	25,994,626	18,601,774
POLICE FUND**	12,221,336	3,287,992	15,509,328	12,435,319
FIRE FUND**	19,886,711	2,804,129	22,690,840	20,211,977
LIBRARY FUND	2,016,658	924,444	2,941,102	2,169,497
PARKS & REC FUND**	1,835,379	425,451	2,260,830	1,800,734
TOTAL OPERATING	54,471,685	14,925,041	69,396,726	55,219,301
OTHER FUNDS				
POLICE RESTRICTED	73,939	1,259,769	1,333,708	43,300
CEMETERY CARE	15,885	210,089	225,974	0
CABLE FUND	418,601	659,456	1,078,057	409,162
IMPROVEMENT & REVOLVING	218,088	2,141,446	2,359,534	363,001
BUDGET STABILIZATION	0	1,675,000	1,675,000	0
LIBRARY DONATIONS	26,500	57,401	83,901	55,000
WORKERS COMPENSATION	13,550	725,676	739,226	500
TOTAL OTHER FUNDS	766,563	6,728,837	7,495,400	870,963
TOTAL ALL FUNDS	55,238,248	21,653,878	76,892,126	56,090,264

GENERAL FUND	
TOWNSHIP BOARD	51,134
DISTRICT COURT	2,071,659
SUPERVISOR & ASSESSING	759,624
ELECTIONS	13,000
CLERK'S OFFICE	645,037
FISCAL & HUMAN RESOURCES	227,448
GENERAL SERVICES	1,650,683
RETIREE BENEFITS	1,305,246
TREASURER	602,240
INFORMATION SYSTEMS	421,069
FACILITIES & OPERATIONS	1,156,901
DEVELOPMENT SERVICES	978,129
COMMUNITY PROMOTIONS	77,500
SCHOOL CROSSING GUARDS	43,060
TRANSFER TO POLICE, FIRE, ETC	8,599,044
*TOTAL GENERAL FUND	18,601,774

** INCLUDES TRANSFER FROM GENERAL FUND

Now, therefore be it resolved, that the 2017 Budget of the Charter Township of Waterford is hereby adopted by reference.

Be it further resolved, that the Board of Trustees of the Charter Township of Waterford adopts the 2017 fiscal year budget by cost center, except for the District Court which is approved for a line item budget, and that the Township officials responsible for the expenditures authorized in the budget may expend township funds up to the total appropriation authorized for each cost center and may make transfers among the various line items contained in the cost center appropriation, except for the District Court which has a line item budget.

Be it further resolved, that appropriations will be deemed maximum authorizations to incur expenditures. The supervisor shall exercise supervision and control to ensure that expenditures are within appropriations and shall not issue any order for expenditures that exceed appropriations.

Ayes: _____
 Nays: _____
 Absent: _____

Certification

I hereby certify that this resolution was adopted by the Charter Township of Waterford Board of Trustees by the roll call vote indicated at a regular meeting of the Board on December 12, 2016.

Charter Township of Waterford

 Sue Camilleri, Township Clerk
 December 12, 2016

Appropriations Act of 2017 Continued.

Moved by Joliat;

Seconded by Thomas; RESOLVED, to approve the 2017 General Appropriations Act Resolution; a roll call vote was taken.

Ayes: Wall, Camilleri, Bartolotta, Healy, Joliat and Thomas

Nays: None

Absent: Birch

Motion carried unanimously.

2a. 2017 Water and Sewer Fund Special Appropriations Act and Budget Approval Resolution

Clerk Camilleri read the 2017 Water and Sewer Fund Special Appropriations Act and Budget Approval Resolution.

**CHARTER TOWNSHIP OF WATERFORD
OAKLAND COUNTY, MICHIGAN**

**2017 WATER AND SEWER FUND SPECIAL APPROPRIATIONS ACT AND BUDGET
APPROVAL RESOLUTION**

WHEREAS, the Township's proposed budget for the 2017 fiscal year that begins January 1, 2017, includes the Township's Water and Sewer Fund, which is an enterprise fund; and

WHEREAS, under the Uniform Budgeting and Accounting Act, Public Act No. 2 of 1968, as amended, although budgets for enterprise funds are not part of the budget that is approved by a general appropriations act, they may be approved by a special appropriations act; and

WHEREAS, on December 12, 2016, the Township Board of Trustees held a public hearing on its proposed budget for the 2017 fiscal year, notice of which was published in the Oakland Press on November 27, 2016; and

WHEREAS, the proposed 2017 Water and Sewer Fund Budget, which does not require or provide for money to be raised by taxation or new bond issues to meet proposed expenditures, and necessary supporting schedules provides for:

1. Expenditures of \$20,192,966 that include \$765,932 of debt interest expenses.
2. Debt principal payments of \$2,179,180 not included in the \$20,192,966 expenditures.
3. Anticipated income (revenue) of \$22,629,100.
4. An estimated beginning fund balance of \$13,442,479 and estimated end of year fund balance of \$13,699,433; and

WHEREAS, the proposed 2017 Water and Sewer Fund Budget includes supporting schedules for the information in the Budget.

IT IS THEREFORE RESOLVED that the proposed 2017 Water and Sewer Fund Budget as described in this Resolution is approved and adopted.

IT IS FURTHER RESOLVED that appropriations are hereby made for the expenditures in the approved Budget, which are maximum authorizations for responsible and authorized Township officials to incur expenditures within each of the cost centers.

2017 Water and Sewer Fund Special Appropriations Act and Budget Approval Resolution Continued.

CERTIFICATION

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees at a regular meeting on December 12, 2016.

Charter Township of Waterford

Date

Sue Camilleri, Township Clerk

Moved by Joliat;

Seconded by Healy; RESOLVED, to approve the 2017 Water and Sewer Fund Special Appropriations Act and Budget Approval Resolution; a roll call vote was taken.

Ayes: Wall, Camilleri, Bartolotta, Healy, Joliat and Thomas

Nays: None

Absent: Birch

Motion carried unanimously.

3. 2016 Year End Budget Amendments and Fund Balance Designation

The following memo was received from Derek Diederich, DPW Admin. Superintendent/Budget Director and Barb Miller, Accounting Manager/Assistant Budget Director.

After review of township operational budget accounts and the need to post some one time revenues and accrual adjustments, we recommend the following eleven (11) year-end adjustments and amendments for the Township Board's review and action.

One-Time Revenue Receipts 2016 Budget Year:

Waterford Township received a few 'one-time' revenues that need to be incorporated into the 2016 Budget. Waterford received a rebate from its General Liability Carrier – Michigan Municipal Risk Management Authority (MMRMA) in the amount of \$709,395 in 2016. While this is good news, this revenue source is a one-time adjustment made by our carrier to account for loss experience and required assets on hand compared against the insurance carrier's exposure as derived by their accountants and actuaries. In short, this is the type of revenue that cannot be considered permanent. As we have discussed previously we do not believe in attaching reoccurring annual expenses to one-time revenue events which is a conservative budgetary practice.

Additionally, the Township received some rebates through one of its health care companies (Blue Cross and Blue Shield) and some other smaller one-time rebates.

Township Board Budget Adjustment #1 Motion Requested:

General Fund Line Item 10101-68700 was originally budgeted at \$200,000. At this time, we would ask the Township Board to approve a budget adjustment to the Township's General Fund Revenue Line Item: 10101-68700 'Refunds and Rebates' of \$500,837 to recognize and receive these funds into the 2016 Budget as described above. Additionally, would recommend a Budget Amendment of \$208,558 to Water-Sewer Refunds and Rebates of \$208,558 to appropriate Water-Sewer's share of this rebate.

