

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF FEBRUARY 18, 2008**

**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 2/18/08 Fenton Township Board Meeting agenda as presented.

Motion by: Tucker

Seconded: Brown

Ayes: All

Nays: None

Motion carried. The agenda is approved.

**MEETING MINUTES:**

The minutes of the 2/4/08 regular meeting and the 2/11/08 workshop meeting stand approved as presented.

**EXPENDITURES:**

Supervisor Mathis noted that an invoice arrived at the office too late to be included in the list provided to the board. A sewer bond payment of 323,737.51 is due before the next meeting and needs to be added to the total being approved.

Motion to approve expenditures for payment as revised.

Motion by: Tucker

Seconded: Carmody

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

Nays: None

Motion carried.

**PUBLIC HEARINGS:**

None

**REPORTS:**

**Law Enforcement Update**

Trustee Goupil provided the following year-to-date statistics for 2007 law enforcement services provided by the Genesee County Sheriff Department:

3,448 response calls  
311 vehicle accidents  
4,000+ neighborhood checks  
5,500+ business checks  
18 felony arrests  
79 misdemeanor arrests

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61 misdemeanor warrant arrests

Treasurer Carmody asked if the existence of street lights in a neighborhood affects crime levels. Trustee Goupil stated that street lights are a crime deterrent.

**Miscellaneous Reports**

Supervisor Mathis reported that she received a letter from Consumers Energy regarding upgrades to the Dean Road electrical substation that are being completed. These upgrades should increase reliability and reduce power outages for the southern part of Fenton Township.

Supervisor Mathis also noted that the flashing light and alarm at one of the Township's sewer pump stations was vandalized. Letters are being sent to neighboring property owners to emphasize the importance of this alarm system as a backup to the auto-dialer alarm and to ask them to report any unauthorized activity near the pump station.

Supervisor Mathis reported that the Township has received numerous calls regarding snow plowing due to the large amounts of snowfall in our community this winter. Snow plowing information is as follows:

Snow plowing for all public roads and many private roads in Fenton Township is performed by the Genesee County Road Commission. The Road Commission maintenance crew that services Fenton Township is also responsible for Argentine, Gaines and Mundy Townships, totaling over 500 miles of roads.

Priorities for snow removal are as follows:

1. US-23 expressway.
2. Primary roads (Fenton Road, Linden Road, Owen Road, etc.).
3. Local roads, both paved and unpaved (Lahring Road, Hogan Road, etc.).
4. Subdivision/residential streets.
5. Private Roads (if under contract with the Road Commission).

This information is also posted on the Township's website.

**COMMUNICATIONS:**

None

**ADOPTION OF ORDINANCES:**

None

**UNFINISHED BUSINESS:**

**Special Meeting - 2/27/08**

Supervisor Mathis reported that a special meeting has been scheduled for Wednesday 2/27/08. This will be a joint meeting with the Planning Commission to meet with Rod Arroyo to review the results of the Thompson Road Corridor visual preference workshop meeting that was held last month. The meeting will be held in the lower level meeting room beginning at 7:00 p.m.

**NEW BUSINESS:**

**Appointments to Fenton Township Planning Commission & ZBA**

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Supervisor Mathis reported that the board discussed the Planning Commission and ZBA vacancies created by the passing of Bill Ochodnicki at the 2/11/08 workshop meeting. After careful consideration, she is recommending that Jim McGuirk be appointed to fill the Planning Commission vacancy. She also noted that the remainder of the current term is only 3 months and that Mr. McGuirk would have to be re-appointed prior to the end of May if he is to serve the next 3-year term.

Motion to appoint James D. McGuirk to the Fenton Township Planning Commission for the term ending May 31, 2008.

Motion by: Mathis

Seconded: Krug

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

Nays: Zimmer

Motion carried.

Supervisor Mathis added that Mr. Ochodnicki also served as the Planning Commission representative on the Zoning Board of Appeals. When this issue was discussed at the 2/11/08 workshop meeting, it was suggested that Dave Franz would be a good candidate to fill that vacancy. The other members of the board concurred.

Motion to appoint David R. Franz as the Planning Commission representative on the Fenton Township Zoning Board of Appeals.

Motion by: Brown

Seconded: Zimmer

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

Nays: None

Motion carried.

**Resolution No. 2008-04, Initiation of Zoning Ordinance Amendment - Wild Animals**

Supervisor Mathis reported that the board also reviewed a recommendation from Zoning Administrator Doug Piggott at the 2/11/08 workshop meeting regarding a proposed Zoning Ordinance amendment. When the Township adopted the *Wild, Dangerous and Vicious Animals* ordinance it created an inconsistency with the Zoning Ordinance provisions regarding wild animals. Mr. Piggott has recommended an amendment to the Zoning Ordinance to simply refer to the *Wild, Dangerous and Vicious Animals* ordinance, thereby eliminating the conflict. A resolution has been prepared to formally initiate the amendment and to pass it on to the Planning Commission for public hearing. Clerk Krug presented the following resolution:

**RESOLUTION NO. 2008-04**

WHEREAS, Article 14.01 c of the Fenton Township Zoning Ordinance authorizes *the Township Board to initiate an amendment to the ordinance, and*

*WHEREAS, the Township Board has identified appropriate potential changes to the zoning ordinance to clarify an inconsistency between the zoning ordinance and the Township's Wild, Dangerous and Vicious Animals Ordinance*

*NOW, THEREFORE BE IT RESOLVED, that the Township Board of the Charter Township of Fenton hereby initiates the attached amendment to the Township Zoning Ordinance, and*

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*BE IT FURTHER RESOLVED, that this resolution and attached amendment be forwarded to the Fenton Township Planning Commission, and that the Township Clerk ensure that the legal notices for a Planning Commission public hearing on the proposed amendment be published as required.*

Motion to adopt Resolution No. 2008-04 as presented.

