

Middlebury Township

PO Box 622, Ovid, Michigan 48866

Draft
Budget and Regular Meeting
7627 W. M-21, Ovid, MI
Tuesday, March 14, 2022 at 6:45 pm

BUDGET MEETING

Call To Order

Supervisor Swan called the meeting to order at 6:45 pm

Board Members Present:

Supervisor Jeffery Swan, Clerk Susan Tomasek Swan, Treasurer Jill Ruess, Trustee Greg Atwood

Absent: Trustee Gene Ruess

Guests Present: 5 Guests were present. Among the guests: Shawn Dilts; Deputy Clerk

Public Comments: Opened at 6:46 pm Closed at 6:46 pm

Motion to Approve Agenda Clerk Tomasek-Swan made the motion to approve the budget meeting agenda as presented. Trustee Atwood seconded the motion.

Passed on a Voice Vote. Carried

Absent: Trustee Gene Ruess

Presentation of the FY 2023-2023 Budget Supervisor Swan reviewed the FY 2023-2024 Budget.

Adjourned Clerk Tomasek-Swan made the motion to adjourned the budget meeting. Treasurer Ruess seconded the motion.

Passed on Voice Vote. Carried

Absent: Trustee Gene Ruess

Adjourned : 7:52 pm

REGULAR MEETING

Call to Order:

Supervisor Swan called the meeting to order at 7:00 pm.

Board Members Present:

Supervisor Jeffery Swan, Clerk Susan Tomasek Swan, Treasurer Jill Ruess, Trustee Greg Atwood

Absent: Trustee Gene Ruess

Guests Present: 10 Guests were present: Among the guests: Shawn Dilts; Deputy Clerk, Michael Herendeen, Deputy Supervisor;

Scheduled Comments:

1. Commissioner-absent

Public Comments: Opened at 7:01 pm Closed at 7:01 pm

Motion to Approve Agenda:

Trustee Atwood made a motion to approve agenda as amended. Clerk Tomasek Swan seconded the motion.

Voice Vote: Ayes: All Nays None Carried

Absent: Trustee Gene Ruess

Motion to Approve Minutes:

Clerk Tomasek Swan made a motion to accept the February 14, 2023 minutes Treasurer Ruess seconded the motion.

Passed on Voice Vote. Carried

Absent: Trustee Gene Ruess

Motion to approve Bills

Clerk Tomasek Swan made a motion to approve bills from General Funds in the amount of \$13,242.13 with checks #5899-5919 1EFTs and Emergency Fund \$83,307.45 ck 1049. To also approve the City of Owosso for ambulance and to approve payment of housing check for MTA annual conference. Treasurer Ruess seconded the motion.

Roll Call Vote:

The following voted Aye: Trustee Atwood, Treasurer Ruess, Supervisor Swan, Clerk Tomasek Swan

The following voted Nay: None

Absent: Trustee Gene Ruess

Communications:

MTA- Supervisor discussed that EGLE has made an emergency stop on brining. There is a moratorium for a year so township is able to brine this year. Discussion of the annual meeting in a month in Traverse City. Supervisor Swan is attending.

Library- Clerk Tomasek Swan reviewed current status. Library board meeting minutes emailed to board members. Looking for accounting software. Vandalism is currently decreased.

OMESA- Supervisor Swan reports that the funds are being distributed. The new accounting software has been implemented. Engine One is out for repairs. Engine Two is still in service. The frequency of runs has remained increased. Trustee Atwood identifies that the corner of M21 and Hollister remains a frequent spot for personal injury incidents.

Clerk- Clerk Tomasek Swan reports cemetery sign down payment has been issued. The schedule of installation has not yet been determined.

Assessor- Assessor Holley is not present. Supervisor Swan reported on Board of Review who had one person attend. Next meeting on 3/16/2023.

Treasurer- Treasurer Ruess reports that we have received one NSF check for checks. Policy to be reviewed. Recommendation made to consult with the county to receive information on current practices. Treasurer Ruess reports that she renewed the CD's for 1 year.

Business:

1. **Resolution 2023-01 FY 23-24 Budget**

2023-01 Fiscal Year 2023-2024 Middlebury Township Budget

Middlebury Township General Appropriations Act

A resolution to establish general appropriations act for Middlebury Township; to define the powers and duties of the Middlebury 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 Middlebury Township resolves:

Section 1: Title

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

Section 2: Chief Administrative Officer

The Clerk 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 February 26 and March 5 and a public hearing on the proposed budget was held on March 14,2023 at 6:45 pm.

Section 5: Estimated Revenues

Estimated township general fund revenues for fiscal year 2023-2024, including an allocated millage of .998 mills; voter-authorized millage of road fund of 2.0 mills and emergency fund of 2.45 mils; and various miscellaneous revenues shall total \$ 621,560.00.

Section 6: Millage Levy The Middlebury 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 .998 mills as set forth by the Tax Allocation Board (*or as authorized under state law and approved by the electorate*).