2016 Year End Budget Amendments and Fund Balance Designation Continued.

Moved by Joliat;

Seconded by Camilleri; RESOLVED, to approve a budget adjustment to the Township's General Fund Revenue Line Item 10101-68700, Refunds and Rebates, in the amount of five hundred thousand, eight hundred thirty-seven (\$500,837.00) dollars and to a Budget Amendment to Water-Sewer Refunds and Rebates, in the amount of two hundred eight thousand, five hundred fifty eight \$208,558.00 (dollars) to appropriate Water-Sewer; a roll call vote was taken.

Ayes: Wall, Camilleri, Bartolotta, Healy, Joliat and Thomas

Nays: None

Absent: Birch

Motion carried unanimously.

One-Time State Shared Revenue Timing Amendment:

Our auditors have recommended the Township post a one-time accrual adjustment related to State Revenue Sharing. This one-time adjustment is needed because of the timing change that started to occur when the State began disbursing these payments electronically versus the old conventional paper check format. Waterford is slightly out of sync in its format with respect to timing. This is truly a one-time and one time only catch up event to put the Township in sync with the State disbursement schedule. We have created a separate revenue line item in the General Fund to post this one adjustment so our trending in this category is not comingled. Therefore, we recommend the Board approve a budget adjustment of \$900,000 to line item 10101-57400.

Moved by Camilleri;

Seconded by Healy; RESOLVED, to approve a budget adjustment in the amount of nine hundred thousand (\$900,000.00) dollars to line item 10101-57400; a roll call vote was taken.

Ayes: Wall, Camilleri, Bartolotta, Healy, Joliat and Thomas

Nays: None

Absent: Birch

Motion carried unanimously.

**Commitment of Township Resources on Financial Statements –
Board Resolution (Adjustment #2):**

In light of the 'one-time' revenues outlined above we believe, that the Township has an opportunity to commit some of the one-time resources above to Waterford's 'Budget Stabilization Fund.' You will remember that the Township Board created this Fund in 2013. The bond rating agencies (Standard and Poors, Moody's and Fitch) as well as our auditors like to see such allocations made. During our last Bond Rating Exercise in March of 2014 Standard and Poor's did take note of the Budget Stabilization Fund that was created by Waterford Township in the fall of 2013. We feel that a further contribution is in Waterford's best interest.

Bond Ratings are a good measurement of a municipality's financial health and also are very important when issuing debt to receive the most favorable interest rates and financing available.

The commitment of the funds takes a board action (resolution) to commit the funds. Also, if the funds were to ever be used in the future, a subsequent board action (resolution) would be required to utilize the funds. We have checked with our auditors and this action is permitted and

2016 Year End Budget Amendments and Fund Balance Designation Continued.

in the spirit and accordance with the Governmental Accounting Standards Board (GASB-54) rule. We believe that this move would be a sound and conservative action to take with one-time non-recurring revenues. We recommend that the Board allocate \$350,000 to the Committed Budget Stabilization Fund at this time. While not a large allocation considering the magnitude of the operations we believe this is a prudent and conservative action that merits consideration. Please see the attached Appendix A for the resolution that we ask the Board to consider regarding this recommendation at this time.

Moved by Camilleri;

Seconded by Joliat; RESOLVED, to approve an allocation in the amount of three hundred fifty thousand (\$350,000.00) to the Budget Stabilization Fund; a roll call vote was taken.

Ayes: Wall, Camilleri, Bartolotta, Healy, Joliat and Thomas

Nays: None

Absent: Birch

Motion carried unanimously.

Moved by Joliat;

Seconded by Thomas; RESOLVED, to approve Resolution #1, Budget Stabilization Fund Committed Designation; a roll call vote was taken.

Ayes: Wall, Camilleri, Bartolotta, Healy, Joliat and Thomas

Nays: None

Absent: Birch

Motion carried unanimously.

Township Board Budget Adjustment #4 Motion Requested:

We would also recommend that the Township Board make an increased transfer from its General Fund, Fund # (101) to its Improvement and Revolving Fund, Fund # (246). As a reminder, the (246) Improvement Revolving Fund is where the Township budgets and pays for many capital improvements. This fund does not have a reoccurring or dedicated revenue stream, so it is essential that whenever possible this fund be given an opportunity to help the community address its capital infrastructure and deferred maintenance needs. Historically, the Improvement Revolving Fund has allowed the Township to participate in the Tri-Party (Oakland County, Oakland County Road Commission and Twp.) road projects, Township Drainage issues, Streetlights, Sidewalk and other needed capital upgrades and repairs. The needs for capital improvements are vast and virtually without end and such items have been deferred; especially during the most recent recession. At this time, we recommend that the Township Board authorize a \$550,000 transfer from General Fund Expense line Item 19650-99911 to Improvement Revolving Fund Revenue Line Item 24601-67402. While this is a positive item we should keep in mind that public infrastructure projects can be very costly indeed and that the Township has deferred many projects over the past number of years.

Moved by Joliat;

Seconded by Camilleri; RESOLVED, to approve a five hundred fifty thousand (\$550,000.00) transfer from General Fund Expense Line Item 19650-99911 to Improvement Revolving Fund Revenue Line Item 24601-67402; a roll call vote was taken.

2016 Year End Budget Amendments and Fund Balance Designation Continued.

Ayes: Wall, Camilleri, Bartolotta, Healy, Joliat and Thomas
Nays: None
Absent: Birch

Motion carried unanimously.

Township Board Budget Adjustment #5 Motion Requested:

We would also recommend that the Township Board make an increased transfer from its General Fund, Fund # (101) to its Cemetery Perpetual Care Fund, Fund # (209). The Township's five municipal cemeteries at some point will have ongoing maintenance and upkeep needs and no dedicated revenue stream to help meet these needs. At the end of 12-31-15 there was \$168,704 in this fund. We recommend an increased transfer of \$25,000 from General Fund Line Item 19650-99908 to Cemetery Care Fund Line Item 20901-67402 at this time.

Moved by Camilleri;

Seconded by Joliat; RESOLVED, to approve a transfer in the amount of twenty-five thousand (\$25,000.00) dollars from General Fund Line Item 19650-99908 to Cemetery Care Fund Line Item 20901-67402; a roll call vote was taken.

Ayes: Wall, Camilleri, Bartolotta, Healy, Joliat and Thomas
Nays: None
Absent: Birch

Motion carried unanimously.

Township Board Budget Adjustment #6 Motion Requested:

We would also recommend that the Township Board make an increased transfer from its General Fund, Fund # (101) to its Worker's Compensation Fund, Fund # (215). The Township conducts Public Safety (Police and Fire), as well as other services at the DPW in particular that can be considered hazardous. Having the proper set asides to address deductibles and self-insurance limits when/if these events happen is essential. Currently, our self-insurance/deductible is set at \$450,000 per occurrence. At the end of 12-31-15 there was \$681,436 in this fund. We recommend an increased transfer of \$25,000 from General Fund Line Item 19650-99918 to Worker's Comp Fund Line Item 21501-67421 at this time.

Moved by Bartolotta;

Seconded by Camilleri; RESOLVED, to approve a transfer in the amount of twenty-five thousand (\$25,000.00) dollars from General Fund Line Item 19650-99918 to Worker's Comp Fund Line Item 21501-67421; a roll call vote was taken.

Ayes: Wall, Camilleri, Bartolotta, Healy, Joliat and Thomas
Nays: None
Absent: Birch

Motion carried unanimously.

