

**PENNFIELD CHARTER TOWNSHIP
REGULAR MEETING MINUTES
MARCH 12, 2013**

Supervisor Behnke called the meeting order at 6:30 PM at the Pennfield Middle School Cafeteria. Present were Supervisor Behnke, Clerk Case, Treasurer Phillips and Trustees Beard, Damerow and Skelding. Trustee Harris was excused. Supervisor Behnke led the Pledge of Allegiance. There were four residents present.

PRESENTATIONS/PROCLAMATIONS

None

CITIZEN/PUBLIC COMMENTS

Steve Frisbie, Calhoun County Commissioner gave an update on 9-1-1 and the Road Department.

ADDITIONS/DELETIONS TO AGENDA

It was moved by Trustee Damerow and supported by Treasurer Phillips to approve the Agenda as presented. **Motion carried.**

CONSENT AGENDA

It was moved by Trustee Damerow and supported by Treasurer Phillips to approve the Consent Agenda as presented. **Motion carried.** The Consent Agenda consists of the following items:

1. Meeting minutes of February 11, 12, 21 and 25, 2013
2. Utilities Division monthly report – see addendum
3. Code Compliance monthly report – see addendum
4. Permits Department monthly report – see addendum
5. Assessor Department monthly report – see addendum
6. Cemetery Department monthly report – see addendum

DEPARTMENT REPORTS

POLICE: No one was present from the Calhoun County Sheriff's Department to give the monthly report. The stats for the month are as follows: 89 traffic citations, 172 verbal warnings, 31 traffic crashes, 80 arrests, 84 self generated complaints, 190 dispatched complaints, 1,538 property inspections.

FIRE: Chief Smith was present to give the monthly report. The stats are as follows: One fire, 43 rescue & medical emergencies, 4 hazardous conditions, one service call one good intent call.

UNFINISHED BUSINESS

None

NEW BUSINESS

1. Adoption of Pennfield Charter Township Resolution 13-06

PENNFIELD CHARTER TOWNSHIP RESOLUTION 13-06 (a Resolution amending the current Water & Sewer consumption rates and readiness to serve rates as of April 1, 2013)

WHEREAS, the Township Board recognizes its legal responsibility to maintain appropriate rates with both the water fund and the sewer fund, so

THEREFORE BE IT RESOLVED, that the Township Board hereby approves and adopts the following rate structures effective April 1, 2013:

-Water Consumption Rate \$3.27 per 100 cubic feet

-Sewer Consumption Rate \$2.50 per 100 cubic feet

-Sewer Flat Rate \$38. 53

(See the following chart on the next page for more fees)

Meter Size	Readiness to Serve for Sewer Accounts	Readiness to Serve for Water Accounts
5/8" residential & commercial	13.53	9.58
3/4" residential & commercial	13.53	9.58
1" commercial	33.82	23.93
1 1/2" commercial	67.64	47.86
2" commercial	108.21	76.58
3" commercial	202.89	143.58
4" commercial	338.14	239.30
6" commercial	676.26	478.58
8" commercial	1,082.00	765.73
10" commercial	1,555.38	1,100.72

Moved by: Trustee Damerow

Supported by: Treasurer Phillips

Supervisor Behnke – Yes

Trustee Beard – Yes

Clerk Case – Yes

Trustee Damerow – Yes

Treasurer Phillips – Yes

Trustee Harris – Excused

Trustee Skelding – Yes

Vote shows 6 yes, -0- no and one excused. **Resolution adopted.**

2. Adoption of Pennfield Charter Township Resolution 13-07

PENNFIELD CHARTER TOWNSHIP RESOLUTION 13-07

(a Resolution requesting that the Calhoun County Commissioners place on either the August 6, 2013 election date or the November 5, 2013 election date a new ballot proposal on the 911 surcharge funding proposal)

BE IT RESOLVED, that the Pennfield Charter Township Board hereby requests that the Calhoun County Commission place on either the August 6, 2013 election date or the November 5, 2013 election date the 911 surcharge funding proposal which would allow a maximum funding of \$2.25 per month, per device, for the sole purpose of funding the entire Calhoun County Central Dispatch Center which would eliminate an annual Pennfield Township General Fund contribution of approximately \$108,000.00.

