

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF FEBRUARY 3, 2014**

**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, Goupil, Kesler, Shumaker, Attorney Cooley and  
Operations Manager Broecker.

Absent: Lorraine

**PLEDGE OF ALLEGIANCE:**

Supervisor Mathis led the pledge of allegiance to the flag.

**APPROVAL OF AGENDA:**

Motion to approve the 2/3/14 Fenton Township Board Meeting agenda as presented.

Motion by: Tucker

Seconded: Kesler

Ayes: All Present

Nays: None

Absent: Lorraine

Motion carried. The agenda is approved.

**MEETING MINUTES:**

The minutes for the 1/20/14 workshop meeting and 1/20/14 regular meeting stand approved as presented.

**EXPENDITURES:**

Motion to approve invoices and expenditures for all funds totaling \$224,095.10 for payment as presented.

Motion by: Tucker

Seconded: Goupil

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

Nays: None

Absent: Lorraine

Motion carried.

**PUBLIC HEARINGS:**

**Proposed Fenton Township Parks & Recreation Plan 2014-2018; Resolution No. 2014-02, Adoption of Fenton Township Parks & Recreation Plan 2014-2018**

Supervisor Mathis opened a public hearing to gather citizen input regarding the draft 5-year parks & recreation plan that has been on file with the Township since 1/2/14. Earlier this evening the Parks & Recreation Committee held a public hearing on the draft plan and they have approved the draft and recommended formal adoption by the Township Board. Clerk Krug confirmed that the committee reviewed the plan at their meeting and the following minor corrections to the plan were noted:

Cover: Plan covers the years 2014-2018; replace photo of Fenton Gazebo.

Page 5: Plan covers the years 2014-2018.

Page 9: The last line of first paragraph should include the word "exists" rather than "exist".

Page 11: East-west primary roads should also include Rolston Road and Lobdell Road.

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- Page 11: North-south primary roads should also include North Road.
- Page 17: Remove reference to "Parker Lake Preserve" (no longer owned by Township).
- Page 20: Add Lake Fenton Middle School to the map of recreational sites.
- Page 21: Add Lake Fenton Middle School to the list of recreational sites.
- Page 31: The words "sand point" should read "standpoint".
- Page 32: The words "Dryden community" should read "Fenton Township community".
- Page 36: Re-word Action Plan, section C.
- Page 36: The second to last sentence should read "*The committee would have the responsibility of identifying and recruiting other organizations to work with the committee on coordinating recreation programming and facilities.*"

Mr. Krug went on to explain the process followed by the committee in the drafting of the plan, including interviews of local recreational representatives. Once the plan is adopted, the Township will be eligible to apply for state grant funding.

There was no public comment. Clerk Krug presented the following resolution:

**RESOLUTION NO. 2014-01**

*WHEREAS, Fenton Township established the Parks and Recreation Committee and authorized it to prepare a parks and recreation plan for the Township, and;*

*WHEREAS, the Parks and Recreation Committee has prepared a draft 2014-2018 Fenton Township Parks and Recreation Plan, and*

*WHEREAS, the goals and objectives of the draft 2014-2018 Fenton Township Parks and Recreation Plan were developed in response to needs and deficiencies which were identified through public meetings, recreation provider interviews and recreation inventories, and*

*WHEREAS, the Parks and Recreation Committee, which reviewed the 2014-2018 Fenton Township Parks and Recreation Plan at a public hearing held on February 3, 2014 following public notice to solicit input on the draft plan, has voted to approve the plan and recommend adoption by the Fenton Township Board, and*

*WHEREAS, the Fenton Township Board reviewed the draft 2014-2018 Fenton Township Parks and Recreation Plan at a public hearing held on February 3, 2014 following public notice to solicit input on the draft plan;*

*NOW, THEREFORE, BE IT RESOLVED, that Fenton Township Board hereby adopts the 2014-2018 Fenton Township Parks and Recreation Plan and authorizes ROWE Professional Services Company to execute and submit all necessary documents to Genesee County, GLS Region V and the Michigan Department of Natural Resources for approval of the plan.*

*Motion to adopt Resolution No. 2014-01, subject to the corrections and revisions noted, as presented.*

Motion by: Krug  
Seconded: Tucker

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Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Shumaker  
Nays: None  
Absent: Lorraine

Motion carried. Resolution declared adopted.

**REPORTS:**

**Public Safety Committee Update**

Trustee Goupil reported that the Fenton Township Service Club, which disbanded a few years ago, has leftover funds they wish to allocate to the Fenton Township Fire Department. They are proposing to purchase a sonar unit to assist the Fenton Township Dive Team in their underwater search & rescue efforts. The committee voted to accept this donation when offered.