Section 7: Estimated Expenditures

Estimated township general fund expenditures for fiscal year 2023-2024 for the various township activities (*cost centers*) are as follows:

03/13/2023 BUDGET REPORT FOR MIDDLEBURY TOWNSHIP		
GL NUMBER		2023-24 REQUESTED BUDGET
AND		
DEPARTMENT	DESCRIPTION	BUDGET
Dept 000		
101-000-001.001	CARRYOVER INCOME	150,000.00
101-000-403.000	1 MILL TWP TAX	45,000.00
101-000-445.000	INTEREST & PENALTIES ON TAXES	100.00
101-000-447.000	1% ADMIN FEE	15,000.00
101-000-528.000	ARPA FEDERAL GRANT	31,600.00
101-000-573.000	LOCAL COMMUNITY STABILIZATION SHARE	3,000.00
101-000-574.000	STATE REVENUE SHARING	166,000.00
101-000-608.000	METRO ACT FEE	7,000.00
101-000-609.000	CABLE TV FRANCHISE FEES	7,000.00
101-000-618.000	COLLECTION FEES	300.00
101-000-641.000	SET FEE	2,200.00
101-000-642.000	CEMETERY LOTS	500.00
101-000-642.001	OPENING AND CLOSING FEES	1,500.00
101-000-642.002	FOUNDATION FEES	1,500.00
101-000-650.000	RENT	200.00
101-000-664.000	INTEREST & DIVIDENDS EARNED / RENT	500.00
101-000-665.000	INTEREST INCOME ON CD'S	20.00
101-000-694.000	DOG LICENSES	30.00
101-000-956.001	OVERAGES	10.00
NET OF REVENUES/APPROPRIATIONS - 000 -		431,460.00
101	TOWNSHIP BOARD	36,050.00
171	SUPERVISOR	15,750.00
215	CLERK	23,900.00
223	AUDITOR	12,000.00
228	TECHNOLOGY	1,000.00

247	BOARD OF REVIEW	3,900.00
253	TREASURER	27,700.00
257	ASSESSOR	22,900.00
262	ELECTIONS	10,650.00
265	BUILDING AND GROUNDS	55,500.00
266	ATTORNEY/COUNSEL	5,100.00
276	CEMETERY	26,550.00
299	UNALLOCATED	25,470.00
445	DRAINS AT LARGE	6,000.00
448	STREET LIGHTING	3,500.00
693	WEBPAGE	1,000.00
695	COMMUNITY SERVICE	2,000.00
751	PARKS AND RECREATION DEPARTMENT	1,500.00
790	LIBRARY	1,800.00
851	INSURANCE AND BOND	8,500.00
862	TAXES WITHHELD	7,700.00
999	CD INVESTMENT FOR FISCAL YEAR	132,990.00
ESTIMATED REVENUES - FUND 101		431,460.00
APPROPRIATIONS - FUND 101		431,460.00
NET OF REVENUES/APPROPRIATIONS - FUND 101		0.00
BEGINNING FUND BALANCE		
ENDING FUND BALANCE		
Fund 150 - CEMETERY PERPETUAL CARE FUND		
000		100.00
150-000-665.001	INTEREST INCOME	100.00
NET OF REVENUES/APPROPRIATIONS - 000 -		0.00
ESTIMATED REVENUES - FUND 150		100.00
APPROPRIATIONS - FUND 150		100.00
NET OF REVENUES/APPROPRIATIONS - FUND 150		0.00
BEGINNING FUND BALANCE		
ENDING FUND BALANCE		
Fund 204 - ROAD FUND		
000		223,000.00

204-000-402.000	CURRENT PROPERTY TAXES	90,000.00
204-000-402.001	GENERAL FUND APPROPRIATION	132,990.00
204-000-665.001	INTEREST INCOME	10.00
NET OF REVENUES/APPROPRIATIONS - 000 -		0.00
ESTIMATED REVENUES - FUND 204		223,000.00
APPROPRIATIONS - FUND 204		223,000.00
NET OF REVENUES/APPROPRIATIONS - FUND 204		0.00
BEGINNING FUND BALANCE		
ENDING FUND BALANCE		
Fund 205 - PUBLIC SAFETY FUND- EMERGENCY FUND		
Dept 000		
205-000-001.001	CARRYOVER INCOME	50,000.00
205-000-423.301	EMERGENCY SERVICE TAX FUND	100,000.00
205-000-665.001	INTEREST INCOME	50.00
NET OF REVENUES/APPROPRIATIONS - 000 -		150,050.00
337	MILLAGE EMERGENCY SERVICE	150,050.00
ESTIMATED REVENUES - FUND 205		150,050.00
APPROPRIATIONS - FUND 205		150,050.00
NET OF REVENUES/APPROPRIATIONS - FUND 205		0.00
BEGINNING FUND BALANCE		
ENDING FUND BALANCE		

Section 8: Adoption of Budget by Reference

The general fund budget of Middlebury Township is 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 Middlebury Township adopts the 2023-2024 fiscal year general 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.

