

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF MAY 5, 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, 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.

**APPROVAL OF AGENDA:**

Supervisor Mathis stated that she would like to add the monthly Fire Chief report to the Reports section of the agenda. Motion to approve the 5/5/08 Fenton Township Board Meeting agenda as amended.

Motion by: Tucker

Seconded: Brown

Ayes: All

Nays: None

Motion carried. The agenda is approved.

**MEETING MINUTES:**

Trustee Zimmer asked two have minor revisions made to the minutes of the 4/21/08 regular meeting and the 4/28/08 workshop meeting. The minutes for both meetings stand approved as revised.

**EXPENDITURES:**

Trustee Zimmer questioned the invoice from Fenton Lock & Safe regarding a property on Enid Boulevard. Supervisor Mathis clarified that this house was not secured so locks were installed to protect the property. The cost will be placed on the property taxes for that house. Motion to approve expenditures for payment as presented.

Motion by: Tucker

Seconded: Goupil

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

Nays: None

Motion carried.

**PUBLIC HEARINGS:**

None

**REPORTS:**

**Off-Road Track Ordinance**

Supervisor Mathis reported that she had located the alternate version of the proposed off-road vehicle track ordinance that was discussed at the 4/28/08 workshop meeting. She will distribute copies to the board.

**Public Safety Update**

Trustee Goupil reported that he is working to schedule a meeting with the Flint Township Police Department regarding the recent concerns raised regarding training activities at the Fenton Lakes Sportsman Club. Trustee Goupil also reported that a meeting will be

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scheduled with Lake Fenton property owners and the Genesee County Marine Patrol to discuss enforcement issues for the summer months.

**Fire Chief Report**

Fire Chief John Moulton reported that the Fire Department responded to a total of 54 calls in April, 8 of which were in Tyrone Township. There were 7 fires, 1 explosion, 27 medical runs, 13 service calls (illegal burning, etc.), 6 good intent calls and 1 false alarm. Chief Moulton also reported that the recent request for new fire fighters resulted in the hiring of eight new recruits. He would like to hire six more to bring the total force up to 40.

Chief Moulton also explained the Township's Open Burning Ordinance. The only open burning permitted in Fenton Township is for clearing land that is zoned Agricultural and at least 10 acres in size. Small (2' x 2') campfires or cooking fires are also permitted, however it is illegal under any circumstances to burn grass clippings, leaves or brush.

Trustee Zimmer asked about emergency call response procedures. How many fire fighters actually respond to a call? Chief Moulton stated that all available personnel will initially respond, however the number that ultimately arrive at the scene will depend on circumstances. If personnel are not needed, they will be called off before arrival.

David Hawcroft, 3302 Ponemah Drive, asked why a State Police Bomb Squad truck was parked at the Fire Station this evening. Chief Moulton stated that the Fire Department personnel were being trained in bomb recognition.

Ed Collins, 13056 Harbor Landings Drive, asked if the Fenton Township Fire Department still gets paid for Tyrone Township medical runs if an ambulance is also dispatched by Livingston County 911. Chief Moulton confirmed that Fenton Township does bill those runs to Tyrone Township.

**COMMUNICATIONS:**

**Household Hazardous Waste Collection Day**

Supervisor Mathis noted that the spring locations for household hazardous waste collection are the Flint Water Service Center on Court Street and Mundy Township Hall. Collection day is Saturday 5/17/08 from 10:00 a.m. to 2:00 p.m.

**ADOPTION OF ORDINANCES:**

**Proposed Zoning Ordinance Amendment – Kennels, Household Pets/2<sup>nd</sup> Reading**

Supervisor Mathis reviewed a proposed Zoning Ordinance amendment to revise the definitions for the *Keeping of household pets* and *Private kennels*, which was introduced at the 4/21/08 meeting. The amendment would allow households to have up to 3 dogs age 6 months or older rather than 2 dogs age 4 months or older. There was no further discussion.

Motion to adopt Ordinance No. 699, an amendment to Zoning Ordinance No. 594 to revise the definitions for the *Keeping of household pets* and *Private kennels*, as presented.

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

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Motion carried. Ordinance declared adopted.

