

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF FEBRUARY 5, 2007**

**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, Tucker, Zimmer, Attorney Cooley
and Operations Manager Broecker.

Absent: None

PLEDGE OF ALLEGIANCE:

Supervisor Mathis led the pledge of allegiance to the flag.

APPROVAL OF AGENDA:

Clerk Krug asked to have the following items added to the Presentation portion of the agenda:

*Prudy Adam – RestorationNet
Torrey Road Traffic Concerns*

Motion to approve the 2/5/07 Fenton Township Board Meeting agenda as amended.

Motion by: Carmody

Seconded: Brown

Ayes: All

Nays: None

Motion carried. The agenda is approved.

BOARD OF REVIEW:

Introduction of Fenton Township Board of Review Members

Supervisor Mathis introduced members of the Fenton Township Board of Review, Jim Hall, Joe Jenio and Rita Lauer, who were all recently re-appointed. Mr. Hall, who is beginning his 21st year on the Board of Review, thanked the board for the opportunity to continue to serve the community in this capacity. He also provided a brief overview of the board's duties and responsibilities. Ms. Lauer and Mr. Jenio also expressed appreciation for their recent re-appointment and indicated that they enjoy serving on the Board of Review and working with the public. Treasurer Carmody commended the three board members for their dedication to community service in a very demanding job. Supervisor Mathis added that the Board of Review is a strong group of very knowledgeable and dedicated individuals.

PRESENTATION:

Christmas in Action

Supervisor Mathis introduced Jacqueline Ochs and Kelly Winter, who are affiliated with a new charitable organization known as "Christmas in Action of Genesee County". This 501(c)3 non-profit corporation is a local chapter of a nation-wide group of similar organizations that focus on providing free home repairs for seniors and others in need through the donation of materials, services and money. She distributed background information and made a brief video presentation to the board and audience. She asked the board to endorse their organization by adopting a resolution of support.

Clerk Krug presented the following resolution:

RESOLUTION NO. 2007-07

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WHEREAS, thirty three years ago a Midland Texas Native, Bobby Trimble, began a local community, grass-roots, non-profit volunteer organization called CHRISTMAS IN ACTION, whose mission is to provide FREE HOME REPAIRS for low-income, elderly and handicapped homeowners through the actions of many volunteers the last Saturday each April, and

WHEREAS, during the past 33 years this mission has grown and been adopted in communities all across the country; the last Saturday each April thousands of volunteers across the country join together to help their neighbors, and

WHEREAS, Christmas in Action of Genesee County, a 501©3 non-profit organization, is dedicated to the founder's original vision of providing FREE HOME REPAIRS for our low-income and elderly homeowners in all communities in Genesee County. Our belief is that the latter years of life are meant to be enjoyed instead of filled with worry over staying in a warm and safe home, and

WHEREAS, the Charter Township of Fenton recognizes this vision and the fact that all communities benefit from eliminating slum and blight, by improving the quality of life for our elderly, by this grass-roots volunteer community effort providing FREE HOME REPAIRS for their community, and

WHEREAS, Christmas in Action of Genesee County holds fundraising events every year to raise the funds necessary to fund their Annual Workday activities;

NOW, THEREFORE, BE IT RESOLVED, that Fenton Township does hereby adopt and proclaim be become a Christmas in Action participating community.

Motion to adopt Resolution No. 2007-07 as presented.

Motion by: Krug

Seconded: Brown

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

Nays: None

Motion carried. Resolution declared adopted.

Prudy Adam – RestorationNet

Clerk Krug introduced Prudy Adam, a Fenton Township resident, who is participating in a charitable cause for a local youth. Jared Marsh is an 8-year old Fenton area resident that was recently diagnosed with Non-Hodgkins Lymphoma. RestorationNet is also a 501(c)3 non-profit corporation that is attempting to raise money to improve the Marsh family home. The home is over 100 years old and must have the windows and heating system upgraded before Jared can be allowed to come home. They have started a website titled www.bringjaredhome.org to raise money for this effort. Any assistance and/or publicity that the Township can provide would be greatly appreciated.

