

Au Train Township Regular Board Meeting  
April 14, 2014  
6:30 o'clock p.m.

Pursuant to adjournment, the Au Train Township Board convened in the Community Building, Au Train, Michigan, on the above date at 6:30 p.m.

The Meeting was called to order by Supervisor Tom Balmes, with the following members present: Mary Rogers, Clerk; Ann Clapp, Treasurer; Kristy Cota, Trustee and Michelle Doucette, Trustee.

\*VISITORS PRESENT – Approximately 5 persons attended the Board Meeting. A complete sign up sheet is on file with Clerk Rogers.

\*APPROVAL OF AGENDA

Additions and Changes to the Agenda were made as necessary. MOTION by Clerk Rogers, second by Treasurer Clapp, to approve the Agenda as presented. MOTION CARRIED.

\*MINUTES

MOTION by Trustee Doucette, second by Clerk Rogers, to approve the minutes of the March 10, 2014, Budget Hearing, as presented. MOTION CARRIED.

MOTION by Clerk Rogers, second by Trustee Doucette, to approve the minutes of the March 10, 2014 Regular Board Meeting. MOTION CARRIED.

\*BILLS AND CLAIMS

MOTION by Trustee Cota, second by Trustee Doucette, to accept this month's bill list as presented and authorize that they be paid as funds are available. COTA, YES; DOUCETTE, YES; CLAPP, YES; BALMES, YES; ROGERS, YES. MOTION CARRIED. (General Fund Checks Numbered #14503 through #14523- Fire Fund Checks Numbered #7224 through #7236- Garbage Fund Check Numbered #1546).

\*SPECIAL PRESENTATION

UP Engineers and Architects, Pat Coleman, was not present but information on the rebid requested by the Michigan DNR after alterations to the original project were made, were emailed to Clerk Rogers. As noted, UP Engineers and Architects worked to identify opportunities to reduce project costs to complete all project scope items within the construction budget of \$290,181. They also modified the site plan slightly to reduce site work costs, as well as analyzed other options for the toilet building. A request for re-quote was sent to all the contractors who had submitted bids on April 4, 2014, and the following quotes were received. Cross General Contracting - \$302,300 and A & F Construction - \$370,000. Upon review and discussion,

MOTION by Clerk Rogers, second by Trustee Cota, to accept the quote from Cross General Contracting in the amount of \$302,300, which is \$12,119 over the original \$290,181 budget estimate, contingent upon approval of the Michigan DNR Grant Administrator. ROGERS, YES; COTA, YES; BALMES, YES; CLAPP, YES; DOUCETTE, YES. MOTION CARRIED.

MOTION by Clerk Rogers, second by Trustee Cota, to amend the Township Contribution to the Au Train Heritage Trail Project by an additional \$12,119.00. ROGERS, YES; COTA, YES; CLAPP, YES; DOUCETTE, YES; BALMES, YES. MOTION CARRIED.

\*COMMITTEE REPORTS

*Zoning Administrator/Planning Commission/ZBA* - Clerk Rogers noted that the Zoning Administrators Report has been received and is on file. Discussion regarding a Dog Kennel complaint off Highway M94 near Valley Spur was made. The Zoning Administrator is investigating the matter and will report back to the Board. The next Planning Commission meeting will be on April 17, 2014 at 7 pm.

Supervisor Balmes presented an education opportunity for the members of the Planning Commission and Zoning Board of Appeals. An Essentials Workshop will be held in Marquette on May 20<sup>th</sup>.

MOTION by Clerk Rogers, second by Trustee Doucette, to authorize attendance for members of the Planning Commission and Zoning Board of Appeals who would like to go, at a cost of \$105.00 each, unless the membership fee of \$60.00 to the Michigan Association of Planning, is clarified and justified. ROGERS, YES; DOUCETTE, YES; CLAPP, YES; BALMES, YES; COTA, YES. MOTION CARRIED.

*Assessor* - Supervisor Balmes noted that the Board of Review completed its tasks for the March meetings. Citizens who attended seemed satisfied. Discussion regarding personal property tax was made.

*Cemetery* - Treasurer Clapp noted that the irrigation equipment for the cemetery will soon be installed. Sexton Moore will be working on it. Clerk Rogers noted that now would be the time to get a Cemetery Committee together. An advertisement asking for individuals interested in serving will be placed.