Moved by: Trustee Damerow

Supported by: Treasurer Phillips

Supervisor Behnke – Yes

Trustee Beard – Yes

Clerk Case – Yes

Trustee Damerow – Yes

Treasurer Phillips – Yes

Trustee Harris – Excused

Trustee Skelding – Yes

Vote shows 6 yes, -0- no and one excused. **Resolution adopted.**

3. Adoption of Pennfield Charter Township Resolution 13-08

PENNFIELD CHARTER TOWNSHIP RESOLUTION 13-08

(a Resolution expressing the immediate need to fund the repair of Michigan’s roads and a robust and comprehensive 21st Century Transportation System)

WHEREAS, let it be known that the State of Michigan is losing \$3 million dollars per day and more than \$1 billion dollars per year due to maintenance costs and increased wear and tear on our roads and bridges, and

WHEREAS, the roads in the State of Michigan are consistently ranked among the nation’s worst, and

WHEREAS, one-third of all fatal and serious traffic crashes in Michigan can be linked, in part, to poor road conditions, and

WHEREAS, the State of Michigan gas tax- the user fee that is the primary source of transportation funding- has not increased since 1997, and

WHEREAS, the gas revenue collected today, adjusted for inflation is equal to that which was collected in 1974, and

WHEREAS, we risk a future fiscal crisis if we do not increase our investment in transportation, and

WHEREAS, currently 32% of Michigan’s roads are ranked as being in poor condition and by 2018 this number is expected to jump to more than 65%, and

WHEREAS, bringing a road from poor to good pavement condition costs 6 times more than it does to bring a road from fair to good condition, and

WHEREAS, investing \$10 billion over the next 10 years to fix Michigan’s roads and bridges would create 12,000 jobs and prevent 100 crash-related death per year.

NOW, THEREFORE BE IT RESOLVED, that the Charter Township of Pennfield hereby urges Governor Snyder and Michigan’s legislators to save taxpayer dollars, save lives and improve our economy by making the necessary investments to repair our roads, bridges and motorized and non-motorized transportation networks so that our transportation system functions at peak performance so that we can attract and retain the businesses and the people necessary to create a robust state economy.

Moved by: Trustee Damerow

Supported by: Treasurer Phillips

Supervisor Behnke – Yes

Trustee Beard – Yes

Clerk Case – Yes

Trustee Damerow – Yes

Treasurer Phillips – Yes

Trustee Harris – Excused

Trustee Skelding – Yes

Vote shows 7 yes, -0- no and one excused. **Resolution 13-08 is adopted.**

4. Adoption of Pennfield Charter Township Resolution 13-09

PENNFIELD CHARTER TOWNSHIP RESOLUTION 13-09
(a Resolution appointing Township Supervisor Rob Behnke and Township Treasurer Barb Philips to the AMSA Council Board as voting representatives for the Charter Township of Pennfield)

BE IT RESOLVED, that the Pennfield Charter Township Board hereby appoints Township Supervisor Rob Behnke and Township Treasurer Barb Phillips to the AMSA Council Board as voting representatives for the Charter Township of Pennfield

Moved by: Trustee Damerow

Supported by: Treasurer Phillips

Supervisor Behnke – Yes

Trustee Beard – Yes

Clerk Case – Yes

Trustee Damerow – Yes

Treasurer Phillips – Yes

Trustee Harris – Excused

Trustee Skelding – Yes

Vote shows 6 yes, -0- no and one excused. **Resolution 13-09 adopted.**

5. Introduction of Pennfield Charter Township Ordinance 121A-04-2013

ORDINANCE NO. 121A-04-13 OF 2013

AN ORDINANCE TO AMEND THE PENNFIELD CHARTER TOWNSHIP CODE OF ORDINANCES WITH RESPECT TO CEMETERIES.

THE CHARTER TOWNSHIP OF PENNFIELD ORDAINS:

SECTION 1. Chapter 39.2 of the Pennfield Charter Township Code is hereby amended to read as follows:

- a) *A “cemetery plot” shall consist of an area in a Township cemetery sufficient to accommodate one burial space for one deceased person. It shall consist of a land area at least forty-five (45) inches wide and ninety-six (96) inches in length. Exceptions may be made with Township permission to accommodate infant burial or the burial of cremains.*
- b) *A “monument saddle” means a display of real or artificial flowers that are secured to the top of a gravestone.*
- c) *“Township” means Pennfield Charter Township.*
- d) *“Township cemetery” or “cemetery” means any cemetery owned, operated and/or controlled by the Township.*