Torrey Road Traffic Concerns

Richard Henwood, 13111 Torrey Road, addressed the board regarding traffic safety concerns on Torrey Road near the "S" curves and the Lahring Road intersection. He has had two vehicles hit in his driveway in recent months and has experienced many other "near misses" that still resulted in smashed mailboxes, landscape damage, etc. He does not believe that the beacon flasher installed by the Genesee County Road Commission

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is adequate. Something has to be done to slow traffic down. He believes the Township should apply pressure to the Road Commission to improve safety.

Supervisor Mathis noted that additional improvements for the Torrey/Lahring intersection are scheduled for 2007, including the widening of the road to allow left-turn lanes. The Road Commission thus far, however, will not commit to a 3-way stop or traffic signal.

Trustee Goupil stated that he does not believe the turning lanes will improve the situation and may even make it worse in some instances.

Treasurer Carmody referred to the Genesee County Road Commission as a dysfunctional body of three morons that don't have enough brains to collectively carry out the responsibility of the Road Commission. He believes that this is just one of many intersections throughout the county that need safety-related improvements.

Supervisor Mathis will approach the Genesee County Road Commission regarding additional safety improvements for the Torrey/Lahring intersection.

MEETING MINUTES:

Trustee Zimmer pointed out that her comment regarding Hogan Road was that Genesee County WWS had committed to maintain that portion of Hogan Road, not pave it. The minutes of the 1/22/07 regular meeting stand approved as corrected. The minutes of the 1/26/07 special meeting stand approved as presented.

EXPENDITURES:

Motion to approve expenditures as presented.

Motion by: Carmody

Seconded: Krug

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

Nays: None

Motion carried.

PUBLIC HEARINGS:

Rezoning #R07-001, BVM Development, LLC.; parcels 06-01-300-003, 06-01-300-035, 06-01-300-036, 06-01-400-011, 06-01-400-015, 06-01-400-018 and part of 06-01-400-019 & 06-01-400-021, (near the southwest corner of Fenton & Thompson Roads); AG & R-3 to PUD/Public Hearing & 1st Reading

Supervisor Mathis reported that the applicant has requested that this item be postponed until the next Township Board meeting. With regard to the next meeting, Supervisor Mathis asked the board if they would prefer to move it from 2/19/07 since it is Presidents Day and the Township office will be closed. After a brief discussion, the board agreed to reschedule this meeting to Monday 2/26/07.

Motion to reschedule the Township Board regular meeting from 2/19/07 to 2/26/07.

Motion by: Mathis

Seconded: Krug

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

Nays: None

Motion carried.

REPORTS:

Loose Senior Citizen Center Update

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Supervisor Mathis reported that Les Scott is under the weather and his update on Loose Senior Citizen Center (LSCC) activities will be moved to the 2/26/07 agenda.

Sewer Committee Update

Trustee Zimmer reported that sewer repairs are nearly completed in the Four Lakes Avenue area, with Isleview Drive being the last portion of this project. The very cold weather has slowed the work progress. The next project will be repairs along Rolston Road west of Jennings Road. Trustee Zimmer also presented a sample of the bright orange door tags used by the contractors to provide advance notice of sewer work to our residents.

Legal Update

Trustee Tucker reported that he spoke to attorney Tim Wilhelm earlier today regarding the JGA/Kingsway Builders vs. Fenton Township lawsuit. Judge Hayman granted the plaintiffs motion for summary disposition on the zoning statute violation issue. His ruling effectively reverses the Township Board's 2004 rezoning of the property and reinstates the PUD for the subject property. Mr. Wilhelm and Carol Rosati will be scheduling a closed session with the board very soon to provide a more detailed update and discuss options.

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Legal Services for Fenton Lakes Sportsman's Club Issue

Supervisor Mathis stated that, as the Township moves forward with efforts to work with the Fenton Lakes Sportsman's Club to resolve the safety issues that have been discussed at recent meetings, she believes it would be wise for the Township to have an attorney stay involved in the process. Since John Siler was the Township attorney that handled this case in the 1990's, he is the logical choice to work on this related issue. Since Mr. Siler is no longer a designated Township attorney, Township Board approval is necessary in order to engage his services. His standard billing rate is \$200 per hour.

