

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF MARCH 2, 2009**

**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, Brown, Goupil, Hill, Kesler, Operations Manager  
Broecker and Attorney Cooley

Absent: None

**PLEDGE OF ALLEGIANCE:**

Supervisor Mathis led the pledge of allegiance to the flag.

**APPROVAL OF AGENDA:**

Motion to approve the 3/2/09 Fenton Township Board Meeting agenda as presented.

Motion by: Tucker

Seconded: Hill

Ayes: All

Nays: None

Motion carried. The agenda is approved.

**MEETING MINUTES:**

The minutes for the 2/16/09 regular meeting stand approved as presented.

**EXPENDITURES:**

Motion to approve expenditures for all funds totaling \$207,817.07 for payment as presented.

Motion by: Tucker

Seconded: Brown

Ayes: Mathis, Krug, Tucker, Brown, Goupil, Hill, Kesler

Nays: None

Motion carried.

**PUBLIC HEARINGS:**

None

**REPORTS:**

**Fire Chief Report**

Fire Chief John Moulton provided monthly statistics to the board. The Fire Department responded to a total of 59 alarms in February, including 5 in Tyrone Township. Among the alarms were 2 fires, 36 medical, 2 hazardous conditions, 9 service calls, 5 good intent calls and 5 false alarms.

**Planning Commission Appointments**

Supervisor Mathis noted that three seats on the Planning Commission will reach the end of their term in May. Although she has not yet discussed re-appointment with any of the members, she wants to be able to consider multiple candidates for these appointments. She asked the board members to submit the names of any potential candidates by the end of March.

**Police Update**

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Trustee Goupil provided a summary of January law enforcement statistics. He reminded the board and the public that the Sheriff Department will do house checks during vacations and other extended absences from home. Residents can contact the Genesee County Sheriff Department for more details.

**COMMUNICATIONS:**

**Press Release – Visioning Session for Non-Motorized Pathways**

Trustee Hill stated that a project is under way to find ways to create new non-motorized pathways and to connect existing trails in our area. A workshop meeting was held last month to begin the discussion. A visioning session is scheduled for 3/24/09 here at the Fenton Township Hall, beginning at 7:00 p.m.

**ADOPTION OF ORDINANCES:**

None

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

**Resolution No. 2009-09, Honoring Thomas C. Callahan for Heroic Efforts**

Supervisor Mathis reviewed information regarding Fenton Township resident Tom Callahan, who helped save three people from the recent fire at the Silver Lake Apartment complex. Mr. Callahan stated that he was just “in the right place at the right time” and that he is pleased that everyone survived the fire. Trustee Brown, a neighbor of Mr. Callahan, presented the following resolution:

**RESOLUTION NO. 2009-09**

*WHEREAS, in the early morning hours of February 13, 2009, a fire started in an apartment building in the Silver Lake Apartments complex in Fenton, engulfing the entire top floor in flames, and*

*WHEREAS, while on his way to work shortly after 3:00 a.m., Fenton Township resident Tom Callahan saw the flames and smoke from the fire and stopped to see if he could help, and*

*WHEREAS, Mr. Callahan was able to help rescue three individuals, including a young baby, from the flaming structure, a heroic effort that saved the lives of all three people;*

*NOW, THEREFORE, BE IT RESOLVED, that the Fenton Township Board of Trustees hereby honors Thomas C. Callahan for his brave actions in the rescue of persons from a burning building, and expresses its gratitude and appreciation for his courageous efforts, and*

*BE IT FINALLY RESOLVED, that a copy of this resolution be spread upon the minutes of this meeting and a copy presented to Mr. Callahan.*

Motion to adopt resolution No. 2009-09 as presented:

Motion by: Brown

Seconded: Mathis

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Ayes: Mathis, Krug, Tucker, Brown, Goupil, Hill, Kesler  
Nays: None

Motion carried. Resolution declared adopted.

Mr. Brown presented a formal, sealed copy of the resolution. Supervisor Mathis stated that the members of the Township Board are extremely proud of Mr. Callahan and his heroic efforts. The entire room then gave Mr. Callahan a standing ovation.

**Proposed Building Inspection Services Agreement**

Supervisor Mathis stated that, as discussed at the last workshop meeting, the Township needs to hire a Building Inspector. Due to the low construction volume it is the recommendation of the Personnel Committee to hire a contracted inspector, rather than hire one as a Township employee. Three candidates were interviewed and David Gibson, who currently works as a contracted inspector for Grand Blanc Township, is the individual proposed to be hired. A service contract has been drafted for board consideration.

Trustee Brown asked how the proposed costs compare with previous costs. Supervisor Mathis stated that the previous inspector was a full-time, hourly employee. The proposed agreement includes a \$35 cost for inspections and \$15 per hour for administrative time. The cost under the proposed agreement will be considerably lower than the cost of an hourly employee.

Treasurer Tucker noted that the agreement contains a 7-day termination clause which effectively makes the contracted employee "at-will".

Motion to approve the Building Inspection Services Agreement with David Gibson as presented.

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

Motion carried.