2016 Year End Budget Amendments and Fund Balance Designation Continued.

Township Board Budget Adjustment #7 Motion Requested:

We would recommend that the Township Board authorize an increased transfer from the General Fund Line Item #12480-99901 to the (330) fund, line item #33001-67410 in the amount of \$50,000. If you remember the (330) fund was created to help set aside current dollars for future capital needs. The General Fund transfer to the 330 Fund are for future building, grounds or vehicle repairs, maintenance or acquisition in the General Fund category.

Moved by Joliat;

Seconded by Camilleri; RESOLVED, to approve a transfer in the amount of fifty thousand (\$50,000.00) from the General Fund Line Item 12480-99901 to the 330 Fund Line Item 33001-67410; a roll call vote was taken.

Ayes: Wall, Camilleri, Bartolotta, Healy, Joliat and Thomas

Nays: None

Absent: Birch

Motion carried unanimously.

Township Board Budget Adjustment #8 Motion Requested:

The Township Building Permits revenue line item was originally budgeted at \$190,000. We project a Year-End total to be closer to \$340,000 based on an uptick in related activities in 2016. Therefore, we request a budget amendment to increase and adjust the original budgeted amount by \$150,000. This corresponds to line item #10101-46300.

Moved by Joliat,

Seconded by Camilleri; Resolved, to approve a budget amendment in the amount of one hundred fifty thousand (\$150,000.00) dollars to Building Permits revenue line item 10101-46300; a roll call vote was taken.

Ayes: Wall, Camilleri, Bartolotta, Healy, Joliat and Thomas

Nays: None

Absent: Birch

Motion carried unanimously.

Township Board Budget Adjustment #9 Motion Requested:

The Township originally budgeted its State Shared Revenue line item at the State's initial projected number of \$5,704,956. We project the Year-end total to be closer to \$5,414,874; the state's original estimate appears to be off by an estimated \$290,082. We recommend a reduction to the General Fund's Revenue Line Item #10101-57401 by \$290,082.

Moved by Camilleri;

Seconded by Joliat; RESOLVED, to approve a reduction in the amount of two hundred thousand and eighty-two (\$290,082.00) dollars to line item 10101-57401; a roll call vote was taken.

Ayes: Wall, Camilleri, Bartolotta, Healy, Joliat and Thomas

Nays: None

Absent: Birch

Motion carried unanimously.

2016 Year End Budget Amendments and Fund Balance Designation Continued.

Township Board Budget Adjustment #10 Motion Requested:

The Township originally budgeted its legal expense line item in the General Fund at \$110,000. We project year-end 2016 expenses closer to \$226,000. Therefore, we recommend an increased allocation to General Fund Line Item #12480-84100 of \$116,000.

Moved by Joliat;

Seconded by Healy; RESOLVED, to approve an increase, in the amount of one hundred sixteen thousand (\$116,000.00) dollars to the General Fund's Revenue Line Item 12480-84100; a roll call vote was taken.

Ayes: Wall, Camilleri, Bartolotta, Healy, Joliat and Thomas

Nays: None

Absent: Birch

Motion carried unanimously.

Township Board Budget Adjustment #11 Motion Requested:

We would recommend that the Township Board authorize an increased transfer from the Fire Fund Line Item #20630-99901 to the (330) fund, line item #33001-67410 in the amount of \$100,000. If you remember the (330) fund was created to help set aside current dollars for future capital needs. The Fire Fund transfer to the 330 Fund are for future building, grounds or vehicle repairs, maintenance or acquisition in the Fire Fund category. The Fire Fund Year-End projected change to fund balance will permit this allocation. We have spoken to the Fire Chief and he agrees that this transfer is prudent and fits with the goal of attempting to replenish large capital items; most notably fire engines with this prefunding mechanism.

Thank you for your attention and careful consideration on these matters. Should you have any questions please feel free to contact our office at your convenience.

Moved by Joliat;

Seconded by Camilleri; RESOLVED, to approve a transfer, in the amount of one hundred thousand (\$100,000.00) dollars, from the Fire Fund Line Item 20630-99901 to the 330 Fund, line item 33001-67410; a roll call vote was taken.

Ayes: Wall, Camilleri, Bartolotta, Healy, Joliat and Thomas

Nays: None

Absent: Birch

Motion carried unanimously.

Appendix A
(Budget Stabilization Fund Resolution):

Resolution # 1 (Budget Stabilization Fund Committed Designation):

A Resolution to approve commitment of Fund Balance in Accordance with GASB Statement No. 54.

Whereas, the Governmental Accounting Standards Board (GASB) has issued Statement No. 54 – Fund Balance Reporting and Governmental Fund Type Definitions, which redefines fund types

2016 Year End Budget Amendments and Fund Balance Designation Continued.

and changes the terminology used for fund balance reporting on balance sheets of Governmental Funds, AND;

Whereas, the Charter Township of Waterford's Township Board has reviewed the new terminology, AND;

Whereas, the Charter Township of Waterford Budget and Assistant Budget Directors recommend that a portion of the General Fund Refunds and Rebates Revenues for Budget Year 2016 be received and committed by this resolution in the amount of \$350,000 to the 'Budget Stabilization Fund.'

Whereas, the purpose of these committed funds would be to balance a subsequent budget in future years, or to meet the needs of a large unforeseen event.

Now, Therefore, Be It Resolved that the Charter Township of Waterford Township Board accepts the aforementioned recommendation.

4. 2016 Fiscal Year Budget Amendment – Clerk's Office – Elections

The following memo was received from Clerk Camilleri

After review of the Elections Department budget accounts there are two amendments necessary to balance the accounts. There is additional revenue to recognize and I am requesting additional funds to cover expenses over the budgeted amount.

1. Recognize additional revenue of \$5600.00 from the reimbursement of the Presidential Primary expenses.
2. Request \$11,600.00 in additional funds to the following line items:
 - a. 11910-70200 Salaries in the amount of \$6000.00
 - b. 11910-76000 Operating supplies in the amount of \$5,600.00.

Moved by Joliat;

Seconded by Bartolotta; RESOLVED, to receive additional revenue, in the amount of five thousand, six hundred (\$5,600.00) dollars, from the reimbursement of the Presidential Primary expenses. In addition, to approve additional funds in the amount of, six thousand (\$6,000.00) dollars, to Clerk-Election's line item 11910-70200 and five thousand, six hundred (\$5,600.00) dollars to Clerk-Election's line item 11910-76000; a roll call vote was taken.

Ayes: Wall, Camilleri, Bartolotta, Healy, Joliat and Thomas

Nays: None

Absent: Birch

Motion carried unanimously.

5. Annual Rate Charge Under Ordinance Section 17-3838

The following memo was received from Township Attorney Gary Dovre.

Among the goals of the 2014 recodification of the Township's Code of Ordinances was to repeal provisions that were no longer needed or being utilized. It has come to my attention that Section 17-338 in Article V of Chapter 17 of the Code was such a provision that should have been repealed. That section reads as follows:

Sec. 17-338. Annual rate charge

The Township shall pay for all water used by it at the established rates for each hydrant connected to the system. Such rental may be paid in equal quarterly installments.

The ordinance history for Section 17-338 suggests it dates back to at least 1986 when it was Section 26.078 in that version of the compiled ordinances. According to information provided to me by the Township's Assistant Budget Director, the last year in which an amount was paid under this ordinance was in 1995, more than 20 years ago. Regardless of whether the Township Board at that time adopted a resolution establishing the hydrant rental rate at zero, all Township Board approved budgets since then have effectively done that.

In the absence of outstanding revenue bonds pledging water system revenues for repayment, in my opinion there is no Michigan law requiring the Township to pay for fire hydrant water use. Even if water system revenue bonds were outstanding so as to trigger some fire hydrant water use payment obligation, in my opinion there is no Michigan law that requires an ordinance provision such as Section 17-338 to be on the books.

