

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF DECEMBER 15, 2003**

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

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

Present: Mathis, Krug, Carmody, Gatesman, McDermott, Stiverson, Office
Manager Broecker and Attorney Cooley.

Absent: Garfield

PLEDGE OF ALLEGIANCE:

Supervisor Mathis led the pledge of allegiance to the flag.

APPROVAL OF AGENDA:

Motion to approve the 12/15/03 Fenton Township Board Meeting agenda as presented.

Motion by: Krug

Seconded: Stiverson

Ayes: All Present

Nays: None

Absent: Garfield

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes of the 12/1/03 regular meeting and the 12/8/03 workshop meeting stand approved as presented.

EXPENDITURES:

Trustee Gatesman questioned the invoice for ballots. Office Manager Broecker confirmed that the invoice was for the cost of printing ballots and programming the scanners for the 10/14/03 special election. Motion to approve expenditures as presented.

Motion by: Stiverson

Seconded: Krug

Ayes: Mathis, Krug, Carmody, Gatesman, McDermott, Stiverson

Nays: None

Absent: Garfield

Motion carried.

PUBLIC HEARINGS:

None

REPORTS:

Les Scott – Genesee County Metro Alliance Update

Les Scott, the Fenton Township citizen representative on the Genesee County Metropolitan Alliance, provided an overview of a current issues being dealt with by the Alliance. He reviewed a traffic safety profile for Genesee County Roads, a Congestion Management Plan and the proposed Transportation Improvement Program (TIP) projects for the next few years.

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Genesee County Sheriff Department

Trustee Carmody reported that a meeting was held on December 4th with representatives of the Genesee County Sheriff Department. The Sheriff Department will be providing monthly updates to the Township regarding law enforcement activities. Sheriff Pickell is also exploring a program to monitor the homes of residents that live in warmer climates during the winter months.

Fenton Area Cable Television (FACT) Consortium Update

Trustee Carmody reported that he would be attending the next FACT meeting on 12/18/03. It is his intent to pursue the issue of better utilizing the broadcast capabilities of the school program and the information capabilities of Channel 19. He would also like to see local government and school board meetings broadcast on the public access channel. He is working on a proposed open house for interested parties to see the capabilities of the broadcasting equipment.

John “Jack” Gallagher

Clerk Krug reported that the Fenton Township area lost an outstanding citizen with the passing of John “Jack” Gallagher. Mr. Gallagher was very active in the community, served as the PA announcer at Lake Fenton sporting events for many years, and was a “true friend” to the entire Fenton Township/Lake Fenton School community.

Rowe Incorporated Update

Supervisor Mathis asked Jack Wheatley of Rowe Incorporated to give an update on the status of current projects. Mr. Wheatley reported that:

- The parking lot project for the Township Hall is progressing well. The project will be bid in two phases – the back (north) lot and the front (south) lot. Construction should begin in the spring.
- A draft version of the water master plan should be completed soon.
- The Northern Township Sanitary Subtrunk Sewer project has been put on hold at the request of the Township. Most of the routing and preliminary design has been completed. The board will need to decide at some point if the Township wishes to proceed with the project.
- Information is being gathered for the submission of an application for sewer repair funds from the State Revolving Fund (SRF). Applications are due 7/1/04 for 2005 funding.

There was a brief discussion regarding the water master plan and the separate proposal to conduct a water quality study relative to Type I well systems, arsenic, testing requirements, etc.

Miscellaneous Updates

Supervisor Mathis reported that Lawrence Engineering, one of the designated Township Engineering firms, had submitted a letter confirming that they will no longer perform private work in Fenton Township, thus eliminating the potential for conflict of interest issues.

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Supervisor Mathis reported that the final cost for the 2003 mosquito control program was approximately \$12,000 under the contracted amount. Advanced Pest Management continues to provide excellent service, while controlling costs.

COMMUNICATIONS:

DEQ Hearing – Proposed Ponemah Woods Development

Supervisor Mathis reported that the DEQ has scheduled a public hearing on the application of Lewenz Development to construct a 153-slip marina on Lake Ponemah. The hearing will be held on Wednesday January 7, 2004 at 7:00 p.m. in the Fenton Township meeting room.

UNFINISHED BUSINESS-ADOPTION OF ORDINANCES:

None

UNFINISHED BUSINESS-OTHER:

Resolution No. 2003-34, Township Supervisor Job Description

Supervisor Mathis reviewed a revised resolution regarding the position of Fenton Township Supervisor. Since state law establishes the duties and responsibilities of the Township Supervisor, the Michigan Townships Association has suggested that a formal position description is not necessary. The revised resolution rescinds earlier action taken to create the position description and simply reduces the annual salary from \$46,440.00 to \$33,333.00.

