

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF APRIL 17, 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, Goupil, Zimmer, Attorney Cooley and Office  
Manager Broecker.

Absent: Brown, Gatesman

**PLEDGE OF ALLEGIANCE:**

Supervisor Mathis led the pledge of allegiance to the flag.

**APPROVAL OF AGENDA:**

Supervisor Mathis asked to add the following new business items to the top of the agenda:

*Proposed Bike Month Proclamation*

*Proposed Beacon Flasher Agreement – GCRC*

Motion to approve the 4/17/06 Fenton Township Board Meeting agenda as amended.

Motion by: Carmody

Seconded: Zimmer

Ayes: All Present

Nays: None

Absent: Brown, Gatesman

Motion carried. The agenda is approved.

**NEW BUSINESS:**

**Proposed Bike Month Proclamation**

Supervisor Mathis introduced Vic Lukasavitz, President of Gould Engineering, Inc. Mr. Lukasavitz is an avid bicycler and wanted to bring to the board's attention that May is National Bicycle Month, May 15-19 is National Bike to Work Week and the designated Bike to Work Day is May 19, 2006. He asked the board to consider adopting a proclamation to designate May 2006 as Bike Month in Fenton Township. Clerk Krug presented the following proclamation:

**BIKE MONTH PROCLAMATION 2006**

*WHEREAS, for more than a century, the bicycle has been an important part of the lives of most Americans, and*

*WHEREAS, today, millions of Americans engage in bicycling because it is a viable and environmentally sound form of transportation, an excellent form of fitness, provides quality family recreation, and provides economic value to local businesses, and*

*WHEREAS, the education of cyclists and motorists as to the proper and safe operation of bicycles is important to ensure the safety and comfort of all users, and*

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*WHEREAS, the League of American Bicyclists, the League of Michigan Bicyclists, the Michigan Trails and Greenways, and the independent cyclists throughout our state are promoting greater public awareness of bicycle operation and safety education in an effort to reduce accidents, injuries and fatalities for all.*

*NOW THEREFORE, BE IT RESOLVED, that the Township Board of the Charter Township of Fenton does hereby proclaim May, 2006 as BIKE MONTH in the Charter Township of Fenton and encourages all citizens to recognize the importance of bicycle safety and be more aware of cyclists on our streets and highways.*

Motion to adopt the Bike Month Proclamation as presented.

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

Motion carried.

Clerk Krug provided a signed copy of the proclamation to Mr. Lukasavitz. Mr. Lukasavitz thanked the board for taking the time to accept his presentation and for adopting the proclamation.

**Proposed Beacon Flasher Agreement – GCRC**

Supervisor Mathis stated that she met with Genesee County Road Commission (GCRC) Director John Daly following the discussion at the 4/3/06 meeting regarding the intersection of Torrey and Lahring Roads, who is here this evening to meet with the board.

Mr. Daly first introduced David Miller, chairman of the Genesee County Road Commission. Mr. Daly went on to state that his office is continuing to review the intersection of Torrey and Lahring Roads. Plans to install turning lanes for this intersection have been completed and are scheduled for construction in 2007. New traffic counts are currently underway on both roads to obtain updated volume information. Mr. Daly mentioned that someone had disconnected the cable on one of the traffic counters, which will require the process to be restarted. Mr. Daly also stated that, in general, the installation of a multi-way stop will result in both good and bad results. The number of broadside or “t-bone” collisions will decrease, but the number of rear-end accidents will increase. The key is to install a traffic control device when it will do more good than harm.

GCRC has prepared an agreement for board consideration. The agreement includes the installation of a beacon flasher signal at the intersection, (yellow on Torrey, and red on Lahring). The preliminary cost estimate for the installation is \$10,000.00, with the Township and GCRC splitting the cost 50-50, (Township expense will be capped at \$5,000.00). If the results of the traffic study warrant a 3-way stop at this intersection, the

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beacon flasher would be upgraded to red on all three sides and stop signs would be installed.

Clerk Krug stated that he had several questions for Mr. Daly. He asked how many accidents are required before a 3-way stop is justified for this intersection. Mr. Daly stated that the current criterion is five accidents within any 12-month period that are susceptible to correction by a multi-way stop. Clerk Krug stated that information he has obtained from the Genesee County Road Sheriff Department indicate that there were 52 accidents at that intersection from November 1998 to February 2006, an average of over six accidents per year. Mr. Daly clarified that only accidents that are determined to be susceptible to correction of the installation of a 3-way stop can be counted toward the required criteria.

Clerk Krug asked why the most recent traffic study, which cost Lake Fenton Schools \$14,000.00, was conducted during a time when school was not in session. Mr. Daly stated that neither the school district nor the Township is being charged for the current traffic study. He does not know why the previous study was conducted during non-school weeks.