*Recreation* - No report. APRD Representative, Frank Castiglione, contacted Clerk Rogers prior to the meeting. Because of the inclement weather, Clerk Rogers noted that his attendance was not critical. He indicated that he would like to continue to represent the Township on the APRD Board and noted that he will make a better effort in informing the Board of APRD activities. MOTION by Trustee Doucette, second by Supervisor Balmes, to appoint Frank Castiglione to remain as the Township's representative on the Alger Parks and Recreation Board. MOTION CARRIED.

*Au Train River/Lakeshore Committee* - Trustee Doucette presented information to the Board regarding the grant application status from Liz Coyne. The full proposal is due May 12, 2014. Trustee Doucette also noted that the LS/R Committee regular meetings are on hold for now, but that they do plan to meet with Michigan Department of Transportation Representatives.

*Community Building/Promotion* - Treasurer Clapp noted that the US Postal Service will be holding a meeting on May 8, 2014 at 6 pm to discuss the future of the Au Train Post Office and results of surveys that were sent out to patrons.

*First Responders* – Treasurer Clapp noted that there was one call this past month.

*Fire Department* – The Department report has been received and is on file. There were 3 calls for the month of March.

Discussion regarding a roof leak at the Christmas Firehall was made. Jeff Moore will prepare a bid sheet for advertising and further discussion/consideration will be made at the May meeting. Also, it was noted that the Dodge pickup truck has an exhaust leak that needs repair. The dealer quote was \$2,500. Additional research will be made on the repair, considering local service, and reported back to the Board. It was noted that the vehicle purchase was made 50/50 between the Fire Fund and General Fund accounts, but that all maintenance and repairs have been made by the Fire Fund.

Discussion regarding the possibility of picking up Onota Township as a service area was made. Upon detailed discussion it was decided that the Au Train Township Fire Department is not interested at this time. The distance is too far and personnel would be limited. It should be noted that Onota Township, when continuing their own Fire Department, would continue to be serviced under mutual aide.

A funding request for contracted services from Tri County Volunteer Fire Department was received. Clerk Rogers noted that \$3,000 was provided last year. They provide a valuable service to the Fire Department by covering areas within the Township. MOTION by Trustee Cota, second by Trustee Doucette, to provide Tri County Volunteer Fire Department \$3,000.00 for Contracted Services within the Township, by providing support services to our Fire Department. COTA, YES; DOUCETTE, YES; CLAPP, YES; ROGERS, YES; BALMES, YES. MOTION CARRIED.

*County Commission Update* - Jerry Doucette provided information to the Board on activities of the County Commission for the past month. Discussion regarding freeze ups within the county were made. A request that the state declare a State of Emergency was made. Upon such declaration, the County could receive Federal Funds for assistance in repairs. There are astronomical repairs costs for these issues throughout the Upper Peninsula. Commissioner Doucette also noted that Federal Forest Service Officer Cody is under Federal Investigation. Information regarding the escalation of Meth Labs within the county was provided. The Township and County are reconsidering the requests for assistance from UPSET. Finally, information regarding a land transfer with the USFS was made, which includes Hanley Airport.

\*PUBLIC COMMENTS - None

\**TREASURER'S REPORT* - For the Month of March 31, 2014, as presented by Ann Clapp, Treasurer

GENERAL FUND CHECKING

Beginning Balance	\$ 66,768.30
Deposits	27,819.78
Interest	3.44
Disbursements	12,289.59
Ending Balance	\$ 82,301.93
Certificates of Deposit	\$ 63,474.41
	31,195.03
Total Certificates of Deposit	\$ 94,669.44

FIRE FUND CHECKING

Beginning Balance	\$323,026.99
Deposits	37,942.45
Interest	14.52
Disbursements	6,544.84
Ending Balance	\$354,439.12

GARBAGE FUND CHECKING

Beginning Balance	\$155,747.21
Deposits	20,120.42
Interest	6.90
Disbursements	10,692.97
Ending Balance	\$165,181.56

ROAD FUND CHECKING

Beginning Balance	\$163,258.72
Deposits	20,120.42
Interest	6.81
Disbursements	17,114.68
Ending Balance	\$166,271.27

\*A Complete copy of the March 31, 2014 Report is on file with Clerk Rogers.

*CLERK'S REPORT*

Clerk Rogers noted that she will contact Anderson, Tackman & Co. For an audit proposal. Also, a ballot box container inspection/approval will be held on April 28, 2014 at the Munising Township Hall.

*SUPERVISOR'S REPORT*

Supervisor Balmes noted that he attended the Fire Department meeting. He was also contact by Steve Webber of the Alger County Sheriff's Department regarding a Contract for Services. Clerk Rogers will forward a copy of the previous contract for review. Upon receipt, the Board can consider at that time. He is also working with Bob Lindbeck and review of Township Roads and looking at scheduling dust control.