With the above basic background, unless the Township Board wants to establish a rate to be paid to the water and sewer fund by some other Township fund for fire hydrant water use, Section 17-338 should be repealed by introduction at your December 12, 2016, meeting and adoption at your January 9, 2017, meeting of the enclosed ordinance.

My second recommendation is that at your December 12, 2016 meeting you adopt the enclosed resolution that pending repeal of the ordinance, establishes the fire hydrant water usage rate at zero, consistent with Township Board's authority to establish charges by resolution under Section 17-001 of the Ordinance Code.

CHARTER TOWNSHIP OF WATERFORD ORDINANCE NO. 2016-04

WATER HYDRANT CHARGE REPEAL ORDINANCE

An Ordinance to repeal Section 17-338 in Division 1 of Article V in Chapter 17 of the Waterford Charter Township Code.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

Section 17-338 in Division 1 of Article V in Chapter 17 of the Waterford Charter Township Code, that reads as follows is hereby repealed in its entirety.

Sec. 17-338. Annual rate charge

The Township shall pay for all water used by it at the established rates for each hydrant connected to the system. Such rental may be paid in equal quarterly installments.

Annual Rate Charge Under Ordinance Section 17-3838 Continued.

Section 2 of Ordinance

Should any section, subdivision, sentence, clause or phrase of this ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part as invalidated.

Section 3 of Ordinance

This Ordinance shall take effect immediately upon publication.

CERTIFICATION

I certify that this Ordinance was adopted by the Board of Trustees of the Charter Township of Waterford at a regular meeting held on _____, 2017.

CHARTER TOWNSHIP OF WATERFORD

Date

By: _____
Sue Camilleri, Township Clerk

**CHARTER TOWNSHIP OF WATERFORD
OAKLAND COUNTY, MICHIGAN**

WATER HYDRANT CHARGE RESOLUTION

RECITALS:

A. Section 17-338 in Division 1 of Article V in Chapter 17 of the Waterford Charter Township Code, which was in the 1986 version of the Township's compiled ordinances as Section 26.078, provides as follows:

Sec. 17-338. Annual rate charge

The Township shall pay for all water used by it at the established rates for each hydrant connected to the system. Such rental may be paid in equal quarterly installments.

B. Considering that the last year in which a rate was paid under the 1986 and current versions of the Township's compiled ordinances, and the Township Attorney's opinion that Section 17-338 is not required under Michigan law, it should have been repealed during the 2014 recodification of the Waterford Charter Township Code.

C. On December 12, 2016, the Township Board introduced Ordinance No. 2016-04, to repeal Section 17-338 and scheduled that Ordinance for possible adoption on January 9, 2017.

D. Although Township Board approved budgets since 1995, including the 2017 budget approved on December 12, 2016, have not established or required payment of a rate for hydrant water use, Section 17-001 of the Waterford Charter Township Code now provides for the Township Board to establish charges by resolution.

IT IS THEREFORE RESOLVED, that pending the repeal of Section 17-338 and thereafter, to the extent this Resolution is required in addition to the Township Board approved budgets since 1995, the Township Board confirms and establishes the rate described in Section 17-338 as zero (\$0.00) dollars.

Annual Rate Charge Under Ordinance Section 17-3838 Continued.

CERTIFICATION

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees at a regular meeting on December 12, 2016.

Charter Township of Waterford

Date

Sue Camilleri, Township Clerk

Moved by Camilleri;

Seconded by Joliat; RESOLVED, to introduce the Water Hydrant Charge Repeal Ordinance No. 2016-04 and schedule for possible adoption at the January 9, 2017, Township Board Regular Meeting; a roll call vote was taken.

Ayes: Wall, Camilleri, Bartolotta, Healy, Joliat and Thomas

Nays: None

Absent: Birch

Motion carried unanimously.

Moved by Camilleri;

Seconded by Bartolotta; RESOLVED, to adopt the Water Hydrant Charge Resolution that pending repeal of the ordinance, establishes the fire hydrant water usage rate at zero, consistent with the Township Board's authority to establish charges by Resolution under Section 17-001 of the Ordinance Code; a roll call vote was taken.

Ayes: Wall, Camilleri, Bartolotta, Healy, Joliat and Thomas

Nays: None

Absent: Birch

Motion carried unanimously.

6. Procurement Policy

The following memo was received from Barb Miller, Accounting Manager and Assistant Budget Director.

Waterford is the recipient of both direct and indirect federal grants. New guidelines were recently established for these federal awards. In light of this, the Township's Procurement Policy has been revised to comply with these new standards. Section 8 has been added to the policy which incorporates key elements of the grant procurement guidelines and on page 4 a quick reference guide for federal grants has been added. When appropriate, comments have been inserted in other sections to highlight where federal policy may differ from the Township's policy.

Section 2 item 4, which relates to disposal of goods that are surplus in nature, has also been revised. Adjustments were made to the thresholds for disposal of these items so that lower value items are sold or scrapped in an efficient manner and while higher value items have a greater degree of review.

Procurement methods are covered in section 3. In this segment, a requirement has been added that items over \$75,000 will need fiscal review by the Budget Department before being presented to the

Procurement Police Continued.

Township Board. In addition, minor revisions have been made throughout the policy that are general in nature and have minimal impact on the overall policy.

If you have any questions, please contact me at 248-674-6209.

Moved by Joliat;

Seconded by Healy; RESOLVED, to approve the revised Procurement Policy as presented; a roll call vote was taken.

Ayes: Wall, Camilleri, Bartolotta, Healy, Joliat and Thomas

Nays: None

Absent: Birch

Motion carried unanimously.

7. Adoption of Principals of Governance Resolution

Trustee Joliat read the Principals of Governance Resolution.

**CHARTER TOWNSHIP OF WATERFORD
PRINCIPLES OF GOVERNANCE**

To maintain the highest standards and traditions of Michigan townships, we embrace these principles to guide our stewardship, deliberations and constituent services as we commit to safeguard our community's health, safety and general welfare.

We pledge to:

- Insist on the highest standards of ethical conduct by all who act on behalf of this township.
- Bring credit, honor and dignity to our public offices through collegial board deliberations, and diligent, appropriate responses to constituent concerns
- Actively pursue education and knowledge, and embrace best practices
- Treat all persons with dignity, respect and impartiality, without prejudice or discrimination
- Practice openness and transparency in our decisions and actions
- Cooperate in all reasonable ways with other governmental entities and consider the impact our decisions may have outside our township's borders
- Communicate to the public township issues, challenges and successes, and welcome the active involvement of stakeholders to further the township's well-being
- Strive for compliance with all state and federal statutory requirements
- Refuse to participate in any decisions or activities for personal gain, at the expense of the best interests of the township
- Further the understanding of the obligations and responsibilities of American citizenship, democratic government and freedom

These principles we pledge to our township, our state, and our country.

Adoption of Principals of Governance Resolution Continued.

Gary Wall, Supervisor

Anthony Bartolotta, Trustee

Sue Camilleri, Clerk

Mike Healy, Trustee

Margaret Birch, Treasurer

Karen Joliat, Trustee

Steven Thomas, Trustee

Date

Moved by Camilleri;
Seconded by Bartolotta; RESOLVED, to adopt the Principals of Governance Resolution; a roll call vote was taken.

Ayes: Wall, Camilleri, Bartolotta, Healy, Joliat and Thomas
Nays: None
Absent: Birch

Motion carried unanimously.

8. Board of Review – Reappointment of Ron Guiseppe, Gary West and Appointment of Sara Nolte
Supervisor Wall submitted the following memo.