Motion by: Krug

Seconded: Tucker

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

Nays: None

Motion carried. Resolution declared adopted.

**Resolution No. 2008-05, Supporting Smoke-Free Workplace Legislation**

Supervisor Mathis noted that Ray Lord and two colleagues made a presentation to the board at a recent board meeting regarding second-hand smoke issues. He asked the board to consider adopting a resolution of support for legislation to eliminate smoking in the workplace, public places and restaurants. The board had the opportunity to review the proposed laws regarding this issue at the 2/11/08 workshop meeting. A resolution has been drafted to convey the Township's support for such legislation. Clerk Krug presented the following resolution:

**RESOLUTION NO. 2008-05**

*WHEREAS, secondhand smoke contains over 4,000 substances, more than 69 of which are known or suspected to cause cancer, and*

*WHEREAS, the Environmental Protection Agency has classified secondhand smoke as a Group A Carcinogen and therefore concludes that secondhand smoke is a health risk to nonsmokers, and*

*WHEREAS, secondhand smoke is the third leading cause of preventable death in the country killing 1,340 to 2,390 Michigan adults, children, and babies annually; and has been proven to cause cancer, heart disease, stroke, emphysema and asthma, and*

*WHEREAS, studies including the 2006 US Surgeon General Report show that infants and children are especially vulnerable to secondhand smoke, suffering more acute respiratory infections, ear infections and frequent and severe asthma attacks, and*

*WHEREAS, the 2006 US Surgeon General Report states that there is no risk-free level of exposure to secondhand smoke, requiring that smoking be eliminated from enclosed areas, and*

*WHEREAS, smoke-free air policies have been shown to discourage kids from starting to smoke, to prompt more smokers to quit and to reduce the number of cigarettes that smokers consume, and*

*WHEREAS, Michigan's Surgeon General has called on communities to work to reduce tobacco use and exposure to secondhand smoke, and*

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*WHEREAS, local opinion surveys consistently demonstrate overwhelming popular demand for smoke-free environments, and*

*WHEREAS, it is the responsibility of government to protect the public health of their citizens;*

*NOW, THEREFORE, BE IT RESOLVED, that the Township Board of the Charter Township of Fenton hereby declares its support for legislation to eliminate secondhand smoke in all Michigan restaurants, bars, and worksites.*

Motion to adopt Resolution No. 2008-05 as presented.

Motion by: Krug

Seconded: Carmody

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

Nays: None

Motion carried. Resolution declared adopted.

**Resolution No. 2008-06, Supporting Legislation to Regulate Sales of Scrap Metal & Used Building Materials**

Supervisor Mathis reviewed a letter from Genesee County Commissioner Jamie Curtis regarding proposed legislation to regulate the buying/selling of scrap metal and used metal building materials, which was reviewed at the 2/11/08 workshop meeting. Genesee County has seen a sharp increase in criminal activity in this area, with manhole covers, aluminum siding, water meters, etc. being stolen for resale as scrap. State Senator John Gleason has introduced legislation to implement state regulation of scrap metal and used building material sales. Clerk Krug presented the following resolution:

**RESOLUTION NO. 2008-06**

*WHEREAS, the Fenton Township Board believes that regulation of the purchase and sale of scrap metal and used building materials has become a matter of importance to the people of our community, and*

*WHEREAS, the Fenton Township Board understands that, as the value of scrap metal and used building materials has grown dramatically in the past year, criminal activity in the trade of scrap metal and used building materials occurs and that such criminal activity has reached alarming levels in Genesee County, and*

*WHEREAS, this criminal activity includes, as examples:*

- *The stripping of aluminum siding from homes,*
- *The theft of water meters from outside homes,*
- *The breaking and entering and destruction of the interior of homes, both occupied or vacant, to steal such commodities as copper piping, wiring and other metal construction goods built into the house,*

*and*

*WHEREAS, this growing problem has gained the notice and concern of the Michigan State Legislature, and that bills to regulate the trade in used metal construction goods and scrap metal of all types have been introduced in the Legislature, and*

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*WHEREAS, State Senator John Gleason has introduced such legislation that appears to meet the test of successful regulation of the business in scrap metal and used metal building materials;*

*NOW, THEREFORE, BE IT RESOLVED, that the Township Board of the Charter Township of Fenton hereby declares its support for the concept of regulation by the State of Michigan of the sale and purchase of scrap metal and used metal building materials as the best way to control the dangerous and destructive criminal activity in such business that has erupted across Genesee County, and*

*BE IT FURTHER RESOLVED, that the Township Board of the Charter Township of Fenton supports the legislation being introduced by State Senator John Gleason in this matter.*

Motion to adopt Resolution No. 2008-06 as presented.

Motion by: Krug

Seconded: Brown

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

Nays: None

Motion carried. Resolution declared adopted.

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

Dave Franz, 3435 Breeze Pointe Court

Mr. Franz thanked the board for his appointment as the Planning Commission representative on the ZBA to fill the seat of his friend Bill Ochodnicki.

**LEGAL UPDATE:**

Attorney Cooley advised the board that the consent judgment amendment necessitated by the PUD project for Crystal Creek Estates has been approved. This was the final step in the approval process for the PUD rezoning of this property.

**ADJOURN:** Meeting adjourned at 8:10 p.m.

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Bonnie Mathis, Supervisor

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Robert Krug, Clerk

**Minutes Posted 2/19/08**