

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF APRIL 16, 2001**

**FENTON TOWNSHIP CIVIC COMMUNITY CENTER
12060 MANTAWAUKA DRIVE, FENTON, MICHIGAN**

Supervisor Gabrielson called the meeting to order at 7:30 p.m.

Present: Gabrielson, Mueller, Garfield, Krug, Mathis, Rowe, Office Manager
Broecker and Attorney Cooley

Absent: McKenna

PLEDGE OF ALLEGIANCE:

Supervisor Gabrielson led the pledge of allegiance to the flag.

APPROVAL OF AGENDA:

Motion to approve the 4/16/01 Fenton Township Board Meeting agenda as presented.

Motion by: Krug

Seconded: Garfield

Ayes: All Present

Nays: None

Absent: McKenna

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes of the 4/2/01 regular meeting, the 4/7/01 special meeting and the 4/7/01 workshop meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices for payment as presented.

Motion by: Rowe

Seconded: Krug

Ayes: Gabrielson, Mueller, Garfield, Krug, Mathis, Rowe

Nays: None

Absent: McKenna

Motion carried.

PUBLIC HEARINGS:

None

REPORTS:

Check Signing Requirements

Supervisor Gabrielson reported that Attorney Cooley had provided confirmation of an issue raised by Treasurer Garfield at the last workshop meeting. All township checks must be signed by the Treasurer and Clerk (or their respective deputies). The previous practice of having the Supervisor be one of two signatures on checks has been discontinued.

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Marine Patrol Update

Supervisor Gabrielson reported that Sondra Brady of the Genesee County Sheriff Marine Patrol would be at the township office on Monday 4/23 at 9:00 a.m. to discuss this year's Marine Patrol program.

GIS Project

Supervisor Gabrielson reported that the white "X's" seen throughout the township are section corners that will be visible on the aerial photographs that are a part of the GIS project.

COMMUNICATIONS:

None

UNFINISHED BUSINESS-ADOPTION OF ORDINANCES:

None

UNFINISHED BUSINESS-OTHER:

None

NEW BUSINESS:

Request for Depth-to-Width Variance – Parcel 06-15-100-001

Supervisor Gabrielson briefly reviewed the request for a depth-to-width variance to allow the division of the subject property into three parcels. Ronald Bishop (applicant) submitted a revised drawing of the proposed division of the property which, while still creating three parcels, would comply with the maximum 4:1 depth-to-width ratio requirement. Clerk Mueller noted that the proposed divisions would also comply with the current R-1A zoning regulations. Since the revised drawing of the proposed division of the property no longer requires any variances, no action is necessary by the township board.

Proposed Amendment to 2001 Contract – Advanced Pest Management

Greg Seago, General Manager of Advanced Pest Management, outlined a proposal to treat 485 acres of wetland areas with Bti larvicide dropped from an airplane. In past years, using four-wheel drive vehicles and on foot, APM has only been able to treat approximately 135 acres. The increased coverage of the proposed larvicide treatment should significantly reduce the mosquito populations this year. If approved, this revision would increase the total cost of the 2001 contract by approximately \$7,300.00. It was noted that that Bti is a natural compound that is toxic only to mosquitoes and similar insects. The proposed treatment areas are low-lying swamp areas that are major breeding centers for mosquitoes. The treatment would not affect residential areas. The board agreed that the additional expense would be worth the benefit.

Motion to approve an amendment to the 2001 Mosquito Control contract between Advanced Pest Management and the Charter Township of Fenton, to treat approximately 485 acres of wetland with aircraft-applied larvicide, at an increased cost not to exceed \$7,300.00.

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Motion by: Mueller
Seconded: Garfield
Ayes: Gabrielson, Mueller, Garfield, Krug, Mathis, Rowe
Nays: None
Absent: McKenna
Motion carried.

Appointment to Fenton Township Building Board of Appeals

Supervisor Gabrielson reported that the Building Board of Appeals term of Larry Bulite had expired. He recommends re-appointing Mr. Bulite to a five-year term on the BBA.

Motion to re-appoint Larry Bulite to the Fenton Township Building Board of Appeals for the term ending September 30, 2005.

Motion by: Gabrielson
Seconded: Mueller
Ayes: Gabrielson, Mueller, Garfield, Krug, Mathis, Rowe
Nays: None
Absent: McKenna
Motion carried.