I respectfully request the Township Board’s approval for the re-appointment of Waterford Township residents Ron Guiseppe and Gary West, and the appointment of Waterford resident Sara Nolte to the Board of Review for a term of 2 years January 1, 2017 through January 1, 2019.

Ms. Nolte has volunteered to fill a vacancy on the Board of Review created with the recent resignation of long-time Board member Norris Miller. Mr. Miller sat on the Board of Review for a number of years and we are thankful for his service to the Township in this capacity.

The Township’s three member Board of Review meets to review property assessments, hear assessment appeals, and make any needed corrections to the assessment roll. In addition, they may meet to be advised on assessments, assessment appeals and to sign documents, certificates, affidavits, etc. The Board is also responsible, at its July and December sessions, to hear local appeals on approvals and denials of homestead exemption issues. The Board members participate in at least one training session each year.

In the current economy, the duties carried out by the members of the Board of Review are truly critical for both property owners and the Township. Both Mr. Guiseppe and Mr. West are knowledgeable and experienced in these areas. Ms. Nolte has recently become involved in residential rehab and has first-hand knowledge of what is required by homeowners to make such improvements. She also has a significant career working with a diverse population in a fair, consistent, and sensitive manner. I am confident they will perform well as members of this Board.

Board of Review – Reappointment of Ron Guiseppe, Gary West and Appointment of Sara Nolte Continued.

Thank you for your consideration.

Moved by Bartolotta;

Seconded by Thomas; RESOLVED, to reappoint Ron Guiseppe and Gary West and to appoint Sara Nolte to the Board of Review for a two (2) year term; terms to expire January 1, 2019.

Motion carried unanimously.

9. Cable Commission– Reappointment of Al Pavlish and appointment Trustee Thomas.

Supervisor Wall submitted the following memo.

I respectfully request the Township Board's approval for the appointment of Waterford Township Trustee Steven Thomas to the Cable Commission as the Township Board liaison for a term concurrent with his current Board of Trustees term to expire November 20, 2020. Steven has expressed an interest in representing the Board of Trustees serving on the Cable Commission. I believe he will provide valuable input and serve the Township well in this capacity.

I also request the Board consider reappointment of current Cable Commissioner Al Pavlish to a three-year term December 31, 2016 through December 31, 2019. Al has served on the Cable Commission for a number of years. His experience and contributions are valuable and I believe he will continue to be an asset to the Commission and the Township in this role.

The Cable Commission monitors franchise compliance with the cable company, resolves disputes arising between subscribers and the cable company, encourages the use and viewing of the community channels, and evaluates the cable system and makes recommendations to the Township Board.

Thank you for your consideration.

Moved by Bartolotta;

Seconded by Camilleri; RESOLVED, to reappoint Al Pavlish to a three (3) year term; term to expire December 31, 2019 and appoint Trustee Steven Thomas to the Cable Commission for a term concurrent with his current Board of Trustees term; term to expire November 20, 2020.

Motion carried unanimously.

10. Economic Development Corporation – Reappointment of Karen Joliat and Gary Wall

Supervisor Wall submitted the following memo.

I respectfully request the Township Board's approval for the reappointment of Waterford Township Trustee Karen Joliat and myself, Township Supervisor Gary Wall to the Economic Development Corporation. Karen and I will serve as Township Board liaisons for a term concurrent with our current Board of Trustees term to expire November 20, 2020.

The Economic Development Corporation (EDC) is an 11 member Board appointed by the Township Supervisor with the approval of the Township Board. The EDC was created for the public purpose of alleviating and preventing conditions of unemployment by encouraging local municipalities in the State of Michigan to finance industrial and non-profit projects with EDC revenue bonds or revenue notes.

Both Karen and I previously served on the EDC and are active and involved participants in the efforts and projects of the EDC. We believe economic development is vital to the future of Waterford Township and we would both like to continue serving in this capacity.

Thank you for your consideration.

Moved by Camilleri;

Seconded by Thomas; RESOLVED, to reappoint Trustee Karen Joliat and Supervisor Gary Wall to the Economic Development Corporation for a term concurrent with current Board of Trustees term; term to expire November 20, 2020

Motion carried unanimously.

11. Hess-Hathaway Park Advisory Board – Appointment of Michael Healy

Supervisor Wall submitted the following memo.

I respectfully request the Township Board's approval for the appointment of Waterford Township Trustee Michael Healy. Michael will serve as the Township Board liaison for a term concurrent with his current Board of Trustees term to expire November 20, 2020.

Michael previously served on the Hess-Hathaway Advisory Board as a citizen at large. He is familiar with Board requirements and has expressed interest in continuing to serve the Township in this capacity. Michael's experience and insight will continue to be a valuable contribution to the Hess-Hathaway Advisory Board.

Thank you for your consideration.

Moved by Bartolotta;

Seconded by Joliat; RESOLVED, to appoint Trustee Michael Healy to the Hess-Hathaway Park Advisory Board for a term concurrent with his current Board of Trustees term; term to expire November 20, 2020.

Motion carried unanimously.

12. Library Board – Reappointment of Sue Camilleri, Sheila Seaver and appointment of John Whitson

Supervisor Wall submitted the following memo.

I respectfully request the Township Board's approval for the reappointments of Waterford Township Clerk Sue Camilleri and resident Sheila Seaver to the Library Advisory Board. Clerk Camilleri will serve as the Board liaison and her term of service will be concurrent with her current term on the Board of Trustees to expire November 20, 2020. Ms. Seaver will be reappointed for a three-year term to expire December 31, 2019.

I also request the Township Board's approval for the appointment of Waterford resident John Whitson to fill a vacancy created by the departure of Library Board member Pam Klopfenstein who is finishing up her second and last term expiring December 31, 2016. Mr. Whitson is committed to serving the community as an advocate for the Library and the services it provides. Mr. Whitson's three-year term of service on the Library Advisory Board will span January 1, 2017 through December 31, 2019.

The Library Advisory Board is responsible for working with the Director to establish long-range planning and goal setting for the Township library operations.

Joan Rogers, Library Director and the current Library Advisory Board also support these appointments.

Thank you for your consideration

Moved by Joliat;

Seconded by Bartolotta; RESOLVED, to reappoint Township Clerk Sue Camilleri and Sheila Seaver to the Library Advisory Board and to appoint John Whitson. Clerk Camilleri's term will run concurrent with her current Board of Trustees term; term to expire November 20, 2020. Ms. Seaver and Mr. Whitson's terms to expire December 31, 2019.

Motion carried unanimously.

13. Nature Center Advisory Board – Reappointment of Karen Joliat

Supervisor Wall submitted the following memo.

I respectfully request the Township Board's approval for the reappointment of Waterford Township Trustee Karen Joliat to the Drayton Plains Nature Center Advisory Board. Karen will serve as the Township Board liaison for a term concurrent with her current Board of Trustees term to expire November 20, 2020.

Karen previously served as the liaison from the Township Board to the Nature Center Board. She is familiar with the Board requirements, remains an active and engaged contributor to the Advisory Board, and has expressed interest in continuing to serve the Township in this capacity.

Thank you for your consideration.

Moved by Bartolotta;

Seconded by Thomas; RESOLVED, to reappoint Trustee Karen Joliat to the Drayton Plains Nature Center Advisory Board for a term concurrent with her current Board of Trustees term; term to expire November 20, 2020.

Motion carried unanimously.

14. Parks and Recreation Board – Appointment of Michael Healy and Donna Kelley

Supervisor Wall submitted the following memo.

I respectfully request the Township Board's approval for the appointment of Waterford Township Trustee Michael Healy and Waterford resident and former Trustee Donna Kelley to the Parks and Recreation Board. Michael will serve as the Township Board liaison for a term concurrent with his current Township Board of Trustees term to expire November 20, 2020.