Clerk Krug stated that he has gathered information indicating that the cost of installing stop signs and power poles is only around \$2,000.00. Why is the estimated cost for this project \$10,000.00? Mr. Daly responded that the \$2,000.00 estimate does not appear to include the cost of the beacon flasher itself, which is the largest part of the overall cost. He also emphasized that the \$10,000.00 is just an estimate. If approved, the Township would pay 50% of the actual cost, with a \$5,000.00 maximum.

Discussion:

Supervisor Mathis: "This gentleman has provided an estimate. An estimate can fluctuate. Until he gets his numbers together-until we decide if he's going to put up a blinker light or not, that's an estimate. For this man to say what he is saying and you can't give us their name, but you can give it behind closed doors, I don't accept that."

Clerk Krug: "The gentleman's name, and the poor man may be unemployed tomorrow, is Dave McDaniel."

Supervisor Mathis: "Mr. Daly, would you check with Mr. McDaniel..."

Clerk Krug: "Are you insinuating that the information I'm sharing tonight is not truthful?"

Supervisor Mathis: "I am saying, when somebody says something and they can't give the name, then I cannot believe it until I know who's speaking. Anybody can come up with anything and say this person said it. You said the person's name. We will check it out."

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Clerk Krug asked if other townships are also required to enter into agreements for the installation of traffic control devices. Mr. Daly confirmed that similar agreements have been used for similar projects in other Genesee County townships. Clerk Krug also stated that he does not believe the installation of a beacon flasher, without making the intersection a 3-way stop, will solve the existing problems.

At the request of Treasurer Carmody, Mr. Daly summarized the status of the Torrey/Lahring intersection as follows:

- If the proposed agreement is approved by the Township Board and the GCRC, the project to install the beacon flasher will proceed regardless of the results of the traffic study.
- If the results of the traffic study warrant a 3-way stop, the beacon flasher will be changed to red on all three sides, stop signs will be installed at the intersection and warning signs will be installed at the appropriate locations approaching the intersection.

Supervisor Mathis stated that she supports the proposed agreement. She shares the same concerns voiced by other members of the board but believes that the Township must rely on the Road Commission to follow established laws and guidelines to make the best decision. She considers this meeting and the proposed agreement to be a step in the right direction.

Trustee Goupil asked who determines if a specific accident fits the required criteria. Mr. Daly responded that the engineer assigned to the traffic study would make that determination. Input from law enforcement officials, however, may also be included. Trustee Goupil also asked if it is determined that there are indeed five or more accidents meeting the criteria, will that automatically result in a change to a 3-way stop. Mr. Daly clarified that the number of accidents is only one of the criteria. The other criteria included in the state guidelines would also have to be reviewed. Trustee Goupil asked if there was any way to “re-visit” the proposed addition of the turning lanes before they are constructed. Mr. Daly stated that he is willing to discuss that issue further. Reviewing the information provided by Clerk Krug, Trustee Goupil noted that there were 11 accidents at this intersection between April 2005 and February 2006. He believes that there is a good chance that five or more will meet the required criteria.

Trustee Zimmer asked what happens if the results of the traffic study do not indicate the need for a 3-way stop. Mr. Daly responded that it is the intent of the GCRC to leave the beacon flasher in place. The study can be repeated at a future date if traffic volumes change due to development or other factors.

State Representative David Robertson stated that he had been invited by a resident to attend this meeting. He has witnessed the traffic difficulties at the Torrey/Lahring intersection and recognizes that a problem does exist. He encouraged the board and the Road Commission to work toward the best solution to the problem.

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Ralph Coaster, Superintendent of Lake Fenton Schools, stated that he appreciates the opportunity to open up better lines of communication on this issue. He agrees that all parties need to work together to resolve the problem.

Treasurer Carmody thanked Mr. Daly and the members of the Township Board for approaching this issue in a professional manner.

Public Comment:

Dave Franz, 3435 Breezepointe Court

Mr. Franz pointed out the need to coordinate the traffic counts with the remainder of the school year. He has experienced the traffic problems at this intersection and supports improvements. He also pointed out that the area of Lahring Road between Torrey and Linden Roads currently has over 300 new homes approved that will be built in the coming years. This will further impact the traffic situation at that intersection.

Ted Goupil, 14166 Eastview Drive

Mr. Goupil stated that, if the 3-way stop is approved, the additional turning lanes would not be necessary and may actually make the situation worse. He also questioned whether the beacon flasher would result in fewer accidents.

Dennis Finn, 13005 Torrey Road

Mr. Finn lives at the end of Lahring Road and he is concerned that a 3-way stop is not a good idea due to the limited sight distance on southbound Torrey Road.

John Maser, 12126 Jennings Road

Mr. Maser stated that a 3-way stop may not solve the problem since too many drivers already don't obey traffic laws. He also would like to see a barricade or guard rail on the southwest corner of the intersection to prevent vehicles from cutting across the corner.