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

**Request for Extension of Preliminary Plat Approval – Byram Ridge**

Supervisor Mathis reported that the developers of the Byram Ridge subdivision have requested an extension to the final approval of the preliminary plat for the development. The economic conditions have significantly slowed development and an extension of the preliminary plat approval will allow the continuation of the platting process when conditions improve. There was no further discussion.

Motion to grant a one-year extension to the final approval of the Preliminary Plat of Byram Ridge, as presented.

Motion by: Tucker

Seconded: Mathis

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

Nays: None

Motion carried.

**Genesee County Community Development Block Grant Program Participation**

Supervisor Mathis reviewed a letter from Genesee County Community Development asking if the Township would like to remain in or opt out of the County's CDBG program. While the Township sometimes has difficulty identifying qualifying projects, we have made good use of these grant funds in the past and it makes sense to continue in the program. Trustee Brown stated that he supports continued participation as long as eligible projects can be identified.

Motion to authorize the Township Clerk to confirm that Fenton Township wishes to remain a part of the Genesee County Community Development Block Grant program for the years 2009 through 2011.

Motion by: Mathis

Seconded: Brown

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

Nays: None

Motion carried.

**Temporary Extension – Tyrone Township Fire/Rescue/Medical Service Agreement**

Supervisor Mathis noted that the fire protection agreement with Tyrone Township has now expired. While the new agreement is being negotiated it has been recommended that the old contract be extended until the new agreement can be adopted. After a brief discussion, the board felt that a short extension was preferable in order to expedite the negotiation of the new agreement.

Ed Collins, 13056 Harbor Landings Drive, expressed concern that the new contract was not completed before the expiration of the previous agreement.

Motion to extend the provisions of the 2006-2008 Fire/Rescue/Medical Service Agreement between Fenton Township and Tyrone Township through June 16, 2008, or until a new agreement is adopted by both township boards, whichever occurs first.

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

**Genesee County Pictometry & Orthoimagery Project Amendment and Perpetual License**

Supervisor Mathis reviewed a letter from Genesee County asking the Township to approve an amendment to the intergovernmental agreement for pictometry and orthoimagery, which provides aerial photo data for the Township Geographic Information System (GIS). The amendment converts the license from a 2-year to a perpetual license. The Township's share of the cost is \$459.00. The pictometry and orthoimagery data are used extensively by the Assessor's Department, GIS and the Planning and Zoning Department.

Motion to approve the amendment to the Genesee County Pictometry and Orthoimagery Project Intergovernmental Agreement, as presented.

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

**Resolution No. 2008-10, Honoring Former Township Treasurer Patrick Carmody**

Supervisor Mathis, noting that Patrick Carmody recently stepped down from his position on the Township Board, stated that a resolution has been prepared to honor Mr. Carmody for his service to the community. Clerk Krug presented the following resolution:

**RESOLUTION NO. 2008-10**

*WHEREAS, Patrick J. Carmody stepped down from his position as Fenton Township Treasurer as of April 30, 2008, and*

*WHEREAS, Mr. Carmody has been a resident of Fenton Township for many years, during which time he has contributed greatly to the progress and welfare of the community, most notably as a member of the Fenton Township Board, and*

*WHEREAS, Mr. Carmody served loyally and faithfully as a Township Trustee from 2003 to 2004 and Township Treasurer from 2004 to 2008, exhibiting the qualities of vision and leadership throughout his tenure as an elected official, and*

*NOW, THEREFORE, BE IT RESOLVED, that the Township Board of the Charter Township of Fenton hereby recognizes Patrick J. Carmody for his valuable contributions to our community and expresses sincere appreciation and gratitude for his dedicated service to the government and citizens of Fenton Township;*

*BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the minutes of this meeting and a copy provided to Mr. Carmody.*

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Motion to adopt Resolution No. 2008-10 as presented.

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

Motion carried. Resolution declared adopted.

**Township Board Appointment(s)**

Supervisor Mathis stated that the board discussed filling the Township Treasurer vacancy at the last workshop meeting. Both Trustee Tucker and Trustee Zimmer have expressed an interest in being appointed to the position. She believes that Trustee Tucker is the best qualified for the position and recommends his appointment.

