

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF AUGUST 6, 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, Operations
Manager Broecker and Attorney Cooley

Absent: None

PLEDGE OF ALLEGIANCE:

Supervisor Mathis led the pledge of allegiance to the flag.

Supervisor Mathis also advised the audience that this meeting was being recorded for telecast on local public access television.

APPROVAL OF AGENDA:

Motion to approve the 8/6/07 Fenton Township Board Meeting agenda as presented.

Motion by: Brown

Seconded: Tucker

Ayes: All

Nays: None

Motion carried. The agenda is approved.

PRESENTATION:

Advanced Pest Management

Supervisor Mathis introduced Brian Gramer of Advanced Pest Management, the Township's mosquito control service provider. Mr. Gramer explained that August is the highest risk time of year for West Nile Virus (WNV). The species of mosquito that carries WNV thrives in drought conditions. Since this has been a very dry summer, the risk for WNV is increased. Residents are encouraged to eliminate any artificial containers that can hold stagnant water, (tires, tarps, trash can lids, pool covers, etc.). Standing water in these types of containers are prime breeding grounds for mosquitoes. The board thanked Mr. Gramer for his informative presentation.

MEETING MINUTES:

The minutes of the 7/23/07 regular meeting and the 7/30/07 workshop meeting stand approved as presented.

EXPENDITURES:

Trustee Zimmer questioned the amount of the invoice from Bostwick Excavating for pump station maintenance. Operations Manager Broecker explained that only around \$36,000 of the \$111,000 payment was for 7 months of pump station maintenance, which includes mowing and general maintenance of all pump stations and periodic testing for pump stations equipped with generators. Trustee Zimmer also questioned a \$20,000 payment to Gary Becker for landscaping. It was clarified that a developer had written a \$20,000 check to the township to serve as his bond for completing the required landscaping in his project. The landscaping has been completed and approved; therefore the Township is simply refunding his bond.

Motion to approve expenditures for payment as presented.

Motion by: Carmody

Seconded: Krug

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Ayes: Mathis, Krug, Carmody, Brown, Goupil, Tucker, Zimmer
Nays: None
Motion carried.

PUBLIC HEARINGS:

None

REPORTS:

Website Statistics

Operations Manager Broecker reviewed a recent report tracking activity on the Township's website. The number of visitors and total website "hits" has steadily increased since the website was first rolled out. For the month of June 2007 the website had nearly 15,000 visitors and more than 56,000 hits. Supervisor Mathis added that the assessing information accessible through the Township's website has had a total of over 31,000 hits during the past 12 months.

Power Outages

Supervisor Mathis reported that she is again contacting State Representative Dave Robertson regarding our continuing problems with power outages in our township. She also received an e-mail from Kevin Keane of Consumers Energy notifying the Township that the Silver Lake Road electrical line is being rebuilt to improve service and reliability.

Death of Former Township Official

Supervisor Mathis announced that former Planning Commissioner John Olmstead passed away on 8/4/07. A memorial resolution will be prepared for the next board meeting.

Fenton Area Cable Television (FACT) Consortium Update

Trustee Zimmer reported that the City of Fenton has offered to train representatives from the school districts and Fenton Township to allow them to add their programming to the Channel 19 server when their employee is unavailable. Operations Manager Broecker confirmed that he and another employee are already schedule for the training.

Trustee Zimmer also reported that the FACT Consortium is working on revised by-laws, and she would like to see language regarding maintenance responsibility for the Channel 19 server.

Treasurer Carmody added that recent federal legislation now places the cable companies under the Michigan Public Service Commission (MPSC). All complaints should be referred to the MPSC rather than handled by the local government office.

Proposed Legislation to Remove Township Authority Update

Supervisor Mathis read a letter that has been drafted to send to State Representative Dave Robertson urging him to oppose HB 4780-4788, which would unfairly strip election, tax collection and assessing duties from our township. If all board members are in agreement with the letter, each will sign the original letter before it is mailed to Representative Robertson.

COMMUNICATIONS:

Genesee County Road Commission Letter – Funding Issues

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Supervisor Mathis reviewed a letter from the Genesee County Road Commission regarding financial difficulties experienced by road commissions across Michigan. Funding cuts from the state have made it even more difficult for road commissions to keep up with road maintenance and improvement needs. The Road Commission is inviting the townships in Genesee County to work together to discuss possible solutions to this funding crisis. Clerk Krug suggested that the Road Commission could reduce costs by eliminating ineffective administrators and useless projects. Trustee Zimmer stated that the cost increases outlined in the letter are alarming. On a positive note, Trustee Zimmer stated that she appreciates the new warning signs along Hogan Road.

ADOPTION OF ORDINANCES:

Proposed Lot Partition Ordinance Amendment/1st Reading

Supervisor Mathis reviewed a proposed Lot Partition Ordinance, which was developed by the Planning Commission. Trustee Tucker explained that the proposed ordinance would replace the existing Lot Partition Ordinance, which had become outdated. The proposed ordinance includes standards for approval and places the final decision with the Planning Commission rather than the Township Board, under the premise that the Planning Commission is more familiar with these types of issues.

The board discussed the concept of transferring this responsibility to the Planning Commission. Trustee Zimmer expressed concern that the decision making process of the Planning Commission, as appointed officials, may differ greatly from that of the elected officials on the Township Board. Treasurer Carmody stated that he is very comfortable with the proposed change. The Planning Commissioners take the same oath as the elected officials and he believes their expertise is greater. Clerk Krug agreed – the Township Board has always relied on their appointed boards to make good decisions and this idea makes sense. Supervisor Mathis, Trustee Brown and Trustee Goupil also agreed. Trustee Goupil added that the Planning Commission and ZBA are actually in a better position to make objective decisions because they are appointed and not elected.