Trustee Stiverson added that the MTA advised that the salary should not be based on hours worked and that a formal job description for an elected official was a “foreign” concept.

Trustee McDermott stated that the resolution that increased the Supervisor salary in 1998 was based on recommendations from an ad hoc committee, which included Patrick Carmody, that researched the issue and that the salary was based on a “full-time” Supervisor. The salary prior to the 1998 increase was \$18,040.00 and he is concerned that the proposed reduction is not enough.

Trustee Carmody confirmed that he was a member of that ad hoc committee in 1998, and clarified that the “part-time” salary of \$18,040.00 was based on the previous Supervisor’s schedule, which was 10-15 hours per week.

Supervisor Mathis added that she simply wants to follow through on her campaign promise to reduce the salary.

Public Comment:

Charles Mueller, 6036 Lobdell Road

Mr. Mueller stated that board members should not be considered “part-time” or “full-time” – board members are basically on-call “24-7”. In the past the lower salaries for the board officers was based on the concept of hiring and keeping qualified staff to handle

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the day-to-day operations of the Township. The increase to the Supervisor's salary in 1998 was predicated partially on the requirement that the Supervisor be in the office 30 hours per week during business hours. If the Supervisor's availability will be significantly less than 30 hours, it may be appropriate to lower the salary even further.

Ray Kalanquin, 14159 Swanee Beach

Mr. Kalanquin stated that the discussion of part-time vs. full-time is the wrong approach. The Supervisor is paid to do a job, regardless of the hours required to do the job. The salary should be based on job requirements.

Tony Brown, 12159 Jennings Road

Mr. Brown agreed that the part-time/full-time issue is irrelevant. The Township Supervisor is on duty around the clock. If she is requesting that her salary be lowered, the board should approve that request.

Daniel Zawlocki, 4520 Eleanor Drive

Mr. Zawlocki noted that Supervisor Mathis is fulfilling her campaign promise by requesting the salary reduction. He urged the board to approve the request.

Clerk Krug presented the following resolution:

RESOLUTION NO. 2003-34

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, on April 16th, 2001 the Fenton Township Board adopted Resolution No. 2001-09, revising said Position Description, and

WHEREAS, Michigan law sets forth the duties and responsibilities of the Township Supervisor without the need for a formal job description, and

WHEREAS, the current Fenton Township Supervisor desires to reduce the annual salary paid to the Township Supervisor, and

WHEREAS, the Township Supervisor has consented to said salary reduction in writing;

NOW THEREFORE BE IT RESOLVED, that the formal Township Supervisor Position Description established by Fenton Township Resolution No. 1998-31 and revised by Resolution No. 2001-09 is hereby rescinded, and

BE IT FURTHER RESOLVED, that the annual salary for the Fenton Township Supervisor shall be \$33,333.00, and

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*BE IT FINALLY RESOLVED, that said reduction to the annual salary of the Fenton Township Supervisor shall be effective as of **October 15, 2003.***

Motion to adopt Resolution No. 2003-34 as presented.

Motion by: Krug
Seconded: Stiverson
Ayes: Mathis, Krug, Carmody, Gatesman, Stiverson
Nays: McDermott
Absent: Garfield

Motion carried. Resolution declared adopted.

NEW BUSINESS:

Extension of Sewer Maintenance Contract

Supervisor Mathis reported that, in 2002, the Township Board awarded a one-year sewer maintenance contract to Mid-Michigan Manufacturing & Maintenance, Inc. After reviewing the issue and discussing it with some board members, she is in favor of soliciting bids for a new contract. In order to have enough time to develop the bid documents, Supervisor Mathis recommended that the existing contract be extended through June 30, 2004. This issue has been discussed with Robert Rowley of Mid-Michigan and he is agreeable to this arrangement.

Motion to extend the existing sanitary sewer maintenance contract with Mid-Michigan Manufacturing & Maintenance, Inc. through June 30, 2004.

Motion by: Mathis
Seconded: Stiverson
Ayes: Mathis, Krug, Carmody, Gatesman, McDermott, Stiverson
Nays: None
Absent: Garfield

Motion carried.

Proposed 2004 GIS Services Contract – North Arrow Technologies

Office Manager Broecker reviewed a proposed agreement with North Arrow Technologies to provide GIS-related services in 2004. The agreement is structured in the same manner as the 2003 contract and was reviewed in detail at the 12/8/03 workshop meeting.