Clerk Krug read the proposed agreement provided by the Genesee County Road Commission for the beacon flasher signal.

Motion to adopt the agreement between the Charter Township of Fenton and the Genesee County Road Commission for the installation of the beacon flasher signal, as presented.

Motion by: Carmody

Seconded: Zimmer

Ayes: Mathis, Carmody, Goupil, Zimmer

Nays: Krug

Absent: Brown, Gatesman

Motion carried.

Supervisor Mathis signed a copy of the agreement. Clerk Krug initially refused to sign the document, but upon advice from Attorney Cooley, did sign the agreement under protest.

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**PRESENTATION:**

**Southern Lakes Parks & Recreation**

Supervisor Mathis introduced Vince Paris, Director of Southern Lakes Parks & Recreation, (SLPR), a regional metropolitan district approved by the voters of Linden, Fenton and Fenton Township in 2000. Mr. Paris introduced Alberta Martin and Rick Selley, the Fenton Township representatives on the SLPR Board of Commissioners, and Terry Wright, one of the Linden commissioners. Mr. Paris provided a brief history and overview of SLPR, including a current organizational chart, a list of future programming initiatives & community collaboratives, marketing and promotional initiatives and a summary of 2005 activities. There were nearly 3,500 participants in instructional programs and classes offered by SLPR in 2005 and another 11,000 participated in special events. It was also noted that 19% of the millage revenue collected by SLPR is allocated to the Loose Senior Citizen Center for operations.

Treasurer Carmody asked for more detailed information regarding the makeup of the board of commissioners and the full-time staff. Mr. Paris stated that much of that information was provided to the Township under a FOIA request, however he would be happy to provide additional information if needed. Treasurer Carmody also asked how long the current Fenton Township representatives have served on the SLPR board. Mrs. Martin and Mr. Selley were originally appointed in 2000. They are both in the final year of their second 3-year term.

Trustee Zimmer asked how the 19% millage allocation for the Loose Senior Citizen Center (LSCC) was determined. Mr. Paris stated that this figure was determined by the original board of commissioners prior to his hiring and was based on the projected financial needs of the LSCC at the time of the ballot proposal. Trustee Zimmer asked if the 19% can be changed, especially since the LSCC has asked the local municipalities, including the SLPR, to opt out of the Inter-Local Agreement. Mr. Paris responded that the SLPR board has the authority to increase, decrease or eliminate this allocation. To the best of his knowledge, the Inter-Local Agreement has no impact on the decision to allocate funds to the LSCC. He added that the SLPR board has not yet taken up the issue of opting out of the LSCC Inter-Local Agreement.

Treasurer Carmody suggested that the Township request quarterly reports of SLPR activities from our representatives. Alberta Martin stated that she prepares a detailed report for the LSCC Board on a regular basis and the Township's representative on that board should have copies of those reports. In response to the earlier question regarding the 19% millage allocation to LSCC, she was a part of the original board that drafted the charter and the 19% was indeed based on projected funding needs at the time. Although not outlined in or required by the charter. SLPR has allocated the 19% every year.

Supervisor Mathis agreed that quarterly updates from one of our representatives would be most welcome. The board thanked Mr. Paris, Mrs. Martin, Mr. Selley and Mr. Wright for their attendance and informative presentation.

**MEETING MINUTES:**

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The minutes of the 4/3/06 regular meeting and the 4/10/06 workshop meeting stand approved as presented.

**EXPENDITURES:**

Motion to approve expenditures as presented.

Motion by: Carmody

Seconded: Goupil

Ayes: Mathis, Krug, Carmody, Goupil, Zimmer

Nays: None

Absent: Brown, Gatesman

Motion carried.

**PUBLIC HEARINGS:**

None

**REPORTS:**

**Ordinance Enforcement Quarterly Report**

Trustee Goupil reviewed the first quarter report from Ordinance Enforcement Officer Bob Atkinson.

**COMMUNICATIONS:**

None

**ADOPTION OF ORDINANCES:**

None

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS (continued):**

None

**PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:**

Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft asked about the status of the Ragnone lawsuit. Attorney Cooley stated that Mr. Ragnone is appealing the Circuit Court decision that dismissed his suit. Mr. Cooley has filed a motion to dismiss the appeal. Mr. Hawcroft also asked about the mobile home park violations that were cited last year on Lake Ponemah. Supervisor Mathis responded that 2 of the mobile homes cited were removed and the other three were refurbished to a usable condition. A follow-up inspection will be scheduled soon.

Dave Franz, 3435 Breezpointe Court

Mr. Franz noted that the SLPR did not charge the Township for providing information under the FOIA request mentioned earlier in the meeting

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

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Bonnie Mathis, Supervisor

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Robert Krug, Clerk

**Minutes Posted 4/18/06**