Donna Kelly's term of service will expire December 31, 2017 – she will fill a vacancy on the Parks and Recreation Board created when Mr. Healy was elected Township Trustee. He will now be the Board of Trustees liaison and Mrs. Kelley will be a representative as citizen at large.

The Waterford Township Parks and Recreation Department as directed by its Board serves a critical role in providing programs and services related to enhancing the quality of life for Waterford residents, as well as conserving and protecting the Township's natural resources.

I've had the opportunity to speak personally with each of these three individuals regarding their continuing service to the Township in this capacity. Each of them has expressed a passionate interest in continuing to serve on the Board and contribute ideas and guidance to help steer and grow Waterford's recreation programs. I believe they have made valuable contributions so far and will continue to help the Waterford Parks and Recreation programs and facilities both viable and relevant to the community.

Thank you for your consideration.

Moved by Camilleri;

Seconded by Joliat; RESOLVED, to appoint Trustee Michael Healy and Donna Kelley to the Parks and Recreation Board. Trustee Healy's for a term concurrent with his current Township Board of Trustees; term to expire November 20, 2020. Mrs. Kelly's partial term will expire December 31, 2017.

Motion carried unanimously.

15. Personnel Board – Reappointment of Sue Camilleri, Margaret Birch and Anthony Bartolotta

Supervisor Wall submitted the following memo.

I respectfully request the Township Board's approval for the reappointment of Clerk Sue Camilleri, Treasurer Margaret Birch, and Trustee Anthony Bartolotta to the Personnel Board for terms concurrent with their current term on the Board of Trustees to expire November 20, 2020.

The Personnel Board was established by the Township Code of Ordinances Sec. 2-046 and shall consist of three members who shall be sitting members of the Township Board of Trustees and appointed by the Township Board. Among other functions as specified by the ordinance, the Personnel Board hears appeals of Township managerial and administrative employees.

Thank you for your consideration.

Moved by Joliat;

Seconded by Thomas; RESOLVED, to reappointment of Clerk Sue Camilleri, Treasurer Margaret Birch, and Trustee Anthony Bartolotta to the Personnel Board for terms concurrent with their current term on the Board of Trustees; terms to expire November 20, 2020.

Motion carried unanimously.

16. Planning Commission – Reappointment of Anthony Bartolotta

Supervisor Wall submitted the following memo.

I respectfully request the Township Board's approval for the reappointment of Waterford Township Trustee Anthony Bartolotta to the Planning Commission. Anthony will serve as the Township Board liaison for a term concurrent with his current Township Board of Trustees term to expire November 20, 2020.

The Planning Commission is responsible for:

- Developing, adopting, and overseeing the implementation of the Township's Master Plan
- Monitoring the effectiveness of the Zoning Ordinance and recommending ordinance revisions and amendments to the Township Board where necessary.
- Reviewing rezoning requests from property owners and making an approval or denial recommendation to the Township Board, which is responsible for making the final decision on rezoning requests.
- Considering and deciding requests from property owners seeking one of the special approval uses listed in the property's zoning classification.
- Reviewing site plans to ensure compliance with the zoning ordinance requirements and the goals and objectives of the master plan.
- Reviewing and discussing planning concepts and issues and their applicability to the current and future development of the Township.
- Assisting in the education of the general public on planning issues and concepts.

Anthony has previously served on the Planning Commission and offers experience, knowledge and insight that will continue to be a valuable asset to the community.

Thank you for your consideration.

Moved by Healy;

Seconded by Joliat; RESOLVED, to reappoint of Waterford Township Trustee Anthony Bartolotta to the Planning Commission as the Township Board liaison for a term concurrent with his current Township Board of Trustees term; term to expire November 20, 2020.

Motion carried unanimously.

17. Reappointment of Anthony Bartolotta to Each Lake, Huntoon Lake, Rainbow Lake, and Van Norman Lake Boards

Supervisor Wall submitted the following memo.

I respectfully request the Township Board's approval for the appointment of Waterford Township Trustee Anthony Bartolotta to the following lake improvement boards: Eagle Lake, Huntoon Lake, Rainbow Lake and Van Norman Lake. Anthony will serve as the Township Board liaison for a term concurrent with his current Board of Trustees term to expire November 20, 2020.

Lake Improvement Boards are authorized under the Lake Improvement Act (Part 309 of Act 451 of 1994) and consist of: residents of property on the lake governed by the lake board, local community members, a representative from the Township Board, a representative from the Oakland County Drain Commissioner's Office, and the County Commissioner representing the county commission district in which the lake is located. The function of the lake board is to address relevant lake improvement issues, including the oversight of aquatic weed control programs, nuisance control, and other educational activities.

Reappointment of Anthony Bartolotta to Each Lake, Huntoon Lake, Rainbow Lake, and Van Norman Lake Boards Continued.

Anthony has previously served on these Lake Boards and is willing to continue serving the Township in this capacity. His experience and insight will continue to be a valuable contribution to these four Lake Boards.

Thank you for your consideration.

Moved by Healy;

Seconded by Joliat; RESOLVED, to appoint Trustee Anthony Bartolotta to the following lake improvement boards: Eagle Lake, Huntoon Lake, Rainbow Lake and Van Norman Lake to serve as the Township Board liaison for a term concurrent with his current Board of Trustees term; term to expire November 20, 2020.

Motion carried unanimously.

18. Reappointment of Karen Joliat to Watkins Lake and Williams Lake Boards

Supervisor Wall submitted the following memo.

I respectfully request the Township Board's approval for the appointment of Waterford Township Trustee Karen Joliat to the Watkins Lake and Williams Lake improvement Boards. Karen will serve as the Township Board liaison for a term concurrent with her current Board of Trustees term to expire November 20, 2020.

Lake Improvement Boards are authorized under the Lake Improvement Act (Part 309 of Act 451 of 1994) and consist of: residents of property on the lake governed by the lake board, local community members, a representative from the Township Board, a representative from the Oakland County Drain Commissioner's Office, and the County Commissioner representing the county commission district in which the lake is located. The function of the lake board is to address relevant lake improvement issues, including the oversight of aquatic weed control programs, nuisance control, and other educational activities.

Karen has previously served on these Lake Boards and is willing to continue serving the Township in this capacity. Her experience and insight will continue to be a valuable contribution to these two Lake Boards.

Thank you for your consideration.

Moved by Bartolotta;

Seconded by Healy; RESOLVED, to appoint Trustee Karen Joliat to the Watkins Lake and Williams Lake improvement boards as the Township Board liaison for a term concurrent with her current Board of Trustees term; term to expire November 20, 2020.

Motion carried unanimously.

19. Reappointment of Margaret Birch to Lake Oakland, Pontiac Lake and Scott Lake Boards

Supervisor Wall submitted the following memo.

I respectfully request the Township Board's approval for the appointment of Waterford Township Treasurer Margaret Birch to the following lake improvement boards: Lake Oakland, Pontiac Lake and Scott Lake. Margaret will serve as the Township Board liaison for a term concurrent with her current Board of Trustees term to expire November 20, 2020.

Lake Improvement Boards are authorized under the Lake Improvement Act (Part 309 of Act 451 of 1994) and consist of: residents of property on the lake governed by the lake board, local community members, a representative from the Township Board, a representative from the Oakland County Drain Commissioner's Office, and the County Commissioner representing the county commission district in which the lake is located. The function of the lake board is to address relevant lake improvement issues, including the oversight of aquatic weed control programs, nuisance control, and other educational activities.