TRUSTEE'S REPORT

None

\*UNFINISHED BUSINESS

*General Fund Millage -*

AU TRAIN TOWNSHIP BOARD

RESOLUTION TO ADOPT MILLAGE BALLOT LANGUAGE

Au Train Township, Alger County

Resolution Number 14-002

April 14, 2014

WHEREAS, the Township Board of Au Train Township wishes to provide general services to the residents; and

WHEREAS, townships may provide general services, as authorized by the Michigan Constitution of 1963; and

WHEREAS, townships may impose and levy ad valorem property taxes to finance lawful public services, as authorized by Article 9, Section 6, Michigan Constitution of 1963 and other laws; and

WHEREAS, the Township Board of Au Train Township wishes to levy 1.0 mills, for Ten (10) years to finance general operations,

NOW, THEREFORE, BE IT RESOLVED that the Township Board of Au Train Township, Alger County, approves the following millage ballot question language and directs the Clerk to submit it to be placed on the August 5, 2014 Primary election ballot:

GENERAL SERVICES WITHIN THE TOWNSHIP OF AU TRAIN,  
COUNTY OF ALGER.

"Shall Au Train Township impose an increase of up to 1 mill (\$1 per \$1,000 of taxable value) in the tax limitation imposed under Article IX, Sec. 6 of the Michigan Constitution and levy it for Ten (10) years, 2014 to 2023, inclusive, for general operating services, which 1-mill increase will raise an estimated \$65,210.52 in the year 2014, the first year the millage is levied".

The foregoing Resolution offered by Board Member: Rogers

Second offered by Board Member: Clapp

Upon roll call vote the following voted:

"Aye": Rogers, Clapp, Cota, Balmes, Doucette

"Nay": None

The Supervisor declared the resolution adopted. Mary F Rogers

Mary F. Rogers, Au Train Township Clerk

*Fire Fund Millage -*

AU TRAIN TOWNSHIP BOARD

RESOLUTION TO ADOPT MILLAGE BALLOT LANGUAGE

Au Train Township, Alger County

Resolution Number 14-003

April 14, 2014

WHEREAS, the Township Board of Au Train Township wishes to provide fire protection services to its residents; and

WHEREAS, townships may Operate a Fire Department as authorized by the Michigan Constitution of 1963; and

WHEREAS, townships may impose and levy ad valorem property taxes to finance lawful public services, as authorized by Article 9, Section 6, Michigan Constitution of 1963 and other laws; and

WHEREAS, the Township Board of Au Train Township wishes to levy 3.0 mills, for Five (5) years, the funds resulting therefrom to be used for the Purpose of Operating a Fire Department, the same providing Fire Protection within the Township of Au Train.

NOW, THEREFORE, BE IT RESOLVED that the Township Board of Au Train Township, Alger County, approves the following millage ballot question language and directs the Clerk to submit it to be placed on the August 5, 2014 Primary election ballot:

FIRE PROTECTION SERVICES WITHIN THE TOWNSHIP OF AU TRAIN,  
COUNTY OF ALGER.

“Shall Au Train Township impose an increase of up to 3 mills (\$3 per \$1,000 of taxable value) in the tax limitation imposed under Article IX, Sec. 6 of the Michigan Constitution and levy it for five (5) years, 2015 to 2019, inclusive, for fire protection services, which 3-mill increase will raise an estimated \$195,631.56 in the year 2015, the first year the millage is levied, renewing a special tax levy of 3 mills which will expire with the 2014 tax collection).”

The foregoing Resolution offered by Board Member: Balmes

Second offered by Board Member: Doucette

Upon roll call vote the following voted:

"Aye": Balmes, Doucette, Clapp, Cota, Rogers

"Nay": None

The Supervisor declared the resolution adopted. Mary F Rogers  
Mary F. Rogers, Au Train Township Clerk

*MBTN Funding Request -*

The funding request from the Munising Bay Trail Network was discussed. The request is to assist them in the Matching Funds portion of their MI DNR Grant. 11 miles will be developed within Au Train Township at Valley Spur.

MOTION by Supervisor Balmes, second by Trustee Cota, to allocate \$2,500.00 to the Munising Bay Trail Network for trail work within the Township. BALMES, YES; COTA, YES; ROGERS, YES; DOUCETTE, YES; CLAPP, YES. MOTION CARRIED.