Motion to approve the GIS Services contract with North Arrow Technologies, Inc., as presented.

Motion by: Mathis
Seconded: Stiverson
Ayes: Mathis, Krug, Carmody, Gatesman, McDermott, Stiverson
Nays: None
Absent: Garfield

Motion carried.

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Proposed Contract for Zoning Administration Services

Supervisor Mathis reminded the board that Township staff has handled the Zoning Administration duties for the past few months on an interim basis. After reviewing and discussing various options for a more permanent arrangement, a proposal was requested from Rowe Incorporated to act as the Township's Zoning Administrator. Referring to a letter of proposal from Doug Piggott of Rowe, it was noted that Mr. Piggott is experienced in providing Zoning Administration services to other communities and is also the primary author of the Township's current Zoning Ordinance and Land Use Plan. Supervisor Mathis believes that contracting Zoning Administration Services through Rowe Incorporated is the most effective way to fill the Zoning Administrator position at this time. Clerk Krug pointed out that the agreement would be on a month-to-month basis so the board could explore other options, if necessary, at any time.

Motion to appoint Rowe Incorporated as the Fenton Township Zoning Administrator, effective 1/1/04, as presented.

Motion by: Mathis

Seconded: Krug

Ayes: Mathis, Krug, Carmody, Gatesman, McDermott, Stiverson

Nays: None

Absent: Garfield

Motion carried.

Proposed Revisions to Schedule of Fees

Office Manager Broecker reviewed proposed revisions to the Township's fee schedule. Two items are proposed to be added to the schedule. A building permit deposit is being added to ensure all construction receives the necessary final inspections and that any reinspection fees are paid. A fee for building permits to remodel commercial buildings is also being added.

Motion to approve the revised Fenton Township Schedule of Fees, as presented.

Motion by: Stiverson

Seconded: Krug

Ayes: Mathis, Krug, Carmody, Gatesman, McDermott, Stiverson

Nays: None

Absent: Garfield

Motion carried.

Proposed Amendments to 2003 Budget

Office Manager Broecker reviewed the final amendments to the 2003 budgets. The General Fund, Fire Fund, Solid Waste Management Fund and the Mosquito Control Fund are all at or above target balances. Most of the cash reserves in the Sewer Fund were used in 2003 for repairs and upgrades, however bonds will be issued this month to replenish much of that. There was no further discussion.

Motion to approve amendments to the 2003 Fenton Township Budget, as presented.

Motion by: Carmody

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Seconded: Stiverson

Ayes: Mathis, Krug, Carmody, Gatesman, McDermott, Stiverson

Nays: None

Absent: Garfield

Motion carried.

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

Les Scott, 12499 Margaret Drive

Mr. Scott asked if having Rowe perform the Zoning Administrator duties would create problems relative to the timeliness of decisions. Office Manager Broecker responded that the Township staff has already discussed these issues with Mr. Piggott and believe that all decisions will be made in a timely manner.

Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft inquired as to the status of the GIS/Sewer Inventory project. Trustee Carmody responded that the video inspection is approximately 80% complete. Most of the inventory and inspection should be completed in 2004. Repairs and upgrades will be prioritized and completed over the next few years.

Tony Brown, 12159 Jennings Road

Mr. Brown reported that a bill package related to manufactured housing will be discussed in Committee Room 307 at the Michigan Legislature on Tuesday 12/16/03. He invited members of the board to attend.

Lorraine Zimmer, 6391 Acorn Way

Referring to prior discussion regarding improper sewer construction in the past, Ms. Zimmer asked how such problems will be avoided in the future. Trustee Carmody stated that the Township is developing construction standards and the Township will inspect all sewer construction prior to acceptance. Additionally, performance bonds will be required of all sewer contractors. Charles Mueller added that many of the problems in the Southwest Sewer Arm are the result of inadequate inspection by Genesee County at the time of construction. Bill Winiarski of Rowe Incorporated agreed, adding that the County's past attempts to provide effective inspection services at a rate of \$1 per foot simply wasn't realistic.

Ms. Zimmer asked if the projected build-out of sewer units has been divided by school district. Trustee McDermott responded that a precise calculation had not been done, but approximately 1,500-1,800 of the 3,300 unit projection is in the Linden School District.

Ms. Zimmer also asked if any thought had been given to broadcasting Township Board meetings. Trustee Carmody repeated his earlier statement that he will work toward having meetings broadcast through his membership in the Cable TV Consortium.

ADJOURN: Meeting adjourned at 9:35 p.m.

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Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 12/16/03