

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF FEBRUARY 20, 2006**

**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, Brown, Goupil, Zimmer, Attorney Cooley and
Office Manager Broecker.

Absent: Gatesman

PLEDGE OF ALLEGIANCE:

Supervisor Mathis led the pledge of allegiance to the flag.

APPROVAL OF AGENDA:

Supervisor Mathis stated that she would like to add an Executive Session to the end of the agenda for the purpose of discussing pending litigation. Motion to approve the 2/20/06 Fenton Township Board Meeting agenda as amended.

Motion by: Brown
Seconded: Zimmer
Ayes: All Present
Nays: None
Absent: Gatesman

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes of the 2/6/06 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve expenditures as presented.

Motion by: Carmody
Seconded: Brown
Ayes: Mathis, Krug, Carmody, Brown, Goupil, Zimmer
Nays: None
Absent: Gatesman

Motion carried.

PUBLIC HEARINGS:

Rezoning #R05-006, Robert Pachla, parcels 06-03-300-003 & 06-10-100-018, (vacant land located on the south side of Thompson, east of Jennings and 12253 Jennings Road); AG and/or RMH, C-3 & R-3 to C-2 & PUD/Public Hearing & 1st Reading

Supervisor Mathis reported that the applicant has requested a postponement of this issue until the next meeting. The public hearing and first reading will be conducted at the 3/6/06 meeting.

REPORTS:

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Genesee County Road Commission Update

Supervisor Mathis reported that the Genesee County Road Commission is considering a scheduling change for their maintenance department this summer. The modified schedule would include four 10-hour days, leaving Fridays for overtime work. This would increase the amount of ditching available to each township and should reduce overtime by avoiding weekends and holidays.

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

Proposed Wild, Dangerous and Vicious Animals Ordinance/Revised 1st Reading

Supervisor Mathis re-introduced a proposed ordinance to prohibit the keeping of wild, dangerous and vicious animals in Fenton Township. Concerns were raised at the last meeting regarding some of the ordinance provisions, therefore the ordinance language has been revised to address those concerns. Trustee Goupil stated that he met with the Zoning Administrator and office staff to review the ordinance. The revised version adequately addresses his concerns. There was no public comment. The second reading of the proposed ordinance will be conducted at the 3/6/06 meeting.

Rezoning #R06-003, Dort Federal Credit Union, part of parcel 06-24-100-010, (14241 Fenton Rd); M-1 to C-2/1st Reading

Supervisor Mathis introduced a proposed amendment to the Zoning Ordinance rezone property located in front of the Contour Fabricators facility on Fenton Road from M-1 to C-2 for the purpose of constructing a credit union branch office. Rick Swihart of Creekwater Architecture, representing the applicant, explained that the rezoning request involves 2.88 acres and that the proposed office would use the existing access drive for Contour Fabricators. There was no public comment. The second reading of the proposed ordinance will be conducted at the 3/6/06 meeting.

Proposed Amendment to Sewer System Ordinance/1st Reading

Supervisor Mathis introduced a proposed amendment to the Sewer System Ordinance to give to the Township Board the authority to adopt area sewer plans for our sanitary sewer system. Any sewer construction within the designated area would then have to be constructed according to the approved plan. Included in the meeting packet is a proposed area plan for the Jennings/Thompson/Lahring Road area. If the ordinance amendment is ultimately adopted, this plan will be the first to be presented to the board for approval. There was no public comment. The second reading of the proposed ordinance will be conducted at the 3/6/06 meeting.

UNFINISHED BUSINESS:

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**Resolution No. 2006-05, Genesee County Land Bank Authority Brownfield
Redevelopment Project Plan Amendments**

Supervisor Mathis reminded the board of the presentation given at the February 6th meeting by Genesee County Land Bank officials regarding the Township's continued participation in the Brownfield Redevelopment Authority program. A resolution has been prepared for board consideration. Trustee Brown asked if Assessor Beth Redmond, who was in the audience, could provide her opinion on this issue. Ms. Redmond stated that the Brownfield program has very little impact on Fenton Township since there is only one parcel currently in the program. She doesn't have a strong opinion either way. Supervisor Mathis stated that she supports the program. The Land Bank properties are cleaned up and/or restored in order to be sold so they can be placed back on the tax roll. Clerk Krug presented the following resolution:

RESOLUTION NO. 2006-05

A resolution concurring with the provisions of amendments to a Brownfield Plan that relates to property located within the Charter Township of Fenton to be approved by the Genesee County Board of Commissioners for the Genesee County Land Bank Authority Brownfield Redevelopment Project.

WHEREAS, the Genesee County Board of Commissioners, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"), has established the Genesee County Brownfield Redevelopment Authority ("GCBRA") to facilitate the cleanup and redevelopment of Brownfields within Genesee County's communities, and

WHEREAS, certain property located on Horrell Road, Fenton, Michigan, Tax Parcel Identification Number 06-15-501-030 (the "Property") is within the County of Genesee and the Charter Township of Fenton and is Eligible Property as that term is defined under Michigan's Brownfield Redevelopment Financing Act because it is owned or under the control of the Genesee County Land Bank Authority, and

WHEREAS, a Brownfield redevelopment plan for the Genesee County Land Bank Authority Redevelopment Project (the "Plan") was approved by the County Board of Commissioners on December 14, 2004, and

WHEREAS, Amendments to the Plan has been proposed to restore the environmental and economic viability of tax foreclosed and underutilized Property that was either acquired by the Land Bank Authority in 2005 or left out of the original Plan, and

WHEREAS, the GCBRA, pursuant to and in accordance with Section 13 of the Act, has recommended that the Genesee County Board of Commissioners approved the proposed Amendments to the Plan to be carried out within Genesee County relating to the redevelopment of the Property, and

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WHEREAS, following appropriate notice to the public, the Fenton Township Board considered the matter during a regular meeting on February 20, 2006 at 7:30 p.m. in the Fenton Township meeting room.