Margaret has previously served on these Lake Boards and is willing to continue serving the Township in this capacity. Her experience and insight will continue to be a valuable contribution to these three Lake Boards.

Thank you for your consideration.

Moved by Bartolotta;

Seconded by Camilleri; RESOLVED, to appointment of Treasurer Margaret Birch to the following lake improvement boards: Lake Oakland, Pontiac Lake and Scott Lake to serve as the Township Board liaison for a term concurrent with her current Board of Trustees; term to expire November 20, 2020.

Motion carried unanimously.

20. SEMCOG – Reappointment of Karen Joliat and Anthony Bartolotta

Supervisor Wall submitted the following memo.

I respectfully request the Township Board's approval for the reappointment of Waterford Township Trustees Anthony Bartolotta and Karen Joliat as Waterford Township Board representatives to the Southeast Michigan Council of Governments (SEMCOG) for a term concurrent with their current Board of Trustees term to expire November 20, 2020.

Both Trustees have served in this capacity previously, have attended meetings and events representing Waterford Township with SEMCOG, and expressed the desire to continuing acting as Township Board representatives.

Thank you for your consideration.

Moved by Healy;

Seconded by Camilleri; RESOLVED, to reappoint Trustees Anthony Bartolotta and Trustee Karen Joliat as Waterford Township Board representatives to the Southeast Michigan Council of Governments (SEMCOG) for a term concurrent with their current Board of Trustees term; terms to expire November 20, 2020.

Motion carried unanimously.

21. Waterford Youth Assistance – Reappointment of Anthony Bartolotta

Supervisor Wall submitted the following memo.

I respectfully request the Township Board's approval for the reappointment of Waterford Township Trustee Anthony Bartolotta as the Township Board's liaison on the Waterford Youth Assistance Advisory Board for a term concurrent with his current Board of Trustees term to expire November 20, 2020.

Anthony previously served as the Board's liaison to Waterford Youth Assistance and remains an active and involved supporter and contributor to the Waterford Youth Assistance Advisory Board.

Thank you for your consideration.

Moved by Joliat;

Seconded by Camilleri; RESOLVED, to approve to reappoint Trustee Anthony Bartolotta to the Waterford Youth Assistance Advisory Board for a term concurrent with his current Board of Trustees; term to expire November 20, 2020.

Motion carried unanimously.

22. Zoning Board of Appeals – Reappointment of Karen Joliat

I respectfully request the Township Board's approval for the reappointment of Waterford Township Trustee Karen Joliat to the Zoning Board of Appeals. Karen will serve as the Township Board liaison for a term concurrent with her current Township Board of Trustees term to expire November 20, 2020.

The Zoning Board of Appeals is responsible for:

- Hearing requests for variances from the non-use requirements of the Zoning Ordinance and granting such variances where practical difficulties exist.
- Conducting appeals of administrative actions made in carrying out or enforcing any Ordinance provisions.
- Hearing and deciding requests for interpretation of the Ordinance.
- Hearing and deciding appeals from the decision of the Planning Commission regarding special approval uses.

Karen has previously served on the ZBA and brings with her experience, knowledge and insight that will continue to be a valuable asset to the ZBA.

Thank you for your consideration.

Moved by Bartolotta;

Seconded by Thomas; RESOLVED, to reappoint Karen Joliat to the Zoning Board of Appeals for a term concurrent with her current Township Board of Trustees; term to expire November 20, 2020.

Motion carried unanimously.

23. Non-Profit Recognition – The Hero Foundation

The following memo was received from Gary Dovre, Township Attorney.

This letter relates to the above item that is on your December 12, 2016, Agenda for possible approval. The need for your Resolution recognizing The Hero Foundation as a nonprofit organization operating in Waterford for the purpose of obtaining a charitable gaming license stems from the first underlined phrase in the following definition of local civic organization in MCL 432.103(k)(ii).

"(ii) A local civic organization that is organized not for pecuniary profit; that is not affiliated with a state or national organization; that is recognized by resolution adopted by the local governmental subdivision in which the organization conducts its principal activities; whose constitution, charter, articles of incorporation, or bylaws contain a provision for the perpetuation of the organization as a nonprofit organization; whose entire assets are used for charitable purposes; and whose constitution, charter, articles of incorporation, or bylaws contain a provision that all assets, real property, and personal property shall revert to the benefit of the local governmental subdivision that granted the resolution upon dissolution of the organization."

The Michigan Gaming Control Board Resolution form presented for your approval is actually less restrictive than the "conducts its principal activities" standard in the statute in that it only calls for recognition of the organization as operating in the Township. With the registered office address of The Hero Foundation being in Waterford (see **attached** Corporate Entity Details from LARA), I see no legal problem with adopting the Resolution as presented. However, there is one aspect of this and prior charitable gaming license requests that have come to the Township that I wanted to bring to your attention.

As indicated in the 2nd phrase I underlined in the statute, for a local civic organization to qualify for issuance of a charitable gaming license, one of its corporate documents is supposed to provide for reversion of assets upon dissolution to the local governmental subdivision that grants the resolution. My reviews of prior charitable gaming license resolution requests have recommended revisions of corporate documents to meet the statutory standard. The thinking has been that if the Township knows the purpose of the resolution requested is to obtain a gaming license, it should not facilitate issuance of that license by the State to a non-compliant organization.

As with the prior requests, Sections 8.01 and 8.02 on page 12 of the Bylaws for The Hero Foundation do not satisfy the statutory standard. In my opinion, requiring revisions to those Bylaws to meet the statute would remain a defensible approach even though determining that compliance is the responsibility of the State, not the Township. However, there are reasons for not doing so.

Attached is the Michigan Gaming Control Board's Local Civic Organization Qualification Requirements. Although the definition of local civic organization from MCL 432.103(k)(ii), appears at the bottom of that document, Item #4 suggests that the State only requires the corporate documents to provide for reversion of assets upon dissolution to the local government that grants a resolution if the organization is not a 501(c)3 organization. I do not know the reasoning behind that distinction, which is not supported by the language in the statute. I do believe that most, if not all, of the gaming license applications that have come to the Township have been by 501(c)3 organizations.

Considering how the State is interpreting and administering the statute, it may not make practical sense, or be fair to applicants, for the Township to continue to require that corporate documents comply with the actual language of the statute. An additional reason for the Township no longer concerning itself with those documents is MCL 432.104a(2), which in extreme hardship conditions allows the State to waive one or more requirements of a qualified organization under MCL 432.103. Such a waiver could be of the local government reversion requirement.

If you are satisfied that The Hero Foundation is a nonprofit organization operating in Waterford and are content to leave determination of its qualification as a local civic organization to the State, a motion to adopt the Resolution as presented is recommended.

Non-Profit Recognition – The Hero Foundation Continued.

If you are satisfied that The Hero Foundation is a nonprofit organization operating in Waterford but want to make sure that the requirements of a local civic organization under MCL 432.103(k)(ii) are met before a charitable gaming license is issued by the State, a motion to adopt the Resolution as presented with direction that the Clerk not release it until the Bylaws have been amended to comply with the statute would be recommended.

The following letter was received from Katie Larsen, Founder & President, The Hero Foundation.

We are formally requesting to be recognized as a Non-Profit organization.

The Hero Foundation was started in 2009 in honor of Allan Knake, a survivor of pancreatic cancer. Allan is the father of Katie Larsen, the founder and President of The Hero Foundation.

Our purpose is to provide financial assistance to Michigan families suffering from cancer. In addition to financial help, we offer Thanksgiving dinners to all of our families as well as purchase and wrap all holiday gifts. Additionally, we are proud to send children who have been affected by cancer to overnight camps during the summer.

