

**BEAVER CREEK TOWNSHIP REGULAR MEETING
DECEMBER 10, 2013**

The Beaver Creek Township Board held its regular meeting on Tuesday, December 10, 2013 at 10:00 am. Board members present: Ashton, Little, Hartman, Raybuck and Van Nuck. There were 11 residents present.

Motion by Little and seconded by Raybuck to approve the agenda with one addition: IT Pro request for additional funds to Old Business. All ayes, motion carried.

MINUTES:

Motion by Van Nuck and seconded by Little to approve the minutes from the November 12, 2013 meeting. All ayes, motion carried.

TREASURER'S REPORT:

The balance is correct on the report and the tax account has been moved into the Trust & Agency Account. There were some problems with the tax bills that occurred due to changing to the new BS&A program, but tax amounts were correct. We had four veterans apply for the Veterans Exemption.

The treasurer had a phone call stating that her article in the Newsletter had violated "campaign laws." Our attorney says otherwise.

Motion by Raybuck and seconded by Little to accept the Treasurer's Report. All ayes, motion carried.

CLERK'S REPORT:

Financial reports are in your folders.

SUPERVISOR'S REPORT:

The supervisor has been working with the Board of Review which had a meeting on Monday. The Recreation Plan is being updated and we recently hosted the Crawford County MTA Chapter for their quarterly meeting. Mark Blockinger has stated that the DNR has put the request for King Road on the back burner as they are working on a larger project.

HLUA:

Board member Ron Wood stated that the yearly audit came back good and the auditor stated that he felt we were right where he expected us to be financially.

FIRE DEPARTMENT:

The fire department will be holding a class on Saturday. The fire chief will give the board a copy of the proposed Fire Wise Program for our review as soon as possible.

Minor repairs have been done to the fire department building.

With the hiring of the most recent fire fighter, the fire chief came to the realization that the township board did not include a "family" policy in our Healthcare Ordinance. He is asking that we amend the Ordinance so that a family can be covered in our Healthcare Ordinance and employees offered family coverage under our Priority Health Policy.

DPW:

Everything is going good with 1,900 bags received in a two week period.

PLANNING/ZONING:

Things have slowed down with only one zoning permit issued this past month. The zoning administrator is working on blight issues and several animal complaints.

CORRESPONDENCE:

Crawford County Road Commission letter
CECD Report

OLD BUSINESS:

1. Discussion regarding the proposed "Employee Policy". Board would like to have it clearly defined as to who (Personnel) shall receive vacation/personal days. Motion by Van Nuck and seconded by Raybuck to accept the policy with one change, that being stating what personnel is covered in the following sentence, page 3, #12, PAY POLICIES. The fifth paragraph, first sentence reads:

"Personnel shall receive 5 vacation days and 5 sick/personal days after one year of employment and then 10 vacation days and 5 sick/personal days after two years of employment."

Sentence will be changed to read:

"Personnel (full time employees, administrative secretary, and senior maintenance position) shall receive 5 vacation days and 5 sick/personal days after one year of employment and then 10 vacation days and 5 sick/personal days after two years of employment."

Roll call vote with all ayes, motion carried. (Copy of "Employee Policy" attached to minutes.)

2. Motion by Hartman and seconded by Van Nuck to accept the following Investment Policy as presented. Roll call vote withal ayes, motion carried.

**Beaver Creek Township
Investment and Depository Designation Resolution
December 10, 2013**

WHEREAS, the Board of Beaver Creek Township, Crawford County, in exercising its fiduciary responsibilities desires to safeguard the funds of the Township that may be invested from time to time, and

WHEREAS, Public Act 77 of 1989, MCL 41.77 requires that the Township Board designate the banks or depositories for the money belonging to the Township, including the time for which the deposits shall be invested from time to time, and

WHEREAS, Public Act 196 of 1997, MCL 129.91 et seq. required Township Boards, in consultation with the Township Treasurer, to adopt an investment policy, and

THEREFORE BE IT RESOLVED that this policy is applicable to all public funds belonging to Beaver Creek Township and the custody of the Township Treasurer.

BE IT RESOLVED, that the Board approves the following financial institutions as depositories of the Township funds: CHEMICAL BANK NORTH; FIRST MERIT BANK

BE IT FURTHER RESOLVED that the Treasurer may invest Township funds in certificates of deposit, savings accounts, deposit accounts, or depository receipts of a bank but, only if that bank, savings and loan association, or credit union meets all criteria as a depository of public funds contained in State law. The standard prudence to be used shall be the "fiduciary" standard and shall be applied in context of managing an overall portfolio.

BE IT FURTHER RESOLVED that the prior approval of the Township Board, shall be required for the Treasurer to invest in any other lawful investment instruments. The Township Board standard of prudence shall be the "fiduciary" standard, which shall be applied in context of managing an overall portfolio. The Township Board may authorize the Treasurer to invest in the following:

- (a) Bonds securities, and other obligations of the United States or an agency or instrumentality of the United States.
- (b) Certificates of deposit, savings accounts, deposit accounts, or depository receipts of a financial institution, but only if the financial institution is eligible to be a depository of funds belonging to the state under a law or rule of this state or the United States.
- (c) Commercial paper rated at the time of purchase within the 2 highest classifications established by not less than 2 standard rating services and that matures not more than 270 days after the date of purchase.
- (d) Repurchase agreements consisting of instruments listed in subdivision (a).
- (e) Bankers' acceptance of United States banks.
- (f) Obligations of this state or any of its political subdivisions that at the time of purchase are rated as investment grade by not less than 1 standard rating service.
- (g) Mutual funds registered under the investment company act of 1940, title 1 of chapter 686,54 Stat. 789,15 U.S.C. 80a-1 to 80a-3 and 80a-4 to 80s-64, with authority to purchase only investments vehicles that are legal for direct investment by a public corporation. Investments in mutual shall include securities whose net asset value per share may fluctuate on a periodic

basis. However, a mutual fund is not disqualified as a permissible investment solely by reason of either of the following:

- (i) The purchase of securities on a when-issued or delayed delivery basis.
- (ii) The ability to lend portfolio securities as long as the mutual fund receives collateral at all times equal to at least 100% of the value of the securities loaned.
- (iii) The limited ability to borrow and pledge a like portion of the portfolios' assets for temporary or emergency purposes.