*Christmas Civic Association Funding Request -* After further discussion, MOTION by Supervisor Balmes, second by Clerk Rogers, to contribute one-half of the sign project costs, as presented, not to exceed \$1,500.00. BALMES, YES; ROGERS, YES; CLAPP, YES; COTA, YES; DOUCETTE, YES. MOTION CARRIED.

*Alger Parks and Recreation Department Partnership Agreement -*

Clerk Rogers presented information to the Board regarding Partnership Agreement options with the Alger Parks and Recreation Department. The advantages of a one year or 3 year contract were discussed. MOTION by Trustee Doucette, second by Supervisor Balmes, to enter into a 3 year contract with the Alger Parks and Recreation Department, to provide recreation services for the Township, at a cost of \$12,518.00 per year. DOUCETTE, YES; BALMES, YES; ROGERS, YES; COTA, YES; CLAPP, YES. MOTION CARRIED.

**\*NEW BUSINESS**

*General Appropriations Act -*

**RESOLUTION No. 2014 - 001**

**Au Train Township, Alger County, Michigan**

A resolution to establish a general appropriations act for Au Train Township; to define the powers and duties of the Au Train Township officers in relation to the administration of the budget; and to provide remedies for refusal or neglect to comply with the requirements of this resolution.

The Board of Trustees of Au Train Township resolves:

**Section 1: Title**

This resolution shall be known as the Au Train Township General Appropriations Act.

**Section 2: Chief Administrative Officer**

The Supervisor shall be the Chief Administrative Officer and shall perform the duties of the Chief Administrative Officer enumerated in this act.

**Section 3: Fiscal Officer**

The Clerk shall be the Fiscal Officer and shall perform the duties of the Fiscal Officer enumerated in this act.

**Section 4: Public Hearings on the Budget**

For general law townships: Pursuant to MCLA 141.412, notice of a public hearing on the proposed budget was published in a newspaper of general circulation on January 8, 2014 and February 26, 2014, and a public hearing on the proposed budget was held on March 10, 2014.

**Section 5: Estimated Revenues**

Estimated township General Fund revenues for fiscal year 2014/2015, including an allocated millage of 0.7142 mills; and various miscellaneous revenues shall total \$595,319.00 for the General Fund, which includes a 3/31/2014 approximate Fund Balance of \$180,504.00.

Estimated township Fire Fund revenues for fiscal year 2014/2015, including a voted millage of 2.9006 mills; and various miscellaneous revenues shall total \$541,991.00, for the Fire Fund, which includes a 3/31/2014 approximate Fund Balance of \$354,239.00.

Estimated township Garbage Fund revenues for fiscal year 2014/2015, including a voted millage of 2.000 mills; and various miscellaneous revenues shall total \$297,499.00, for the Garbage Fund, which includes a 3/31/2014 approximate Fund Balance of \$165,028.00.

Estimated township Road Fund revenues for fiscal year 2014/2015, including a voted millage of 2.000 mills, subject to Headlee Rollback; and various miscellaneous revenues shall total \$292,168.00, for the Road Fund, which includes a 3/31/2014 approximate Fund Balance of \$166,118.00.

**Section 6: Millage Levy**

The Au Train Township Board shall cause to be levied and collected the general property tax on all real and personal property within the township upon the current tax roll an amount equal to total 7.6148 mills as set forth by the Tax Allocation Board (or as authorized under state law and approved by the electorate), and subject to additional Headlee Rollback.

**Section 7: Estimated Expenditures**

Estimated township general fund expenditures for fiscal year 2014/2015 for the various township activities (cost centers) are as follows: see attached Exhibit A, B, C, D.

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

The General Fund, Fire Fund, Garbage Fund and Road Fund Budgets of Au Train Township are hereby adopted by reference, with revenues and activity expenditures as indicated in Sections 5 and 7 of this act.

**Section 9: Adoption of Budget by Cost Center**

The Board of Trustees of Au Train Township adopts the 2014/2015 fiscal year general fund budget, fire fund budget, garbage fund budget and road fund budget by cost center. Township officials responsible for

the expenditures authorized in the budget may expend township funds up to, but not to exceed, the total appropriation authorized for each cost center, and may make transfers among the various line items contained in the cost center appropriation. However, no transfers of appropriations for line items related to personnel or capital outlays may be made without prior board approval by budget amendment. In addition, those activities with single line item budgets, shall be subject to prior board approval by budget amendment prior to any transfers.

#### Section 10: Appropriation not a Mandate to Spend

Appropriations will be deemed maximum authorizations to incur expenditures. The fiscal officer shall exercise supervision and control to ensure that expenditures are within appropriations, and shall not issue any town order for expenditures that exceed appropriations.

