

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF AUGUST 4, 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, Tucker (arrived at 7:32 p.m.), Brown, Goupil, Ketchmark,  
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:**

Motion to approve the 8/4/08 Fenton Township Board Meeting agenda as presented.

Motion by: Krug

Seconded: Brown

Ayes: All

Nays: None

Motion carried. The agenda is approved.

**MEETING MINUTES:**

The minutes for the 7/21/08 regular meeting stand approved as presented.

**EXPENDITURES:**

Trustee Ketchmark questioned the payment to Bostwick Excavating. Operations Manager Broecker explained that approximately \$40,000 of the \$124,000 total was a semi-annual invoice for pump station maintenance. The remainder is for the ongoing sewer repair work. Motion to approve expenditures for payment as presented.

Motion by: Tucker

Seconded: Brown

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

Nays: None

Motion carried.

**PUBLIC HEARINGS:**

None

**REPORTS:**

**Fire Chief Report**

Fire Chief John Moulton reported that the Fire Department responded to a total of 93 alarms in July, 15 of which were in Tyrone Township. The breakdown of calls was as follows: 6 fires, 62 medical runs, 4 hazardous conditions, 13 service calls, 6 good intention calls and 2 false alarms.

Trustee Brown asked how many of the 15 Tyrone Township runs were called off. Chief Moulton stated that there were no "call backs" among the Tyrone Township calls. A definition of a "good intent" call was also requested. Chief Moulton responded that good intent calls are occurrences such as an illegal burning, smoke investigation, etc. Chief Moulton also reported that Tyrone Township is expected to approve the new service agreement later this week.

**Pending Litigation Report**

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Supervisor Mathis noted that a memo briefly outlining all current litigation involving the Township is included in the meeting packet.

**COMMUNICATIONS:**

None

**ADOPTION OF ORDINANCES:**

**Proposed Amendment to Utility Control Ordinance/2<sup>nd</sup> Reading**

Supervisor Mathis reviewed a proposed amendment to the Township's Utility Control Ordinance, which was introduced at the July 21<sup>st</sup> meeting. There was no further discussion.

Motion to adopt Ordinance No. 700, an amendment to Utility Control Ordinance No. 453 as presented.

Motion by: Brown

Seconded: Tucker

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

Nays: None

Motion carried. Ordinance declared adopted.

**UNFINISHED BUSINESS:**

**Schedule Workshop Meeting**

Supervisor Mathis stated that a workshop meeting is needed to discuss several issues, including capital improvement planning and a proposed Dangerous Buildings Ordinance. After a brief discussion the board scheduled a workshop meeting for 8/11/08 at 7:30 p.m.

Supervisor Mathis also noted that she would be absent from the 8/18/08 regular meeting due to knee replacement surgery.

**NEW BUSINESS:**

**Resolution No. 2008-14, Memorial Resolution for Raymond H. "Uncle Ray" Durant**

Supervisor Mathis noted that, as mentioned at the last meeting, Ray Durant, founder of Uncle Ray's Dairyland, passed away recently. A memorial resolution has been prepared for board consideration. Clerk Krug presented the following resolution:

**RESOLUTION NO. 2008-14**

*WHEREAS, Raymond H. "Uncle Ray" Durant passed away on July 15, 2008, and*

*WHEREAS, Mr. Durant 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 teacher in the Lake Fenton School District and as a local business owner, and*

*WHEREAS, as a Lake Fenton High School Industrial Arts teacher for 25 years, Mr. Durant contributed greatly to the education and development of thousands of students and touched the lives of many people throughout the community, and*

*WHEREAS, as the founder and owner of Uncle Ray's Dairyland, Mr. Durant developed a business that became a favorite destination for residents and visitors alike.*

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*A great ambassador to the Fenton community, Mr. Durant was respected and admired by all;*

*NOW, THEREFORE, BE IT RESOLVED, that the Fenton Township Board of Trustees hereby honors Raymond H. Durant for his valuable contributions to the Fenton community, conveys sincere appreciation and gratitude for his dedication to the education of our youth and his devotion to the business community of the entire Fenton area, and expresses profound sadness at his passing, and*

*BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the minutes of this meeting and a copy given to Mr. Durant's family.*

Motion to adopt Resolution No. 2008-14 as presented.

Motion by: Krug

Seconded: Mathis

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

Nays: None

Motion carried. Resolution declared adopted.

