

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF MAY 1, 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:

Motion to approve the 5/1/06 Fenton Township Board Meeting agenda as presented.

Motion by: Carmody

Seconded: Krug

Ayes: All Present

Nays: None

Absent: Brown, Gatesman

Motion carried. The agenda is approved.

PRESENTATION:

Sanitary Sewer Rehabilitation Project Update

Supervisor Mathis introduced Allen Lawrence of Lawrence Engineering, Mike Bostwick of Bostwick Excavating and Township employee Penny Sharich (Project Coordinator), who are here this evening to provide a progress report for the ongoing project to rehabilitate the Township's sanitary sewer system. Mr. Lawrence and Ms. Sharich provided a brief history of Fenton Township Sewers. With 18 lakes, 61 pump stations and a high water table with poor soils, Fenton Township has one of the most elaborate and expensive sanitary sewer systems in the entire state. The Township entered into an Administrative Consent Order (ACO) with the State of Michigan in 2002. Since then we have been involved in an aggressive, comprehensive rehabilitation project to identify and correct system deficiencies. In October 2005, the Township completed the Corrective Action Plan (CAP) that was a part of the ACO. This CAP was a listing of the highest priority repairs necessary to reduce the risk of sewer spills. The Township is now in a 1-year probationary period that will end 12/31/06, during which time we must still submit periodic reports to the MDEQ. If no violations (i.e. spills) occur during the probationary period, we expect the ACO to be lifted. While the requirements of the CAP have been completed, there is still much to be done to repair the sewer system. It is imperative that preventative maintenance and rehabilitation efforts continue.

Mr. Lawrence played a brief PowerPoint presentation with inspection video of several sewer lines before and after repairs. Examples of clay pipe and SDR-26 plastic sewer pipe were displayed for the board. The older clay pipe is prone to cracks, joint leaks and mineral deposits, especially because we have unstable soils, which leads to infiltration of ground water and/or storm water into the sanitary system, which increases treatment

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costs. The work completed so far has greatly reduced the amount of inflow and infiltration into the sanitary sewer, however there is still much work to be done.

It was pointed out that Fenton Township, like most municipalities, can no longer obtain insurance coverage for sewer backups. Without insurance it is especially important that we do everything possible to prevent spills and backups, which would be very costly for the Township. It was also noted that, while Fenton Township was one of the first communities to be placed under an ACO, many other municipalities now have ACO's and will be struggling with the same issues that we have been facing.

Clerk Krug pointed out that new connections to the sewer system continue to run well below earlier projections. As a comparison, the first four months of 2006 produced only 20 new connections, compared to 122 for the same period in 2004. That's a difference of well over \$1 million dollars a year for the Sewer Fund. Fenton Township has been fortunate in past years that connection fee revenue have helped maintain the stability of the Sewer Fund. Lower connection fee revenue means that the Township will have to look to other revenue sources to make up the difference.

Supervisor Mathis thanked Mr. Lawrence, Ms. Sharich and Mr. Bostwick for a very informative presentation. She also noted that the Township had recently been notified that the rate charged to the Township will be increased by almost \$11.00 per unit per month, effective 8/1/06. The Township is currently reviewing this increase, as well as other sewer system financial issues, in an effort to formulate the most effective approach to maintaining financial stability for the Sewer Fund.

Public Comment:

Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft asked if the video inspection of the sewer lines has been completed. Ms. Sharich responded that the initial phase of the video inspection process has been completed and some areas of concern have been inspected a second time. Periodic video inspection will continue for the entire system.

MEETING MINUTES:

Supervisor Mathis asked to have a verbatim transcript inserted into the 4/17/06 minutes of part of the discussion regarding the cost of various traffic control devices. The minutes of the 4/17/06 regular meeting stand approved as amended.

EXPENDITURES:

Motion to approve expenditures as presented.

Motion by: Carmody

Seconded: Zimmer

Ayes: Mathis, Krug, Carmody, Goupil, Zimmer

Nays: None

Absent: Brown, Gatesman

Motion carried.

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PUBLIC HEARINGS:

None

REPORTS:

Proposed Newsletter – Suggestions for Topics

Supervisor Mathis reported that the Township is planning to publish an informational newsletter within the next few months. If board members have any suggestions for newsletter topics please pass them along to her or Office Manager Broecker within the next two weeks.

Cable Television Update

Treasurer Carmody reported that there is pending federal legislation that would eliminate local control over telecommunications franchising and give the responsibility, and the fees, to the federal government. He urged the board and the public to contact our representatives in Congress to defeat this bill.

Town Hall Meeting

Clerk Krug suggested that the board schedule a “Town Hall” meeting for sometime this summer. The board agreed that this is a good idea. A recommendation for a meeting date will be brought to a future board meeting.

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Extension of Tentative Approval of Preliminary Plat – Pinnacle Shores

Supervisor Mathis reported that Tom Atwell, the developer of the Pinnacle Shores subdivision, has requested an extension to the tentative approval of his preliminary plat for the entire Pinnacle Shores subdivision. The first 3 phases have already completed the platting process. Extension of the preliminary plat approval will allow Mr. Atwell to continue with the platting process for the remaining phases. Mr. Atwell noted that the subdivision as a whole is steadily progressing and is now just over 50% complete.