#### Section 11: Transfer Authority

No Officer shall have the authority to make transfers among the various cost centers (or line items) without prior board approval. Under no circumstances may the total general fund budget be changed without prior board approval.

#### Section 12: Periodic Fiscal Reports

The fiscal officer shall transmit to the board at the end of each of the first three quarters, and at the end of each month occurring during the fourth quarter, a report of financial operations, including, but not limited to:

a. a summary statement of the actual financial condition of the general fund at the end of the previous quarter;

b. a summary statement showing the receipts and expenditures and encumbrances for the previous quarter and for the current fiscal year to the end of the previous quarter;

c. a detailed list of:

i. expected revenues by major source as estimated in the budget; actual receipts to date for the current fiscal year, and any revisions in revenue estimates resulting from collection experience to date.

ii. for each cost center: the amount appropriated; the amount charged to each appropriation in the previous quarter for the current fiscal year and as compared with the same period in the prior fiscal year; the unencumbered balance of appropriations; and any revisions in the estimate of expenditures.

#### Section 13: Limit on Obligations and Payments

No obligation shall be incurred against, and no payment shall be made from any appropriation account unless there is a sufficient unencumbered balance in the appropriation and sufficient funds are or will be available to meet the obligation.

#### Section 14: Budget Monitoring

Whenever it appears to the Fiscal Officer or the Township Board that the actual and probable revenues in any fund will be less than the estimated revenues upon which appropriations from such fund were based, and when it appears that expenditures shall exceed an appropriation, the Fiscal Officer shall present to the township board recommendations to prevent expenditures from exceeding available revenues or appropriations for the current fiscal year. Such recommendations shall include proposals for reducing appropriations, increasing revenues, or both.

#### Section 15: Violations of This Act

Any obligation incurred or payment authorized in violation of this resolution shall be void and shall subject any responsible official(s) or employee(s) to disciplinary action as outlined in Public Act 621 of 1978) and the Au Train Township personnel manual.

Section 17: Board Adoption

Motion made by **Trustee Doucette**, seconded by **Clerk Rogers**, to adopt the foregoing Resolution.

Upon roll call vote, the following voted aye: **Doucette, Rogers, Cota, Clapp, Balmes**

The following voted nay: **None**

The Supervisor declared the motion carried and the resolution duly adopted on the 14<sup>th</sup> day of April, 2014.

*Signed: Mary F Rogers, Au Train Township Clerk*

*Spring Clean-up -*

Supervisor Balmes presented options to the Board for a Spring Clean-up event at the Munising Wood Island Landfill. Either May 31<sup>st</sup> or June 7<sup>th</sup>. MOTION by Clerk Rogers, second by Supervisor Balmes, to authorize funds from the Garbage Fund Account to conduct a Spring Clean-up with Wood Island Landfill Waste Management on Saturday, May 31<sup>st</sup>, from 8:00 am - 12:00 pm, with a limit on tires. ROGERS, YES; BALMES, YES; DOUCETTE, YES; CLAPP, YES; COTA, YES. MOTION CARRIED.

*Contract Alger County Chamber -*

Clerk Rogers presented information to the Board regarding the proposed contract with the Alger County Chamber of Commerce for Fundraising for the Au Train Township Heritage Trail Project. MOTION by Clerk Rogers, second by Supervisor Balmes to agree that 15% of Fundraising Monies and 15% of Grant Awards, obtained by or on the behalf of Au Train Township, after January 1, 2014, for the Au Train Township Heritage Trail Project, be paid to the Alger County Chamber, as a contract for service fee. ROGERS, YES; BALMES, YES; CLAPP, YES; COTA, YES; DOUCETTE, YES. MOTION CARRIED.

*Poverty Exemption Guidelines -*

Supervisor Balmes presented information to the Board regarding the establishment of Poverty Exemption Guidelines for the Board of Review.

MOTION by Clerk Rogers, second by Supervisor Balmes, to adopt the Federal Income Guidelines for Poverty Exemption along with an Asset Test of \$30,000.00 for a family of one, and \$45,000 for a family of two or more. ROGERS, YES; BALMES, YES; COTA, YES; CLAPP, YES; DOUCETTE, YES. MOTION CARRIED.

\*PUBLIC COMMENT - Comments were received from Jerry Doucette.

**\*ADJOURNMENT**

Being no further business, MOTION by Clerk Rogers, second by Trustee Cota, to adjourn the meeting. MOTION CARRIED. MEETING ADJOURNED at 9:15 pm.

Submitted by: Mary F. Rogers, Au Train Township Clerk