

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF OCTOBER 17, 2011**

**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, Kesler, Lorraine, Attorney Cooley  
and Operations Manager Broecker

Absent: None

**PLEDGE OF ALLEGIANCE:**

Supervisor Mathis led the pledge of allegiance to the flag. She also welcomed Trustee Vince Lorraine to his first meeting as a member of the Township Board.

**APPROVAL OF AGENDA:**

Motion to approve the 10/17/11 Fenton Township Board Meeting agenda as presented.

Motion by: Brown

Seconded: Goupil

Ayes: All

Nays: None

Motion carried. The agenda is approved.

**PRESENTATION:**

**State Representative Paul Scott**

State Representative Paul Scott updated the board on several current legislative issues, including Personal Property Tax reform and Medical Marihuana. He also reported that revenues are expected to be higher than earlier projections but may be used to pay down unfunded liabilities. Attorney Cooley asked if there was any news regarding a proposed new bridge between Detroit and Canada. Representative Scott stated that Governor Snyder is in favor of a new bridge. Many legislators from both parties are also in favor of the bridge but have different concerns and priorities. Treasurer Tucker congratulated Representative Scott on the removal of the recall question from the November ballot, adding that Representative Scott has been the recipient of a disproportionate amount of blame for funding cuts. Regarding the Personal Property issue, Treasurer Tucker stated that it is a minor revenue source for Fenton Township, partially offset by the cost of collecting the high percentage of delinquencies.

The board thanked Representative Scott for his report.

**County Commissioner Joe Graves**

County Commissioner Joe Graves reported that the county budget process has been completed. He voted no due to the fact that the Sheriff Department and Prosecutor's office absorbed the majority of the budget cuts. He believes that cutting budgets in public safety is wrong. He also reported that the senior millage revenues are greatly reduced, which will impact senior centers throughout the county. Animal Control cuts are also being considered, which may result in some responsibilities being transferred to the local units.

Clerk Krug expressed disappointment that public safety would take such large cuts when the county board approved over \$200,000 to bring Thomas the Tank Engine to Crossroads Village. The county commissioners should rethink their priorities. Trustee Brown asked if there were any more developments regarding the ambulance issue.

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Commissioner Graves stated that the Automated Vehicle Locator (AVL) system should be operational before the end of this year. This will ensure that the closest available ambulance will always be dispatched to emergencies. Supervisor Mathis asked if the Register of Deeds position is still being considered for consolidation. Commissioner Graves confirmed that the Register of Deeds position will be eliminated at the end of the current term of office, with all functions being transferred to the County Clerk.

The board thanked Commissioner Graves for his report.

**MEETING MINUTES:**

The minutes for the 10/3/11 regular meeting and the 10/9/11 special meeting stand approved as presented.

**EXPENDITURES:**

Motion to approve invoices and expenditures for all funds totaling \$628,048.60 for payment as presented.

Motion by: Tucker

Seconded: Goupil

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

Nays: None

Motion carried.

**PUBLIC HEARINGS:**

None

**REPORTS:**

**Fire Department Quarterly Report**

Battalion Chief Ryan Volz provided third quarter statistics to the board: 195 total alarms, (23 in Tyrone Township); including 13 fires, 138 medical, 5 hazardous conditions, 20 service calls, 7 good intent calls, 10 false alarms and 1 severe weather event. Supervisor Mathis noted that a number of residents have been illegally burning leaves this fall. How does the Fire Department handle these calls. Battalion Chief Volz indicated that the department will respond to 911 calls for illegal burning, extinguish the fire and issue a warning if it is a first offense.

**Ordinance Enforcement Quarterly Report**

Supervisor Mathis briefly reviewed the third quarter report from Ordinance Enforcement Officer Bob Atkinson. Tall grass and dog control issues were the highest volume of complaints. Supervisor Mathis also noted that the Ordinance Enforcement Officer is coordinating the effort to locate the owners of boats and miscellaneous equipment on property the Township recently purchased on Thompson Road.

**COMMUNICATIONS:**

None

**ADOPTION OF ORDINANCES:**

**Proposed Outdoor Wood Fired Boilers, Stoves and Furnaces Ordinance/2nd Reading**

Supervisor Mathis reviewed a proposed ordinance to regulate the use of outdoor wood fired boilers, stoves and furnaces, which was introduced at the 10/3/11 meeting. The use

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of wood fired boilers is becoming more prevalent and this ordinance will establish standards to regulate this use. Trustees Goupil and Brown questioned the need for this ordinance. Supervisor Mathis indicated that we already have several of these units in Fenton Township and the feeling is that we should be proactive to put the appropriate controls into place. Trustee Brown expressed concern that wood-fired boilers used to heat household water are prohibited during the summer months. Treasurer Tucker clarified that this provision only applies to existing boilers that do not otherwise comply with the new ordinance. After further discussion the board agreed to refer the proposed ordinance back to the Zoning Administrator for further review and/or clarification.

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

**Proposed Amendments to Fenton Township Schedule of Fees**

Operations Manager Broecker reviewed proposed changes to the Township's fee schedule. A new fee is being added per the new wood fired boiler ordinance, the cemetery fees are being increased due to an increase in costs for grave openings and the deposit for decks is being reduced. There was no further discussion.

Motion to adopt the revised Fenton Township Schedule of Fees, effective 10/18/11, as presented.

Motion by: Tucker

Seconded: Brown

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

Nays: None

Motion carried.