Resolution No. 2001-08, Retiree Health Insurance Benefits

Office Manager Broecker reviewed a proposed resolution revising and clarifying the township's policy on providing health insurance to retirees. The changes discussed at the 4/7/01 workshop meeting have been incorporated into the final draft, which was also reviewed by labor attorney Hiram Grossman. Clerk Mueller presented the following resolution:

RESOLUTION NO. 2001-08

BE IT RESOLVED, that the Board of Trustees of the Charter Township of Fenton does hereby agree to provide single coverage health and medical insurance through the same health and medical insurance that it provides for the Charter Township of Fenton's active employees and pay the monthly insurance premium, up to a maximum of 20% above the monthly premium at the time of retirement, for any full-time employee of the Township who retires, who is at least fifty-five (55) years of age or older, had been employed by the Township as a full-time employee for at least twenty (20) years, (as defined in the applicable collective bargaining agreement or individual employment agreement), has been receiving paid health and medical insurance as an employee of the Township, and is eligible to receive a pension for his/her employment with the Township. The retirement must be regular or disability retirement. If the retirement is due to disability retirement, the Social Security Administration must have determined him/her eligible and entitled to receive benefits and the employee must present his/her Social Security award determining the employee is eligible to receive benefits. In addition to qualifying and receiving Social Security benefits, a disabled employee must satisfy all the conditions and requirements set forth above for normal retirement with the exception of being at least fifty-five (55) years of age.

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In the event the eligible retired employee accepts employment after retiring from the Township, and is eligible for health and medical insurance coverage from his/her current employment, the Township's obligation to provide and pay health and medical insurance coverage ceases for as long as the employee is employed by any employer that provides health and medical insurance coverage for its employees.

Once an eligible retired employee described in the paragraph above becomes eligible for and receives Social Security benefits and Medicare coverage, the retired employee's individual health and medical insurance coverage shall be converted to Medigap health and medical insurance in coordination with the employee's Medicare coverage through the same health and medical insurance provider that is providing health and medical insurance coverage for the Charter Township of Fenton's active employees. The employer agrees to pay the cost of individual single coverage Medigap health and medical insurance, as approved by the Fenton Township Board. In the event the eligible retired employee accepts employment, or is working and becomes eligible for and receives Social Security benefits and Medicare coverage after his/her retirement from the Township, and is eligible for health and medical insurance coverage from his current employment, the Township's obligation to provide and pay health and medical insurance coverage ceases for as long as the employee is employed by an employer that provides health and medical insurance for its employees.

Motion to adopt Resolution No. 2001-08 as presented.

Motion by: Mueller

Seconded: Krug

Ayes: Gabrielson, Mueller, Garfield, Krug, Mathis, Rowe

Nays: None

Absent: McKenna

Motion carried. Resolution declared adopted.

Resolution No. 2001-09, Revised Position Description-Township Supervisor

Supervisor Gabrielson asked that the board allow him to abstain from voting on the remaining agenda items due to a conflict of interest.

Motion to allow Supervisor Gabrielson to abstain from voting on Resolution No. 2001-09, Resolution 2001-10, and any other actions related to these resolutions, due to a conflict of interest.

Motion by: Mueller

Seconded: Krug

Ayes: All Present

Nays: None

Absent: McKenna

Motion carried.

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Clerk Mueller reviewed the proposed resolution, which makes minor revisions to the Township Supervisor Position Description that was adopted by the board in 1998. Language has been added to:

- ⇒ Allow for the appointment of the Supervisor as Zoning Administrator, subject to appropriate qualifications and board approval.
- ⇒ Set a “base salary” of \$40,000.00 per year, with a 3% annual increase for each year served as Supervisor.

The board discussed the proposed resolution at length. Trustee Krug emphasized the need to look at the position description as it would apply to any potential Township Supervisor, not just relative to the individual currently holding that office. After further discussion the board agreed that Zoning Administration should be added back to the list of functions that the Supervisor is responsible for overseeing and supervising.

Motion to amend Resolution No. 2001-09 to add the following to the list of functions under the heading of “**Oversee and supervise the day-to-day operations of:**” in the Primary Responsibilities section of the document: 7. Zoning Administration

Motion by: Mueller

Seconded: Rowe

Ayes: Mueller, Garfield, Krug, Mathis, Rowe

Nays: None

Abstaining: Gabrielson

Absent: McKenna

Motion carried.