SECTION 2. Chapter 39.3.c of the Pennfield Charter Township Code is hereby amended to read as follows:

- c) *At the time of purchase from the Township, each cemetery plot shall be assigned the name of the specific person who shall be interred in that cemetery plot upon death. If the owner of a cemetery plot desires to effectuate a name change regarding the assigned cemetery plot, that person must notify the Township in writing of the change. If an owner wishes to transfer his/her deed to someone else, a new deed will be required at a cost which shall be set from time to time by resolution of the Township Board.*

SECTION 3. Chapter 39.3.d of the Pennfield Charter Township Code is hereby amended to read as follows:

- d) *Cemetery plots may be sold back to the Township (for resale by the Township) for an amount which shall be set from time to time by resolution of the Township Board.*

SECTION 4. Chapter 39.6.a of the Pennfield Charter Township Code is hereby amended to read as follows:

- a) *All markers and memorials must be comprised of granite or bronze with a dignified design and shall face the same direction as the markers and memorials around them. Homemade*

markers and markers made of other materials such as marble, wood, plastic, cement or steel are prohibited.

SECTION 5. Chapter 39.6.b of the Pennfield Charter Township Code is hereby amended to read as follows:

- e) Except for monuments that existed in a Township cemetery before the effective date of this Article, no monument will be allowed or erected in a cemetery. For purposes of this Article, "monument" shall be defined as any marker, memorial, statue or similar item which exceeds thirty (30) inches in height above normal ground level or which has a ground surface area exceeding thirty (30) inches in width (or forty-eight (48) inches in width for a double marker) with an overall height of no more than thirty (30) inches above ground level, including the foundation. Only one (1) marker or memorial shall be permitted per cemetery plot or one marker or memorial in total where two adjoining plots share that one marker or memorial. One additional cremation marker may be added if cremains are buried with one full burial. Markers shall be no more than thirty (30) inches in width (or forty-eight (48) inches in width for a double marker), with an overall height of no more than thirty (30) inches above ground level, including the foundation. Individual markers for cremains shall be flush with the ground and shall be no more than twelve (12) inches by twenty-four (24) inches in size.*

SECTION 6. Chapter 39.7.a of the Pennfield Charter Township Code is hereby amended to read as follows:

- a) The following burial combinations are allowed per burial site: a) one full burial; b) one cremation burial; c) one full burial and one cremation burial; d) two cremation burials; e) two (2) children buried at the same time; and f) a parent with infant child. Special burial requirement, such as burial of cremated remains and infant burial, will be considered by the Township Clerk or designated township employee at the time of need.*

SECTION 7. Chapter 39.9.c of the Pennfield Charter Township Code is hereby amended to read as follows:

- f) No winter burials shall occur without the prior consent of the Township Clerk or designated township employee.*

SECTION 8. Chapter 39.11.a of the Pennfield Charter Township Code is hereby amended to read as follows:

- a) One flower pot or urn per plot may be placed May 1st of each year and is to be removed by November 1st of that year. One shepherd's hook, not to exceed four (4) foot above ground, holding one flower pot per plot is permitted, provided, when it is not in use it must be promptly removed. These items are to be placed left or right at the ends of markers only. If no marker, place in line with other markers. One non-glass object approved by the Township Clerk or designated township employee will be permitted to sit on the marker or foundation, but may not be placed on the ground. Winter evergreens, (wreaths and blankets) may be placed on the graves from November 1st until March 1st of each year.*

Items not removed by the lot owners will be removed and disposed of. Additional flowers will be permitted for the following holidays: Easter, Mother's Day, Memorial Day, Father's Day, Independence Day, Halloween, Veteran's Day, Thanksgiving and Christmas; but only for one (1) week prior and one (1) week following the holiday. Veteran flags and flag holders shall be governed by the Veteran's Administration rules and guidelines. Monument Saddles will be allowed to remain on the monument year round. However, when the saddle shows signs of deterioration, it will be removed so it will not detract from the appearance of the Cemetery.

SECTION 9. Chapter 39.17 of the Pennfield Charter Township Code is hereby amended to read as follows:

39-17. Cemetery Hours

Unless otherwise specified by the Township Board by resolution, all Township cemeteries shall be closed from dusk to dawn the next morning. During those hours, no person shall be present in a Township cemetery. Such prohibition on being present in a Township cemetery during the time when a Township cemetery is closed shall not apply to the Township Sexton, any Township official, a person accompanied by the Township Sexton or other Township official, or any law enforcement or firefighting official when engaged in the lawful duties of any such office or position.