**Appointment to Fenton Township Planning Commission**

Supervisor Mathis stated that, with the recent appointment of Vince Lorraine to the Fenton Township Board, there is now a vacancy on the Planning Commission. She recommends the appointment of Donna Warren to fill this position. Ms. Warren was one of the applicants for the recently filled Trustee position and would be a great addition to the Planning Commission.

Motion to appoint Donna L. Warren to the Fenton Township Planning Commission for the term ending May 31, 2012.

Motion by: Mathis

Seconded: Tucker

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

Nays: None

Motion carried.

**Resolution No. 2011-17, DNR Hearing on Hunting & Firearms Control - Tupper Lake**

Supervisor Mathis reported that residents of Tupper Lake have expressed safety concerns with the hunting on the lake. They have asked the board to consider establishing a hunting and firearms control ordinance, similar to those already in place on four other lakes in Fenton Township. A resolution must be adopted by the board in order for the DNR to investigate and determine if such an ordinance is warranted.

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Public Comment:

Jack Willing, 4289 W Four Lakes Drive

Mr. Willing stated that Tupper Lake is only 30 acres in size and he is very concerned with safety due to hunting activities on and around the lake. His house has been hit by shotgun pellets on several occasions. He urged the board to move forward with the process of establishing the ordinance. Trustee Brown expressed concern that any controls placed on Tupper Lake may also affect Lake Ponemah.

Clerk Krug presented the following resolution:

**RESOLUTION NO. 2011-17**

*WHEREAS, Township Board of the Charter Township of Fenton, County of Genesee, State of Michigan has become aware that problems exist concerning hunting and the discharge of firearms in the Tupper Lake area, and*

*WHEREAS, such problems consist of hunting activities and firearms discharge on and around Tupper Lake, thus creating a safety hazard for the nearby residential homes, and*

*WHEREAS, Act 451 of the Public Acts of 1994, Part 419, as amended, requires that the Department of Natural Resources conduct a public hearing and such investigations as are deemed necessary prior to recommending a local hunting area control on the problem area;*

*NOW, THEREFORE, BE IT RESOLVED, that the Fenton Township Board does hereby request the Department of Natural Resources to hold a public hearing to inquire into the need for a special local hunting area control on Tupper Lake, Charter Township of Fenton, County of Genesee and State of Michigan.*

Motion to adopt Resolution No. 2011-17 as presented.

Motion by: Tucker

Seconded: Brown

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

Nays: None

Motion carried. Resolution declared adopted.

**Resolution No. 2011-18, Honoring Eagle Scout Mitchell Koch**

Supervisor Mathis reviewed a letter from the Boy Scout Troop 212 Scoutmaster regarding Mitchell Koch, who recently attained the rank of Eagle Scout. A resolution has been prepared to honor young Mr. Koch for his accomplishment.

Clerk Krug presented the following resolution:

**RESOLUTION NO. 2011-18**

*WHEREAS, Mitchell Koch, a Fenton area resident, has been an active member of the community through Scouting activities for several years, and*

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*WHEREAS, Mr. Koch has recently attained the rank of Eagle in Boy Scout Troop 212, earning numerous merit badges and serving his troop in a variety of leadership roles, and*

*WHEREAS, Mr. Koch completed a major community service project that included installation of the preschool playground and upgrading the existing playground at St. John School in Fenton;*

*NOW, THEREFORE, BE IT RESOLVED, that the Fenton Township Board of Trustees hereby applauds the commitment and dedication of Mitchell Koch and extends its heartiest congratulations to him on the occasion of his attaining the rank of Eagle Scout, and*

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

Motion to adopt resolution No. 2011-18 as presented:

Motion by: Krug

Seconded: Mathis

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

Nays: None

Motion carried. Resolution declared adopted.

**Proposed Sale of Fire Department Vehicle**

Supervisor Mathis noted that, with the recent delivery of the new tanker truck for Fire Station #1, the 1990 Pierce Arrow tanker truck is now out of service. The Township listed the truck for sale through Fenton Fire Equipment and we have received an offer of \$50,000.00 from the Hickory Township Fire Department in New Castle, Pennsylvania. This represents a very fair price for a 21-year old vehicle in need of considerable repairs and upgrades. After subtracting the 7% commission, the net proceeds to Fenton Township would be \$46,500.00.

Motion to approve the sale of the 1990 Pierce Arrow tanker fire truck to Hickory Township for a purchase price of \$50,000.00, as presented.

Motion by: Brown

Seconded: Tucker

Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine

Nays: None

Motion carried.

**BOARD COMMENT:**

Supervisor Mathis addressed two comments made in the newspaper Hot Lines recently. First, a Hot Line chastising Supervisor Mathis for allowing the condition of the Torrey Beach Drive/North Road intersection to deteriorate was published 3 days after that section of road was repaved. Second, a Hot Line accusing the board of conducting a meeting at the Moose Lodge was false. The Township did hold a special meeting on Sunday 10/9/11 at the Township Hall to fill the vacancy on the Township Board. Sunday was selected because it was the only day that fit the schedule of all board members. The meeting was announced at the 10/3/11 board meeting and posted two days prior to the meeting.

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Treasurer Tucker reported that his son Zachary recently passed the bar exam and will soon be licensed to practice law in Michigan. The board congratulated Mr. Tucker on his son's achievement.

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

None

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

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Bonnie Mathis, Supervisor

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Robert Krug, Clerk

**Minutes Posted 10/18/11**