Clerk Mueller presented the following amended resolution:

RESOLUTION NO. 2001-09

WHEREAS, on June 29th, 1998 the Fenton Township Board adopted Resolution No. 1998-31, establishing a formal Position Description for the Township Supervisor, and

WHEREAS, Resolution No. 1998-31 also stated the Township Supervisor Position Description may be amended, by Township Board resolution, as deemed necessary by the Township Board due to changes in township activities, state law or other circumstances, and

WHEREAS, the Fenton Township Board believes that changes to township activities warrants the amendment of the Township Supervisor Position Description;

NOW THEREFORE BE IT RESOLVED, that the following language be adopted as the formal employment structure and job description for the position of Township Supervisor in the Charter Township of Fenton:

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POSITION DESCRIPTION

Employer: Charter Township of Fenton
Position Title: Township Supervisor

The Township Supervisor is the chief administrative officer of the township. The Supervisor is responsible for the daily operations of all township departments and functions, as well as responding to issues and concerns raised by township residents, businesses and property owners. The Township Supervisor shall maintain regular hours at the Fenton Township office and be available or “on-call” virtually 24 hours a day.

Primary Responsibilities:

Chairman of all Township Board meetings

Chief Assessing Officer

Personnel Director

Enforcement of Township’s general ordinances

Development and administration of township budgets

Emergency Management Coordinator

Oversee and supervise the day-to-day operations of:

1. Township Office
2. Assessor’s Office
3. Fire Department
4. Law Enforcement Services
5. Public Roads (maintenance, improvements, etc.)
6. Sanitary Sewer System
7. Zoning Administration

May also serve as Fenton Township Zoning Administrator, subject to appropriate qualifications and approval of the Township Board.

Memberships on Boards, Commissions & Committees

Fenton Township Board of Trustees, (regular, special and workshop meetings)

Sub-committees of the Township Board, (as established by the board)

Fenton Township Board of Review (Secretary)

Genesee County Emergency Management Committee

Genesee County 911 Consortium

Genesee County Supervisors Committee

Genesee County Roads & Bridges Advisory Committee

Genesee County Road Commission Policy Committee

Genesee County Water & Waste Advisory Committee

Genesee County Drain Commissioner’s Sewer Sub-Committee

Genesee County Watershed Committee

Loose Senior Citizen Center Board of Directors

Genesee County Urban & Fair Housing Committee

Flint River Watershed Committee

Partnership for the Saginaw Bay Watershed

Michigan Townships Association-Genesee County Chapter

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Attendance at Various Other Meetings
Genesee County Drain Hearings
Fenton Township Lake Associations (as needed)
Various meetings with area governmental units

Other Position Requirements

1. Minimum 30 hours per week spent at the Fenton Township Office during regular business hours and/or in attendance at various meetings.
2. Attendance at a minimum of four (4) Michigan Townships Association educational conferences or seminars per year.

Compensation

Base annual salary: \$40,000.00
Increases to base salary: 3% per year in office
Effective date of salary increases: January 1st of each year

Fringe Benefits

1. The use of a township owned vehicle or an annual net vehicle allowance of \$5,000.00.
2. Full coverage health and medical insurance, including dental and vision insurance, (up to 2-person coverage). This insurance coverage shall be provided under the same health and medical insurance plan that is furnished to the employees of the Township covered by the office staff collective bargaining agreement.
3. Life Insurance, Short Term Disability Insurance and Long Term Disability Insurance equal to the coverage provided to the employees of the Township covered by the office staff collective bargaining agreement.
4. If the Township Supervisor chooses to enroll in the Township's pension plan, the Township shall pay an amount equal to 10% of the Supervisor's annual salary and the Supervisor shall pay an amount not less than 5% of his/her annual salary, to the Township's established pension plan.
5. Two (2) weeks of paid vacation per year.

BE IT FURTHER RESOLVED, that the Township Supervisor Position Description may be further amended, by Township Board resolution, as deemed necessary by the Township Board due to changes in township activities, state law or other circumstances, and

BE IT FINALLY RESOLVED, that the provisions of this Resolution and the amendments to the Township Supervisor Position Description shall be effective as of April 16, 2001.

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Motion to adopt Resolution No. 2001-09 as presented.

Motion by: Mueller
Seconded: Krug
Ayes: Mueller, Garfield, Krug, Mathis, Rowe
Nays: None
Abstaining: Gabrielson
Absent: McKenna

Motion carried. Resolution declared adopted.

Resolution No. 2001-10, Position Description-Zoning Administrator

Clerk Mueller reviewed the proposed resolution to establish a formal position description for the position of Zoning Administrator. Trustee Mathis objected to the appointment of Supervisor Gabrielson as Zoning Administrator. She views it as a 50% salary increase to do a job that was already assigned to him in the 1998 resolution that established the Township Supervisor Position Description. Clerk Mueller clarified that the original position description stated that the Supervisor was responsible to oversee and supervise the day-to-day operations of several departments/functions, including zoning administration. It did not appoint him as Zoning Administrator. Trustee Rowe recommended that the Position Description be revised to designate the Zoning Administrator position as part-time. Trustees Krug and Rowe suggested removing the compensation section of the Position Description and removing the language in the resolution that appoints Supervisor Gabrielson as the Zoning Administrator. The creation of the Position Description should be a separate action from the appointment of a Zoning Administrator.