Motion to grant a one-year extension to the tentative approval of the Preliminary Plat of Pinnacle Shores, as presented.

Motion by: Krug

Seconded: Carmody

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

Nays: None

Absent: Gatesman

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Motion carried.

Genesee County Road Commission – 2006 Dust Control Program

Supervisor Mathis information regarding the Genesee County Road Commission’s dust control program for 2006. In past years the Road Commission would do two applications of liquid calcium chloride on unpaved roads each year, with the Township and Road Commission each paying for one application. Due to the unavailability of liquid calcium chloride until mid-summer, the 2006 program will differ from previous years. The County will do two applications of calcium magnesium chloride (mineral well brine) – one in May and one in June, both at the expense of the Genesee County Road Commission. An optional application of liquid calcium chloride may also be done in August at the Township’s expense. Based on the mileage of unpaved roads in Fenton Township, the cost to the Township would be approximately \$18,500.00. Clerk Krug asked that the mileage of unpaved roads be verified before processing the contract.

Motion to approve the 2006 Genesee County Road Commission Dust Control Program, including one application of liquid calcium chloride at the Township’s expense, as presented.

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

Motion carried.

Proposed Termination of Loose Senior Citizen Center Interlocal Agreement

Supervisor Mathis reported that the Loose Senior Citizen Center (LSCC) board has formally requested the participating municipalities to consider terminating the existing interlocal agreement. If approved by all participating municipalities, the local units of government would no longer be represented on the LSCC board and would not be obligated to provide any funding. Clerk Krug presented the following resolution:

RESOLUTION NO. 2006-11

WHEREAS, in 1996 the Charter Township of Fenton executed an interlocal agreement with the following participating municipalities: the City of Linden, Michigan, a Michigan Municipal Corporation; the City of Fenton, Michigan, a Michigan Municipal Corporation; the Township of Argentine, a Michigan General Law Township; the Township of Fenton, a Michigan Charter Township, and the Township of Tyrone, a Michigan General Law Township, which agreement called for, among other things, the formation of Loose Senior Citizens Center, Inc., a Michigan Non-Profit Corporation (hereafter, the “Center”), and

WHEREAS, the interlocal agreement was amended effective July 1, 2003 to include the Southern Lakes Regional Metropolitan Parks and Recreation Commission as an additional participating municipality, and

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WHEREAS, paragraph eighteen of the original interlocal agreement and paragraph seventeen of the amended and restated interlocal agreement provided that both documents could be amended in writing with unanimous consent of the participating municipalities, and

WHEREAS, the Center has requested that the participating municipalities consider terminating this interlocal agreement under circumstances where their funding obligations under the agreement are no longer mandatory and to permit the Center to continue operation;

NOW, THEREFORE, BE IT RESOLVED, by the Charter Township of Fenton Board of Trustees, that the Township Supervisor is hereby authorized to execute the attached AGREEMENT TERMINATING INTERLOCAL AGREEMENT AND AMENDED AND RESTATED INTERLOCAL AGREEMENT for and on behalf of the Charter Township of Fenton.

Discussion:

Supervisor Mathis stated that she is not in favor of terminating the interlocal agreement. Since 1995 Fenton Township has allocated over \$287,000.00 in CDBG grant funds to the LSCC for operations and capital improvements. The Township should continue to stay involved in the senior center.

Clerk Krug agreed, adding that the local municipalities should maintain the existing level of input and oversight to ensure service levels at the center are properly maintained.

Treasurer Carmody stated that he is distressed by the LSCC board action to invite the municipalities to remove themselves from that board. He questions the motives of the LSCC board for taking this action.

Trustee Zimmer stated that she does not believe that any of the other municipalities will opt out of the interlocal agreement. She is also very concerned with published comments that the municipal representatives on the LSCC board are not participating in center activities at a high enough level. She has devoted considerable time to several projects and activities and feels that the other municipalities are also well represented.

Motion to adopt Resolution No. 2006-11 as presented.

Motion by: Krug

Seconded: Mathis

Ayes: None

Nays: Mathis, Krug, Carmody, Goupil, Zimmer

Absent: Brown, Gatesman

Motion failed. Resolution is rejected.

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

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Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft asked how much the other member communities have contributed to the LSCC. Office Manager Broecker clarified that each member community pledges 15% of their annual CDBG entitlement to senior center operations. Additional allocation of funds for capital improvements are at the discretion of the respective governing bodies. It is our understanding that Fenton Township has allocated significantly more funding to the LSCC than the other municipalities.

Mr. Hawcroft asked about the status of the Torrey/Lahring traffic study. Supervisor Mathis responded that the results of the study are expected in June or July.

Dave Franz, 3345 Breezpointe Court

Mr. Franz stated that it has been his observation that the LSCC membership does not attend the LSCC board meetings and may not be aware of some of the actions taken by this board. He is also concerned with the statements from LSCC that, even though they are asking the member municipalities to consider terminating the interlocal agreement, the municipalities can still allocate their CDBG funds to the center.

Relative to the discussion on sewer finances and higher fees, Mr. Franz stated that the average septic system now costs around \$12,000.00 - \$14,000.00. Sanitary sewer, even with high fees, is still more cost effective than septic systems.

ADJOURN: Meeting adjourned at 9:15 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 5/4/06