In order to qualify for financial assistance, we require the family to have children who are 17 years or younger still living in the house. Most of our families have lost their income due to a cancer diagnosis; we give these families the comfort in knowing they can concentrate on medicating the disease without having to worry about mortgages, utility bills, holiday gifts, vehicle payments, etc.

The all-volunteer Board of Directors on The Hero Foundation all have strong Michigan roots. Each of the (5) members on the Board graduated from Grand Valley State University. Two (2) of our Board members reside in Grand Rapids (Adam Henige, Jesse Jones) to which they focus on west Michigan families; one (1) member resides in Brighton (Bryan Funke) whom focuses on mid-Michigan families; the remaining two (2) Board members reside in Metro Detroit (Katie Larsen, Brad Conley) which focuses on families in the tri-county area.

The Hero Foundation has partnerships with Karmanos Cancer Institute as well University of Michigan Children's Hospital. It is an honor to go before the Board of Trustees to be recognized, officially, as a Non-Profit organization.

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES

(Required by MCL.432.103(K)(iii))

RESOLUTION

At a Regular meeting of the Waterford Township Board, called to order by Supervisor Gary Wall on December 12, 2016 at 6:00 P.M.

The following resolution was offered:

Moved by _____ and Supported by _____,

That the request from The Hero Foundation of Waterford, County of Oakland, asking that they be recognized as a nonprofit organization operating the community for the purpose of obtaining charitable gaming licenses,

be considered for Approval.

Approval

Disapproval

Non-Profit Recognition – The Hero Foundation Continued.

Yeas:

Yeas:

Nays:

Nays:

Absent:

Absent:

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the Waterford Township Board at a Regular meeting held on December 12, 2016.

(Signed) _____

Sue Camilleri, Township Clerk

5200 Civic Center Drive, Waterford, MI 48329

SEAL

Moved by Camilleri;

Seconded by Joliat; RESOLVED, to approve the request from The Hero Foundation of Waterford, County of Oakland, asking that they be recognized as a nonprofit organization operating the community for the purpose of obtaining charitable gaming licenses; a roll call vote was taken.

Motion carried unanimously.

24. Request to submit an application for an On-Premises Liquor License

The following letter was received from Laura Patricia Slomzenski, La Mexicana #4

Below listed are answered questions of compliances you need.

Page 10-30

(1) Re: experience of applicant.

Applicant has 17 years in grocery and restaurant business, seven years with La Mexicana #2, and we opened La Mexicana #4 on Dixie Hwy 10 years ago. We have a Certificate of Good Standing from the State of Michigan. We have a good reputation and have opened a second location on January 31, 2016. My moral character and reputation are very good. I have no record anywhere of citations.

(2) I have the financial responsibility and ability to pay public and private debts. I have no debt, and this year, I was able to finance and stock this new location, La Mexicana #5 on Elizabeth Lake Road.

Page 10-31:

(3) We have passed all Health Inspections, Fire Safety, paid our taxes, and conform to zoning. We have a fire alarm and alarm for break-ins, and a Panic Alarm, all connected to Alarm Central.

(4) We are in compliance with applicable building, plumbing, electrical, mechanical and fire prevention codes, state laws and other Township ordinances, with regular maintenance and all work done by licensed workers.

(5)(i) The only liquor license we are award of in the near area is Russ's Party Store, which is next door. The owner of Russ's Party Store is planning on being with us at the board meeting and has no objection to our having on premise sales of beer & wine. We can tell you

Request to submit an application for an On-Premises Liquor License Continued.

- that our customers love the authentic Mexican food and have asked for beer in the restaurant. It is a nice quiet business area. That will not change with the addition of beer & wine on premises. The atmosphere in the store is warm and friendly.
- (ii) I do not know if the restaurants in this area have beer & wine, possibly Pontiac Country club. We are the only one of our type with a grocery store, meat market, and restaurant.
 - (iii) Most businesses in this area are close in size to ours, so there is a business that has a liquor license, the building size will be of similar size to ours, which is 2,000 sq. ft.
 - (iv) In the nearby area there are restaurants, but I don't believe they have a liquor license.
 - (v) We are unaware of any hotels or lodging facilities which also have restaurants, meeting room and banquet facilities.
 - (vi) The area is developed.
 - (vii) We believe there will be no impact on policing requirement.
 - (viii) Overall benefits of this establishment are the blend of all our services and goods, which would be enhanced with an on premise beer and wine license.
 - (ix) Another factor that may affect the health, safety and welfare or the best interests of the community in a positive way, is that with our diversity, it limits the number of places they have to go to shop or eat, limiting the amount of traffic.
 - (x) We know of no factors that may affect negatively, the health, safety and welfare or the best interests of the community.
- (6) We expect no adverse effect on the surrounding neighborhood and other business establishments.
- (7) We expect no additional expenditures of public funds. The building and business is established, and we have had our business there since January 31, 2016.
- (8) We expect no changes in regard to vehicular movement, and pedestrian movement is easy, and we have good and sufficient parking.
- (9) I managed La Mexicana #1 for 7 years and opened and now run La Mexicana #4 on Dixie Hwy. and opened La Mexicana #5 on January 31, 2016.
- (10) Business history speaks for itself. We have been successful with La Mexicana #4 store for 10 year and we opened our second store, La Mexicana #5 on January 31, 2016.
- (11) We have no history of any violations of any type, and we have not had liquor in the past.
- (12) We have supplied all information to the best of knowledge, and are truthful to the extent of our knowledge of other businesses.
- (13) This location is established. The amount of investment in the establishment is \$200,000.00.
- (14) The character of the establishment to be licensed is warm and friendly, and we expect no change to that. We expect to promote the character of the community, and expect that the addition of beer & wine will be favorable in terms of impact upon the welfare, service, land development and stability of the Township.
- (i) To the best of our knowledge, there are no hotels or motels with 150 or more rooms and a full service restaurant in the area.
 - (ii) There are no Assembly or Convention centers nearby.
 - (iii) There are no Food Service Facilities that are part of immediate proximate to, an office, service and/or commercial center complex under the guidelines established for each zoning district.
 - (iv) Our existing building and existing business is 2000 square feet, and we feel the addition of beer and wine on premises will enhance the experience for the local area of Waterford.
 - (v) This is not a hotel or lodging facility.
 - (vi) This is not supper club, more a place for groceries and a good quick lunch.
 - (vii) Capacity is 30 diners.
 - (viii) There is no bar area, just dining and groceries.

We are excited about this potential new addition to our services and know our customers will be happy. Our customers requested Lemonade, and we recently added the two new cold beverages (lemonade & an additional Mexican beverage, and they have been requesting beer with their lunch, so that's our next goal.

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We think the board and the community will be pleased with how this addition will please the community.

We have tried to supply all the information you need. If you have any questions before the Board meeting, you may call me, and we will be happy to answer any questions at the Board meeting.

Ms. Adele Abraham, landlord of properties located at Dixie Highway (seating capacity of 50) and 4530 Elizabeth Lake Road (seating capacity of 31) advised the Board that she wants two (2) class C Liquor Licenses.

Moved by Camilleri;

Seconded by Joliat; RESOLVED, to postpone the request to apply for an On Premises Liquor License. Furthermore, to direct the Clerk to inquire with the State of Michigan, Liquor Control Commission if bring your own bottle license or a Tavern License would use an On-Premises license.

Motion carried unanimously.

25. Public Comments

There were no public comments.

ADJOURNMENT

Moved by Joliat;

Seconded by Bartolotta; RESOLVED, to adjourn the meeting at 8:33 p.m.

Motion carried unanimously.

Sue Camilleri, Clerk

Gary Wall, Supervisor