**2009 Law Day Proclamation**

Supervisor Mathis stated that the Genesee County Bar Association has requested that the Township consider adopting a proclamation designating May 1<sup>st</sup> as Law Day. The Township has adopted similar proclamations in previous years. Clerk Krug presented the following:

**LAW DAY PROCLAMATION 2009**

**A LEGACY OF LIBERTY  
CELEBRATING LINCOLN'S BICENTENNIAL**

*WHEREAS, this country was founded on the principle that voluntary adherence to the rule of law expands, rather than limits, the opportunities for freedom, and*

*WHEREAS, a viable democracy requires understanding of the nature and basis of our freedoms and recognition of the individual responsibilities which those freedoms impose, and*

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*WHEREAS, the Law Day 2009 theme, **A Legacy of Liberty – Celebrating Lincoln’s Bicentennial**, encourages all Americans to explore the legacy of Abraham Lincoln, regarded by many as one of our nation’s greatest and most eloquent presidents;*

*NOW THEREFORE, BE IT RESOLVED, that the Township Board of the Charter Township of Fenton does hereby proclaim Friday May 1, 2009 as Law Day. We urge the citizens, schools, businesses and media of the Fenton community and all of Genesee County to use this occasion to preserve and strengthen the rule of law.*

Motion to adopt the 2009 Law Day Proclamation as presented.

Motion by: Krug

Seconded: Tucker

Ayes: Mathis, Krug, Tucker, Brown, Goupil, Hill, Kesler

Nays: None

Motion carried. Proclamation declared adopted.

**Resolution No. 2009-10, Revision to Pension Plan Adoption Agreement**

Operations Manager Broecker reported that an amendment to the Township’s pension plan adoption agreement has been proposed to lower the age for normal retirement from 65 to 55. This will give earlier access to pension funds for plan participants when they reach 55, if they so choose. The proposed amendment does not negatively impact the Township. A resolution has been prepared to initiate the amendment. Clerk Krug presented the following resolution:

**RESOLUTION NO. 2009-10**

*WHEREAS, the Charter Township of Fenton maintains and administers a defined contribution pension plan (“Pension Plan”) for its elected officials and employees, and*

*WHEREAS, the Adoption Agreement for the Pension plan currently requires participants to attain the age of 65 with 10 or more years of plan participation for normal retirement, and*

*WHEREAS, the Township desires to amend the provisions for normal retirement to improve access to Pension Plan funds for its participants;*

*NOW, THEREFORE, BE IT RESOLVED, that the Township Board of the Charter Township of Fenton hereby approves an amendment to the Pension Plan, to change the Normal Retirement Age to age 55 with no years of plan participation requirement.*

Motion to adopt Resolution No. 2009-10 as presented.

Motion by: Krug

Seconded: Brown

Ayes: Mathis, Krug, Tucker, Brown, Goupil, Hill, Kesler

Nays: None

Motion carried. Resolution declared adopted.

**Resolution No. 2009-11, Proposed Lake Ponemah Channel Special Assessment  
District**

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Operations Manager Broecker reported that the property owners along the Lake Ponemah channel have submitted petitions to create a special assessment district for the purpose of having the channel cleaned out and widened in some areas to improve navigability for water craft. The petitions have been verified and a public hearing must be scheduled to begin the special assessment process. Trustee Goupil questioned the wording in the resolution that describes the district as properties with frontage on or "legal access to" the channel. Operations Manager Broecker explained that some properties have deeded access to the channel without frontage. The description of the district boundaries can be revised before final approval to more clearly describe the properties if needed. Clerk Krug presented the following resolution:

**RESOLUTION NO. 2009-11**

*WHEREAS, the Fenton Township Board has accepted a petition from the record owners of buildable properties with frontage on and/or legal access to the Lake Ponemah Channel to establish a special assessment district for the improvement of said channel, and*

*WHEREAS, it has been determined that the petition has been signed by the record property owners representing over 50% of the land area in the proposed special assessment district, and*

*WHEREAS, plans and estimated costs for the foregoing improvement have been placed on file in the office of the Township Clerk,*

*THEREFORE BE IT RESOLVED, that the Fenton Township Board does hereby tentatively declare its intent to improve the Lake Ponemah channel by cleaning and widening certain segments of the channel to improve watercraft navigability, and*

*BE IT FURTHER RESOLVED, that the Fenton Township Board does hereby tentatively establish the boundaries of the proposed special assessment district to include all buildable properties with frontage on and/or legal access to the Lake Ponemah Channel, and*

*BE IT FURTHER RESOLVED, that the Fenton Township Board will hold the first public hearing on the establishment of the proposed special assessment district at its regular meeting to be held on Monday March 16, 2009 at the Fenton Township Civic Community Center, beginning at 7:30 p.m.*

Motion to adopt resolution No. 2009-11 as presented:

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

Motion carried. Resolution declared adopted.

**Schedule Public Hearing for Industrial Facilities Exemption Certificate Application  
– Thompson I.G.**

Supervisor Mathis reported that Thompson I.G., LLC has filed an application for an Industrial Facilities Exemption Certificate (property tax abatement) for new equipment at their Thompson Road facility. A public hearing is required before the Township Board

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can take action on their application. The recommended date for the public hearing is the March 16th regular meeting.

Motion to schedule a public hearing for March 16, 2009 to consider the application of Thompson I.G., LLC for an Industrial Facilities Exemption Certificate for new equipment located at their Thompson Road facility.

Motion by: Tucker

Seconded: Brown

Ayes: Mathis, Krug, Tucker, Brown, Goupil, Hill, Kesler

Nays: None

Motion carried.

**BOARD COMMENT:**

None

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

None

**ADJOURN:** Meeting adjourned at 8:05 p.m.

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Bonnie Mathis, Supervisor

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Robert Krug, Clerk

**Minutes Posted 3/3/09**