Motion to retain the services of Attorney John P. Siler as legal counsel for issues related to the Fenton Lakes Sportsman's Club.

Motion by: Krug

Seconded: Goupil

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

Nays: None

Motion carried.

2007 Board of Review Hardship Policy

Supervisor Mathis reviewed the proposed 2007 Property Tax Hardship Exemption Policy. This policy is the same as the one adopted in 2006, except for updated

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information regarding income levels, meeting dates and deadlines. Board adoption of the policy is required before the Board of Review meets next month. There was no further discussion

Motion to adopt the 2007 Fenton Township Property Tax Financial Hardship Exemption Policy as presented.

Motion by: Brown

Seconded: Zimmer

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

Nays: None

Motion carried.

Resolution No. 2007-08, honoring former Township Trustee Keith McKenna

Supervisor Mathis stated that, as most people already know, former Fenton Township Trustee Keith McKenna passed away last week. A memorial resolution has been prepared to honor Mr. McKenna's service to the community.

Clerk Krug stated that Mr. McKenna will certainly be missed in our community. He was a very dedicated Township official. Treasurer Carmody agreed, adding that Mr. McKenna was always very prepared and conducted himself in a professional manner.

Clerk Krug presented the following resolution:

RESOLUTION NO. 2007-08

WHEREAS, former Fenton Township Trustee Keith J. McKenna passed away on January 28, 2007 after a lengthy illness, and

WHEREAS, Mr. McKenna was a resident of Fenton Township for many years, during which time he contributed greatly to the progress and welfare of the community, most notably as a member of the Fenton Township Board, Fenton Township Planning Commission, Fenton Township Zoning Board of Appeals and the Fenton Area Cable Consortium, and

WHEREAS, Mr. McKenna served loyally and faithfully as a Trustee on the Fenton Township Board from 1992 to 2003, as a member of the Fenton Township Zoning Board of Appeals from 1992 to 1995, the Fenton Township Planning Commission from 1995 to 2003 and the Fenton Area Cable Consortium from 1993 to 2003, exhibiting the qualities of vision, leadership, diplomacy and integrity throughout his tenure as an elected official, and

WHEREAS, as a member of the Fenton Township Board and Planning Commission, Mr. McKenna helped guide and oversee the progress of the Township during a time of significant transition, including the development and adoption of an updated Land Use Plan and Zoning Ordinance;

THEREFORE BE IT RESOLVED, that the Fenton Township Board of Trustees hereby honors Keith J. McKenna for his valuable contributions to our community, conveys sincere appreciation and gratitude for his dedicated service to the government and citizens of Fenton Township and expresses profound sadness at his passing, and

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BE IT FINALLY RESOLVED, that a copy of this resolution be spread upon the minutes of this meeting and a copy sent to Mr. McKenna's family.

Motion to adopt Resolution No. 2007-08 as presented.

Motion by: Tucker

Seconded: Brown

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

Nays: None

Motion carried. Resolution declared adopted.

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

Tom Richard, 12425 Jennings Road

Mr. Richard asked why the Township felt it necessary to retain an attorney in the Fenton Lakes Sportsman's Club issue. He was under the impression that the issue was being resolved. Supervisor Mathis clarified that, while it does appear that the issues will be adequately resolved, the Township felt it best to have legal counsel involved until everything has been completed. Because Mr. Siler was very familiar with the history of the case it made sense to retain his services.

Dave Franz, 3435 Breezepointe Court

Mr. Franz noted that the "Christmas in Action" organization maintains very strict eligibility requirements for assistance.

Susan Foland, 11421 Fairbanks Road

Ms. Foland asked if a new inspection of the Fenton Lakes Sportsman's Club might reveal that they are no longer in compliance with Michigan law because of the new development in the area. Trustee Goupil clarified that once a shooting range has been certified as compliant, that certification is not affected by new development.

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

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 2/7/07