Section 13: 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 compared with actual receipts for the same period in the prior fiscal year; the balance of estimated revenues to be collected in the then 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 14: 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 15: Budget Monitoring

Whenever it appears to the Chief Administrative 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 Chief Administrative 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 17: Board Adoption

Motion made by Trustee Atwood, seconded by Treasurer Ruess to adopt the foregoing resolution.

Upon roll call vote, the following voted aye: Clerk Tomasek Swan, Trustee Atwood, Treasurer Ruess, Supervisor Swan

The following voted nay: None

Absent: Trustee Gene Ruess

The Supervisor declared the motion carried and the resolution duly adopted on the 14th day of March, 2023.

2. Owosso Speedway Liquor and Sign Variance Resolution

Resolution 2023-02 (see attached document) Supervisor Swan offered the resolution to approve and recommends the application for a New Tavern License issued under MCL 436.1518 to Owosso Speedway Events and Activities, LLC. Treasurer Ruess supported the resolution.

Roll Call Vote:

The following voted Aye: Trustee Atwood, Treasurer Ruess, Clerk Tomasek-Swan, Supervisor Swan

The following voted Nay: None

Absent: Trustee Gene Ruess

3. **SATA** SATA representative attending in April.
4. **Driveway** Trustee Ruess has been working on this project. There have been some challenges procuring asphalt due to the small size of the job. Township will obtain concrete bids to explore as an option.
5. **Road Contracts** The revised budget from the road commission has been received. The prices are lower than initial quotes resulting in cost saving to the township. Road commission is working on contracts so those will be available at April meeting. The Baldwin Rd project timeline remains undetermined per the road commission.
6. **Extra Appropriations to OMESA** Clerk Tomasek Swan discussed the surplus emergency services funds and using that surplus to appropriate funds to OMESA. The board decided to table decision until April meeting.
7. **Treasurer bonding insurance** Matt McKone has agreed to be our new attorney. The treasurer bonding insurance issue is being tabled until April meeting.
8. **Tablets** Tablet functions pros and cons were discussed. Trustee Atwood made a motion to have Clerk Tomasek Swan research the cost of purchasing tablets for board members. Supervisor Swan seconded the motion.
9. **Solar panels/farms** Supervisor Swan has received multiple contacts from community members regarding solar panels/farms regarding concerns about the impact on their taxable values. There is discussion regarding the change in agricultural designation when contracts are signed. When the permit is pulled there could be a change in zoning to an industrial designation. This will result in an increase in taxes for that property.

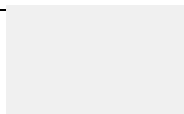
Final Comments: Opened at 8:26 pm Closed at 8:26pm

Clerk Tomasek Swan made a Motion to adjourn the meeting: Adjourned at 8:26 pm

Next meeting April 11, 2023 at 7:00pm

X 

Shawn Dilts
Deputy Clerk





Michigan Department of Licensing and Regulatory Affairs
Liquor Control Commission (MLCC)
Toll Free: 866-813-0011 • www.michigan.gov/lcc

Resolution 2023-02

Business ID: _____
Request ID: RQ-2212-15274
(For MLCC use only)

Local Government Approval
(Authorized by MCL 436.1501)

Instructions for Applicants:

- You must obtain a recommendation from the local legislative body for a new on-premises license application, certain types of license classification transfers, and/or a new banquet facility permit.

Instructions for Local Legislative Body:

- Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a Regular meeting of the Middlebury Township council/board
(regular or special) (township, city, village)

called to order by Supervisor J. Swan on March 14, 2023 at 7:00 pm
(date) (time)

the following resolution was offered:

Moved by J. Swan and supported by J. Ruess

that the application from Owosso Speedway Events and Activities, LLC
(name of applicant - if a corporation or limited liability company, please state the company name)

for the following license(s): New Tavern License issued under MCL 436.1518
(list specific licenses requested)

to be located at: Owosso Speedway, 7204 W M-21, Ovid, MI 48866

and the following permit, if applied for:

Banquet Facility Permit Address of Banquet Facility: _____

It is the consensus of this body that it recommends this application be considered for
(recommends/does not recommend)

approval by the Michigan Liquor Control Commission.

If disapproved, the reasons for disapproval are _____

Vote

Yeas: 4 Atwood, J. Ruess, Tomasek-Swan, Swan

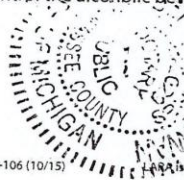
Nays: 0

Absent: 1 G. Ruess

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the township council/board at a Regular meeting held on March 14, 2023
(regular or special) (date) (township, city, village)

Susan Tomasek-Swan Print Name of Clerk
Susan Tomasek-Swan Signature of Clerk
3/14/23 Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.



Please return this completed form along with any corresponding documents to:

Michigan Liquor Control Commission
Mailing address: P.O. Box 30005, Lansing, MI 48909

Hand deliveries or overnight packages: Constitution Hall - 525 W. Allegan, Lansing, MI 48933

Fax to: 517-763-0059