Motion to amend Resolution No. 2001-010 to designate the status of Zoning Administrator position as part-time, to remove the section titled "Compensation", and to remove the language appointing Supervisor Gabrielson to the position of Zoning Administrator.

Motion by: Rowe
Seconded: Mueller
Ayes: Mueller, Garfield, Krug, Mathis, Rowe
Nays: None
Abstaining: Gabrielson
Absent: McKenna

Motion carried.

Clerk Mueller presented the following amended resolution:

RESOLUTION NO. 2001-10

WHEREAS, the level of development activities in Fenton Township has compelled the Fenton Township Board to consider employing a Zoning Administrator, and

WHEREAS, after careful consideration, the Fenton Township Board believes it to be in the best interests of the Township to formally designate a Zoning Administrator;

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NOW THEREFORE BE IT RESOLVED, that the following language be adopted as the formal job description for the position of Zoning Administrator in the Charter Township of Fenton:

**CHARTER TOWNSHIP OF FENTON
POSITION DESCRIPTION**

Employer: Charter Township of Fenton
Position Title: Zoning Administrator
Status: Part-Time

Primary Responsibilities:

Zoning Ordinance

- Development
- Administration, interpretation & compliance
- Enforcement, including legal action as necessary
- Recommendations for amendments

Issue Zoning Permits – Construction

Issue Zoning Permits – Business Licensing

Planning

- Ensure that all development is in compliance with the Future Land Use Plan
- Review all proposed site plans and revisions to existing site plans
- Schedule and conduct pre-application meetings for proposed developments
- Schedule and conduct pre-construction meetings for approved developments
- Conduct on-site inspections as necessary
- Recommended amendments to Future Land Use Plan as warranted
- Oversee the planning, design and construction of all new sanitary sewer lines
- Oversee and direct all issues related to the Township's compliance with watershed and pollution regulations

Attendance at Various Meetings

Fenton Township Planning Commission

Fenton Township Zoning Board of Appeals

Other Position Requirements

Attendance at a minimum of six (6) educational conferences, seminars or meetings related to planning and zoning per year.

BE IT FURTHER RESOLVED, that the Zoning Administrator Position Description may be further amended, by Township Board resolution, as deemed necessary by the Township Board due to changes in township activities, state law or other circumstances, and

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BE IT FINALLY RESOLVED, that the provisions of this Resolution and the Zoning Administrator Position Description shall be effective as of April 16, 2001.

Motion to adopt Resolution No. 2001-10 as presented.

Motion by: Krug
Seconded: Rowe
Ayes: Mueller, Garfield, Krug, Mathis, Rowe
Nays: None
Abstaining: Gabrielson
Absent: McKenna

Motion carried. Resolution declared adopted.

Trustee Mathis repeated her opposition to the appointment of Supervisor Gabrielson as Zoning Administrator. Based on the two job descriptions she does not believe one person can perform both jobs. It was stated that Supervisor Gabrielson is already performing all these duties and these functions are being very well managed. Trustee Mathis also stated that the township should solicit bids for zoning administration services before making any appointment. Clerk Mueller noted that the bids would have to include both zoning administration and planning, since both functions are included in the position description. Treasurer Garfield suggested consulting other townships to see how they handle zoning and planning duties. Clerk Mueller pointed out that, with the approval of a formal position description, we are in the position of being without a Zoning Administrator, which may negatively affect the day-to-day operation of the township. It was suggested that, if the board wishes to solicit proposals, it would make sense to appoint Supervisor Gabrielson as Zoning Administrator through the end of the year, thus providing ample time to research the issue further.

Motion to appoint Carl T. Gabrielson to the position of Fenton Township Zoning Administrator for the remainder of the year 2001, at an annual salary of \$15,000.00.

Motion by: Garfield
Seconded: Krug
Ayes: Mueller, Garfield, Krug, Mathis, Rowe
Nays: None
Abstaining: Gabrielson
Absent: McKenna

Motion carried.

OTHER ISSUES-TOWNSHIP BOARD:

None

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

None

ADJOURN: Meeting adjourned at 9:00 p.m.

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Carl Gabrielson, Supervisor

Charles Mueller, Clerk

Minutes Posted 4/17/01