NOW, THEREFORE, BE IT RESOLVED, that the Fenton Township Board hereby consents to the approval of the Plan by the Genesee County Board of Commissioners and the implementation of the Plan by the Genesee County Brownfield Redevelopment Authority, and

BE IT FURTHER RESOLVED, that should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part declared to be invalid, and

BE IT FINALLY RESOLVED, that all resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Motion to adopt Resolution No. 2006-05 as presented.

Motion by: Brown

Seconded: Krug

Ayes: Mathis, Krug, Carmody, Brown, Goupil, Zimmer

Nays: None

Absent: Gatesman

Motion carried. Resolution declared adopted.

NEW BUSINESS:

Resolution No. 2006-06, Southern Lakes Planning Initiative

Clerk Krug reviewed a proposed resolution to formally support the continuation of the Southern Lakes Planning Initiative to work toward obtaining funding for an Area Plan. He also pointed out that the resolution does not commit the Township financially but simply commits to move the process forward. An area plan would not affect existing Land Use Plans but would help coordinate adjacent uses and shared uses. The Planning Commissions of the City of Linden, Argentine Township and Mundy Township have already recommended approval of the resolution to their elected bodies. The Fenton Township Planning Commission opted not to make a recommendation but left the decision to the Township Board.

Supervisor Mathis stated that Fenton Township already has an up-to-date Land Use Plan. She doesn't see that an Area Plan would be of any significant benefit to our Township. Treasurer Carmody suggested sending the resolution back to the Planning Commission or simply rely on the Genesee County Planning Commission rather than create a new governmental body. Trustee Goupil agreed, stating that we don't need another layer of government. Trustee Brown suggested that we could ask for an opinion from the Genesee County Metropolitan Planning Commission before taking action. He believes that an Area Plan could be beneficial, especially if it includes services in addition to land use

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issues. Trustee Zimmer questioned the need for an Area Plan, stating that the examples of inter-governmental cooperation used to support the project, (Loose Senior Center, Southern Lakes Parks & Recreation, etc.), are not without problems. Clerk Krug called for a point of order to call the question. Supervisor Mathis asked Clerk Krug to read the proposed resolution.

Clerk Krug presented the following resolution:

RESOLUTION NO. 2006-06

A resolution supporting the efforts of the Southern Lakes Planning Initiative multi-jurisdictional planning effort

WHEREAS, the communities in southern Genesee and northern Livingston counties are requesting support for their cooperative multi-jurisdictional planning process, and

WHEREAS, the Southern Lakes Planning Initiative includes: the Cities of Fenton and Linden and the Townships of Argentine, Fenton, Mundy, Tyrone, and

WHEREAS, the Southern Lakes area is experiencing rapid development and growth pressures that could threaten the quality of life of its residents and the prosperity of the local governments, and

WHEREAS, the Southern Lakes Planning Initiative has been meeting for several months discussing common issues and have expressed a desire to implement a cooperative planning process, and

WHEREAS, the Southern Lakes Planning Initiative has recognized the need for multi-jurisdictional planning and have agreed to work together to enhance cooperative efforts, and

WHEREAS, the Southern Lakes Planning Initiative planning process will require support from each community, in addition to outside financial and technical assistance, and

WHEREAS, the visioning and planning process will take approximately 3 years, and

WHEREAS, this process can result in a model for intergovernmental planning and cooperation, and

WHEREAS, this request reflects Fenton Township Board and Planning Commission priorities and promotes collaboration and intergovernmental cooperation, and

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WHEREAS, the Southern Lakes Planning Initiative effort is consistent with larger planning and sustainability efforts;

NOW, THEREFORE, BE IT RESOLVED that the Fenton Township Board hereby supports the Southern Lakes Planning Initiative's efforts to engage in a multi-jurisdictional planning process, and

BE IT FURTHER RESOLVED that the Fenton Township Board hereby supports the appointment of representatives to the Southern Lakes Planning Initiative.

Motion to adopt Resolution No. 2006-06 as presented.

Motion by: Krug
Seconded: Carmody
Ayes: Krug, Brown
Nays: Mathis, Carmody, Goupil, Zimmer
Absent: Gatesman

Motion failed. Resolution not adopted.

Josh's Room Project Update/Clarification

Supervisor Mathis clarified that the Township is not involved in the ongoing project to provide a barrier-free home for local handicapped resident Josh Knapp. Several Township officials are involved on their own time but no Township resources are involved. Telephone calls received by the Township are being referred to the home telephone numbers of herself and Lorraine Zimmer.

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

None

EXECUTIVE SESSION:

Motion to recess the regular meeting and convene an Executive Session for the purpose of discussing pending litigation.

Motion by: Brown
Seconded: Carmody
Ayes: All Present
Nays: None
Absent: Gatesman

Motion carried.

The regular meeting was recessed at 8:25 p.m.

RECONVENE:

The regular meeting was reconvened at 9:30 p.m.

ADJOURN: Meeting adjourned at 9:30 p.m.

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Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 2/21/06