Motion to appoint John R. Tucker to the position of Fenton Township Treasurer for the term ending November 20, 2008.

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

Motion carried.

Supervisor Mathis stated that, with Mr. Tucker's appointment to the Treasurer position, a Trustee seat is now vacant. The three names discussed at the workshop meeting for this position were K.C. Baran, Susan Foland and Denise Ketchmark. It is Supervisor Mathis' understanding that both Mr. Baran and Ms. Foland are planning to run for Trustee this year. In the interest of not giving one individual a competitive advantage over the other, she is recommending that Denise Ketchmark be appointed to the Trustee position. Ms. Ketchmark has township board experience as she served as a Fenton Township Trustee from 1996 to 2000. She has indicated that she does not have any interest in running for a township board seat in this year's election, but is willing to complete the remaining six months of the current term of office. Supervisor Mathis made a motion, which was seconded by Clerk Krug, to appoint Denise Ketchmark to the position of Fenton Township Trustee for the term ending 11/20/08.

**Board discussion:**

Trustee Goupil stated, that while Ms. Ketchmark may not intend to run for office, the petition filing deadline has not yet passed and she could change her mind. Trustee Brown stated that he has a great deal of respect for Ms. Ketchmark but she has not been actively involved in Fenton Township in recent years. He prefers appointing someone who is "passionate" about serving Fenton Township. Clerk Krug suggested that the appointment could be postponed until the next meeting since the petition filing deadline will have passed by then. Supervisor Mathis withdrew her motion and Clerk Krug withdrew his second.

Motion to postpone the appointment for the current Trustee vacancy on the Fenton Township board until the 5/19/08 meeting.

Motion by: Krug  
Seconded: Goupil  
Ayes: Mathis, Krug, Brown, Goupil, Tucker

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Nays: Zimmer  
Motion carried.

**Appointments to Fenton Township Planning Commission**

Supervisor Mathis reported that the terms of Planning Commissioners David Franz and James McGuirk will expire at the end of May. Both have indicated a desire to be re-appointed to the Planning Commission. Trustee Tucker, Chairman of the Planning Commission, stated that both gentlemen do an excellent job as Planning Commissioners.

Motion to re-appoint David R. Franz to the Fenton Township Planning Commission for the term ending May 31, 2011.

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

Motion to re-appoint James D. McGuirk Jr. to the Fenton Township Planning Commission for the term ending May 31, 2011.

Motion by: Mathis  
Seconded: Tucker  
Ayes: Mathis, Krug, Brown, Goupil, Tucker  
Nays: Zimmer  
Motion carried.

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

David Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft asked about the status of the home that experienced foundation problems on Lake Valley Drive. Trustee Tucker stated that the insurance companies for the owners, the Township and Bostwick Excavating are all involved and working on a solution to the issue.

Mr. Hawcroft also asked if the Genesee County Marine Patrol can use radar guns to enforce boating speed limits. Trustee Goupil responded that radar guns can be used but Genesee County chooses not to due to the difficulty in using radar gun readings as evidence.

Mr. Hawcroft stated that one property near the mouth of the Shiawassee River is affected by the silt that flows into the lake, which has created a large delta in front of the property. Does this property owner have any recourse? Trustee Tucker stated that it would depend on the specifics of the situation. It would be difficult to make a legal judgment without extensive investigation.

Ed Collins, 13056 Harbor Landings Drive

Regarding the Tyrone Township fire protection contract, Mr. Collins asked if there would be a presentation made at a board meeting to show how the fees are calculated. Supervisor Mathis stated that the Public Safety Committee would research the issue but the Township Board will make the ultimate decision.

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Supervisor Mathis also stated that she has received an increasing number of calls and complaints regarding disputes between neighbors and situations of actions taken simply to antagonize each other. She encouraged residents to be more neighborly and attempt to resolve any conflicts in a mature manner.

**ADJOURN:** Meeting adjourned at 8:40 p.m.

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Bonnie Mathis, Supervisor

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Robert Krug, Clerk

**Minutes Posted 5/7/08**