**Proposed Language – Mosquito Control Ballot Proposal**

The board reviewed proposed language for a ballot proposal to renew the mosquito control program for Fenton Township. The “up to” amount of \$30 is based on preliminary cost estimates for a 4-year agreement. The actual amount assessed may be lower. Trustee Brown asked if the Township will be soliciting bids for the next contract. Operations Manager Broecker stated that this will be a board decision in 2009. Trustee Ketchmark asked what would happen if \$30 per year was not sufficient to satisfy the contract ultimately approved next year. Operations Manager Broecker stated that any cash reserves remaining in the fund at the end of 2009 may offset any projected shortfall. The other alternative would be to renegotiate the contract to reduce the cost.

Trustee Tucker suggested that the proposal language be modified to indicate that this is a renewal of the existing assessment. The amended ballot proposal language is as follows:

**Mosquito Control Program Renewal**

**Shall each parcel of real estate in the Township upon which there is located a dwelling or commercial building be assessed the sum of up to thirty dollars (\$30.00) per year per commercial building and per dwelling unit commencing with the December 2009 property tax statements for a four year period to fund the continuation of the Township Mosquito Control Program for the calendar years 2010, 2011, 2012 and 2013?**

Motion to approve the ballot proposal language for mosquito control as amended, and to authorize the placement of said proposal on the ballot for the November 4, 2008 General Election.

Motion by: Brown

Seconded: Tucker

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

Nays: None

Motion carried.

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**Extension of Fire Protection/Medical/Emergency Services Agreement – Tyrone Township**

Supervisor Mathis reported that Tyrone Township has not yet taken action on the new Fire Protection/Medical/Emergency Services Agreement that was approved by Fenton Township last month, although Fire Chief Moulton has indicated that Tyrone Township is prepared to approve the contract this week. The Fenton Township board had previously extended the terms of the old agreement through 7/31/08. Another extension is now needed until Tyrone Township approves the new agreement. It is important to note that, once approved, the new agreement will be retroactive to 7/1/08. Trustee Brown recommended extending the old agreement only until the next Township Board meeting.

Motion to extend the provisions of the 2006-2008 Fire/Rescue/Medical Service Agreement between Fenton Township and Tyrone Township through August 18, 2008, or until a new agreement has been adopted by both township boards, whichever occurs first.

Motion by: Brown

Seconded: Tucker

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

Nays: None

Motion carried.

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

E.M. Tune, 5176 Cortland, Grand Blanc Township

Ms. Tune regularly records public meetings for telecast on public access television. Some of her recordings of Genesee County Commission meetings have been shown on Channel 19 in the Fenton area. She was disappointed that a recent candidate forum for Genesee County Register of Deeds was not able to be shown on Channel 19. She stated that, although Fenton Township officials may not think they are a part of Genesee County, they are and she urged the board to find a way to have these types of meetings telecast locally.

Ms. Tune also stated that Ray Durant, honored this evening with a memorial resolution, died of multiple myeloma. Her husband also died from that disease. She believes that multiple myeloma is linked to pesticide exposure and urged the board to consider modifying the local mosquito control program to reduce the amount of pesticide spraying.

Clerk Krug took exception to some of Ms. Tune's comments. He is not sure why she would make a comment to the effect that the Township doesn't think we are part of Genesee County. On the contrary, Fenton Township has an excellent working relationship with the various Genesee County agencies. Mr. Krug also feels that using the death of Mr. Durant to support her personal opinions regarding the use of pesticides is inappropriate.

Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft asked for clarification of the ordinance that was adopted earlier in the meeting. Operations Manager Broecker explained that the existing Utility Control Ordinance was amended to ensure that video service providers follow the same rules for the approval of equipment location within rights-of-way in the Township

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Robert Caning, 1381 Edgewater Drive

Mr. Caning thanked the board for the litigation report made earlier in the meeting. He also stated that he reviewed the file on the PUD project located at the northeast corner of Torrey and Thompson Roads. He was very impressed with the conceptual plan and would support the plan as presented. Regarding the proposed water line, Mr. Caning asked how the developers would recover excess costs incurred by fronting the entire project cost. Operations Manager Broecker explained that, typically, a payback agreement would be adopted whereby the developers would receive a specific percentage of future water line connection fees for a certain number of years. There would be no minimum payback amount and any amounts repaid to the developers would only come from connection fees.

**ADJOURN:** Meeting adjourned at 8:30 p.m.

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Bonnie Mathis, Supervisor

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Robert Krug, Clerk

**Minutes Posted 8/6/08**