SECTION 10. Chapter 39.18.cc of the Pennfield Charter Township Code is hereby amended to delete the following:

cc) No person shall possess or consume any alcoholic beverage.

SECTION 11. Severability of Invalid Provisions. If any provision of this Article shall be held invalid, its invalidity shall not affect any other provisions of this Article that can be given effect without the invalid provision, and for this purpose the provisions of this Article are hereby declared to be severable.

SECTION 12. Effective Date. This Article shall take effect immediately upon its publication, or publication of a summary, which publication shall occur in a newspaper of general circulation in the Township within thirty (30) days after adoption.

Moved by: Trustee Damerow

Supported by: Treasurer Phillips

Supervisor Behnke – Yes

Trustee Beard – Yes

Clerk Case – Yes

Trustee Damerow – Yes

Treasurer Phillips – Yes

Trustee Harris – Excused

Trustee Skelding – Yes

Vote shows 6 yes, -0- no and one excused. **Ordinance #121A-04-2013 is introduced.**

6. Approval to allow Treasurer to negotiate agreements for summer tax collection

It was moved by Trustee Damerow and supported by Treasurer Phillips to allow the Township Treasurer to negotiate agreement for summer tax collection with Pennfield Schools, Harper Creek Schools, Battle Creek Public Schools and the Calhoun County Intermediate School District. **Motion carried.**

TREASURER’S MONTHLY REPORT

February, 2013 report shows the following balances on hand:

General Fund	\$725,519.86
DDA	\$1,528.11
Metro Act-Maint.	\$8,699.76
Parks	\$13,028.17
Public Safety	\$3,055.06
Sewer	\$846,351.21
Water	\$799,935.40
Trust & Agency	\$6,500.00
Tax Collection	\$573,257.90
TOTAL:	\$2,977,875.47

It was moved by Trustee Damerow and supported by Trustee Skelding to approve the monthly Treasurer’s report as presented. **Motion carried.**

PAYMENT OF MONTHLY BILLS

It was moved by Trustee Damerow and supported by Treasurer Phillips to approve the payment of the monthly bills in the amount of \$172,841.34. **Motion carried.**

EXTENDED PUBLIC COMMENTS

A resident had questions regarding the Angelo property and Walgreens.

TOWNSHIP BOARD MEMBER COMMENTS

Trustee Skelding shared with the Board the Silent Observer program for schools. Treasurer Phillips stated that the water rate study will be on March 13th and 14th. Trustee Beard commented on the donation/collection bins.

ANNOUNCEMENTS BY CHAIRPERSON

The next regularly scheduled Township Board meeting will be on April 9, 2013. The Township Board will meet for a special session on March 26, 2013 at 6:00 PM for the Public Hearing & adoption on each Township Budget for the fiscal year 2013-2014. The next monthly recycling weekend will be on March 23rd and 24th.

It was moved by Trustee Damerow and supported by Treasurer Phillips to adjourn the meeting at 7:38 PM.

Robert P. Behnke, Jr.
Supervisor

Kathleen R. Case
Clerk

ADDENDUM A – DEPARTMENT REPORTS

UTILITIES

The stats for the month of February, 2013 are as follows: 1,200 meter reads, 12 corrective work orders and 18 Miss Digs. Additional: Attended the AWWA Joint Expo in Lansing, started Cross Connection inspections this month.

ASSESSOR

The following was accomplished for the month of February, 2013:

1. All Homestead & Property Transfer Affidavits are current. There were 13 transfers of property processed for the month. 9 were regular sales and 4 were foreclosure related.
2. Prepared & printed final Assessment Roll.
3. Prepared & mailed Assessment notices to all property owners.
4. Miscellaneous phone & in person inquiries about assessments & descriptions.

CEMETERY

Burial	2/02/13	\$650.00
Ashes	2/15/13	\$300.00
Grave purchase	2/11/13	\$450.00
Burial	2/14/13	\$500.00
Grave purchase	2/26/13	\$450.00
TOTAL:		\$2,350.00

PERMITS

Building	1 permit (PB13-003)	\$343.28
Electrical	4 permits (PE13-005 thru PE13-009)	\$552.00
Mechanical	2 permits (PM13-004 thru PM13-005)	\$214.00
Plumbing	1 permit (PP13-002)	\$100.00
TOTAL:		\$1,209.28