(h) Obligations described in subdivision (a) through (g) if purchased through an interlocal agreement under the Urban Cooperation Act of 1967, Public Act 7 of 1967, (Ex Sess), MCL 124.501, et seq.

(i) Investment pools organized the Surplus Funds Investment Pool Act, Public Act 367 of 1982, MCL 129.111, et seq.

(j) The investment pools organized under the Local Government Investment Pool Act, Public Act, Public Act 121 of 1985, MCL 129.111, et seq.

BE IT FURTHER RESOLVED, that decisions and actions involving the Township's investment portfolio shall meet the following criteria:

Safety: Investments shall be undertaken in a manner that seeks to ensure the preservation of principal in the overall portfolio. To attain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

Diversification: The treasurer shall diversify the investments by security type and institution. No more than 50% of the total investment portfolio will be invested with a single financial institution.

Liquidity: The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. Securities shall have maturity dates concurrent with cash flow needs. The Treasurer shall minimize interest rate risk by avoiding the need to sell securities prior to maturity and investing operating funds primarily in short term securities, money market mutual funds or similar public investment pools. Securities shall not normally be sold prior to maturity except to minimize loss of principal; to improve the quality, yield or target duration in the portfolio, or to meet liquidity needs.

Return on investment: The investment portfolio shall be designed to attain a market average rate of return during budgetary and economic cycles while taking into account investment risk constraints and liquidity needs. Return on investments is of secondary importance compared to safety and liquidity objectives. The core of investments is limited to relatively low-risk securities, and a fair rate of return relative to risk is assumed.

BE IT FURTHER RESOLVED that the Treasurer may elect to have certificates and other evidence of investments held by a financial institution, provided that the financial institution presents to the Township Treasurer **on a quarterly basis**, sufficient documentation and acknowledgement of the investment instruments held on behalf of the Township. **(PA 231 of 2007 updated)**

BE IT FURTHER RESOLVED, that the Township will comply with all applicable statutes related to public fund investments. Any provisions of this resolution in conflict with applicable statutes are void, Motion made by Hartman, seconded by Van Nuck to adopt the foregoing resolution. Upon roll call vote, following voted aye: Ashton, Little, Hartman, Raybuck and Van Nuck.

The Supervisor declared that motion carried and the Resolutions duly adopted on the 10th day of December, 2013.

3. Motion by Hartman and seconded by Van Nuck to allow the supervisor to negotiate summer tax collection. Roll call vote withal ayes, motion carried.

4. Motion by Van Nuck and seconded by Little to allow the supervisor to spread the special assessments on the winter tax bills. Roll call vote with all ayes, motion carried.

5. Discussion regarding our contract with IT Pro and his request of \$333 additional for an additional computer. No action taken.

NEW BUSINESS:

1. Motion by Raybuck and seconded by Hartman to seek financing for payback of the pension plan. Roll call vote with all ayes, motion carried.

2. Motion by Raybuck and seconded by Van Nuck to have the zoning administrator work 10 hours per week over the winter months. All ayes, motion carried. Don will be here Tuesday and Thursdays, 9:00 am to 2:00 pm.

3. Discussion regarding the Recreation Plan update by the county, thus our plan must be updated also. The supervisor has given us some recommendations and we will look at it again at the January meeting.

4. Discussion regarding changing the snow removal contract. The supervisor suggests that we have our sidewalks shoveled by Mac McClerry, assistance maintenance, as our snowplower has been in the hospital and we need a backup.

5. Motion by Van Nuck and seconded by Little to pay the accounts payable invoices in the amount of \$18,061.90, checks #28776 through #28812. Roll call vote withal ayes, motion carried.

There were several comments from residents.

Meeting adjourned at 10:50 am.

Sharon K. Hartman, Clerk

Beaver Creek Township
Special Meeting December 12, 2012

The Beaver Creek Township Board held a special meeting on Thursday, December 12, 2013 at 8:00 am. Board members present: Ashton, Little, Hartman, Raybuck and Van Nuck.

The purpose of the meeting was to: 1) discuss our legal representation, 2) Approve Holiday/vacation pay under old employee policy and 3) pay for snow shoveling.

1 Discussion of current legal representation. Motion by Van Nuck and seconded by Little to terminate our current attorneys, Young, Graham, Elsenheimer & Welding, PC with 30 days' notice. Roll call vote with all ayes, motion carried. Motion by Van Nuck and seconded by Raybuck to hire Attorney Greg Meihn of Foley & Mansfield to represent our township, effective 12/11/2013 and to pay the \$5,000 retainer. Roll call vote with all ayes, motion carried.

2 Motion by Van Nuck and seconded by Raybuck to pay our employees any holiday/vacation days owed to them and have not been paid under our old "Employee Policy". Roll call vote with all ayes, motion carried.

3 Motion by Ashton and seconded by Van Nuck to pay a flat fee for snow shoveling of \$20.00, for each shoveling. Roll call vote with all ayes, motion carried.

Meeting adjourned at 8:25 am.

Sharon Hartman, Clerk