Public Comment:

Robert Canning, 1381 Edgewater Drive

Mr. Canning expressed concern that the proposed ordinance does not address the types of issues that prompted the new ordinance in the first place. He also stated that the board should base their lot partition decisions on what is best for the Township, rather than solely on public comment.

Dave Franz, 3435 Breeze Pointe Court

Mr. Franz agrees with the proposed ordinance. The Planning Commission is in a better position to make these types of decisions.

The second reading of the proposed ordinance will be conducted at the 8/20/07 meeting.

Proposed Zoning Ordinance Amendment – Temporary Structures/1st Reading

Supervisor Mathis reviewed a proposed Zoning Ordinance amendment to add definitions and provisions relating to temporary structures. Trustee Tucker stated that the proposed

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ordinance was drafted due to concerns over a lack of regulation for membrane-type temporary structures and other portable storage structures.

Public Comment:

Dave Franz, 3435 Breeze Point Court

Mr. Franz stated that this ordinance should also address the problem of ice fishing shanties being placed on shore within the sight line.

Sue Foland, 11421 Fairbanks Road

Ms. Foland questioned the requirement for a zoning permit and the 6-month limit for temporary structures. Trustee Tucker stated that the permit requirement will allow the Township to properly track the temporary structures. The 6-month limit was based on similar ordinances from other communities.

Robert Canning, 1381 Edgewater Drive

Mr. Canning pointed out that winter storage of a boat or vehicle is more likely to be around 9 months because of weather conditions. A 6-month limit would be a hardship for residents.

Trustee Goupil stated that he is concerned with the restrictions in the proposed ordinance. He believes that the Township should consider different restrictions based on property size, density, etc. The ordinance should be revisited before being presented for adoption. The board agreed to refer the proposed ordinance back to the Planning Commission for further review.

UNFINISHED BUSINESS:

Proposed Employment Agreement – Fire Chief John Moulton

Supervisor Mathis noted that the Public Safety Committee had previously recommended a one year extension of Fire Chief Moulton's employment agreement. A one year agreement has been prepared for consideration by the board. All provisions of the agreement are the same as the existing agreement, with the added requirement of monthly reports at a regular board meeting.

Motion to approve the employment agreement between the Charter Township of Fenton and Fire Chief John Moulton as presented.

Motion by: Goupil

Seconded: Brown

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

Nays: None

Motion carried.

NEW BUSINESS:

Proposed PEG Funding Agreement – Lake Fenton Schools

Operations Manager Broecker reviewed a PEG funding agreement for Lake Fenton Schools, which was approved by the FACT Consortium. Fenton Township's share of the project cost is just under \$22,000.00. Trustee Zimmer added that the equipment to be purchased with these grant funds will allow Lake Fenton students to do remote broadcasts for special events and to produce two regular television shows for Channel 19.

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Motion to approve the PEG funding agreement for Lake Fenton Community Schools as presented.

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

Motion carried.

Resolution No. 2007-25, Memorial for Former ZBA Member Allen Murray

Supervisor Mathis stated that, as reported at the last meeting, former ZBA member Allen Murray passed away on July 21st. A memorial resolution has been prepared to honor Mr. Murray's public service. Clerk Krug presented the following resolution:

RESOLUTION NO. 2007-25

WHEREAS, former Fenton Township ZBA member Allen D. Murray passed away suddenly on July 21, 2007, and

WHEREAS, Mr. Murray was a resident of Fenton Township for many years, during which time he contributed greatly to the progress and welfare of the community, and

WHEREAS, Mr. Murray served loyally and faithfully as a member of the Fenton Township Zoning Board of Appeals from 1994 to 1998, exhibiting the qualities of vision and leadership throughout his tenure as an appointed official;

THEREFORE BE IT RESOLVED, that the Fenton Township Board of Trustees hereby honors Allen D. Murray 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

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

Motion to adopt Resolution No. 2007-25 as presented.

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

Motion carried. Resolution declared adopted.

COMMITTEE APPOINTMENTS

Trustee Zimmer stated that she wishes to be removed from the Sewer Committee. All committee appointments will be reviewed and an updated list will be presented to the board during an upcoming meeting.

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

Dave Franz, 3435 Breeze Point Court

Mr. Franz expressed concern regarding the large equipment being parked on the Township's parking lot. In addition to being unsightly he is concerned that the equipment may damage the asphalt. Treasurer Carmody noted that the equipment belongs to USA,

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the contractor lining the sewer pipes. The Township will look into having the equipment relocated. Mr. Franz also noted that the grass around the back parking lots needs to be cut and that the Fire Station dumpster is not screened. Supervisor Mathis will look into those issues. Trustee Brown added that the Township's property at Lahring and Ripley Roads needs to be maintained.

Sue Foland, 11421 Fairbanks Road

Ms. Foland thanked the board for adding document links to the Township Board agenda on the website. She also asked if the website could include links to the Michigan Townships Association and our various legislative representatives. This will be looked into.

Robert Canning, 1381 Edgewater Drive

Mr. Canning voiced concerns regarding the following:

- Marine patrol services on Lake Fenton
- Local crime
- Speeding vehicles
- Safety concerns with old dock posts in Lake Fenton

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

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 8/8/07