**COMMUNICATIONS:**

None

**ADOPTION OF ORDINANCES:**

**Proposed Amendment to Dangerous Buildings Ordinance/1<sup>st</sup> Reading**

Supervisor Mathis reviewed a memo from Zoning Administrator Doug Piggott regarding the proposed amendment. In 2010 Fenton Township adopted a Dangerous Buildings Ordinance to assist the Township in addressing dilapidated buildings. The state law provides a framework for review of potentially dangerous buildings and provides some optional elements as well. Under the state law the Township must appoint a "Hearing Officer" who holds a hearing on any building identified by the Township Building Official as potentially dangerous, determines if the building is dangerous and if so, what steps are required to address it. The owner of the property has a right to appeal that decision.

Municipalities have the option under the law to have that appeal heard by either the local legislative body (the Township Board in Fenton Township's case) or a separately established Dangerous Building Board of Appeals with a composition specified in the state law. These are the Townships only options. The Township cannot, for example, make the Zoning Board of Appeals the Dangerous Buildings Board of Appeals.

The Township chose to establish the Dangerous Buildings Board of Appeals as part of the ordinance in 2010. The idea was that if there were a lot of appeals that it was better to have a separate body handle the appeals rather than adding to the Board's workload.

Based on the experience of enforcing the Dangerous Buildings Ordinance, staff is recommending that the ordinance be amended to eliminate the Dangerous Buildings Board of Appeals and have the Township Board assume the responsibility for hearing appeals. The recommendation is based on the following:

1. The Dangerous Building Board of Appeals is not meeting frequently so the workload has turned out to be quite small (about 2 appeals a year).
2. The State Housing Act of 1917 establish very specific requirements for the membership of the Dangerous Building Board of Appeals which makes maintaining a full board somewhat difficult
3. Arranging for and running these separate meetings is an added administrative burden to a reduced Township staff
4. When there is a separate Dangerous Building Board of Appeals, then there is an added requirement that the Board of Appeal provide notice to the Township

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Board, which in any case has final authority to enforce a decision on the appeal.

There was no public comment. The second reading of the proposed ordinance will be conducted at the 2/17/14 meeting.

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

**Resolution No. 2014-02, Supporting DNR Canada Goose Egg & Nest Destruction Program – Silver Lake & Marl Lake**

Supervisor Mathis reviewed a letter from the Silver & Marl Lakes Area Homeowners Association again requesting a letter of support from the Township Board for them to participate in the DNR Canada Goose Egg & Nest Destruction Program this year. The geese continue to be a nuisance and source of health concerns due to the number of them in and around the lakes.

Tom Murphy, President of the Silver & Marl Lakes Area Homeowners Association, urged the board to support their request. The egg & nest destruction program has been effective in reducing the Canada goose population on their lakes and they would like to continue the program. He also noted that the City of Fenton supports the efforts on Silver Lake.

Clerk Krug presented the following resolution:

**RESOLUTION NO. 2014-02**

*WHEREAS, the Silver & Marl Lakes Area Homeowner's Association, Inc. wishes to make application to the Michigan Department of Natural Resources (MDNR) to once again participate in the Canada Goose Egg & Nest Destruction Program on and around Silver Lake and Marl Lake in 2014, and*

*WHEREAS, such application must be supported by the governing body of the local unit of government, and*

*WHEREAS, the Fenton Township Board supports the efforts of the Silver & Marl Lakes Area Homeowner's Association, Inc. to control the population of Canada Geese to benefit the health, safety and welfare of the lake residents;*

*NOW, THEREFORE, BE IT RESOLVED, that the township board of the Charter Township of Fenton hereby supports the application the Silver & Marl Lakes Area Homeowner's Association, Inc. to participate in the MDNR Canada Geese Egg & Nest Destruction Program in 2014.*

Motion to adopt Resolution No. 2014-02 as presented.

Motion by: Krug

Seconded: Shumaker

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

Nays: None

Absent: Lorraine

Motion carried. Resolution declared adopted.

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**Proposed 2014 Board of Review Property Tax Hardship Policy**

Supervisor Mathis stated that the Township adopts a revised property tax hardship policy for the Board of Review each year to use in reviewing hardship exemption applications. Other than updating dates and income levels, the proposed 2014 policy is identical to the policy adopted in 2013.

Motion to adopt the 2014 Fenton Township Property Tax Financial Hardship Exemption Policy as presented.

Motion by: Tucker

Seconded: Shumaker

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

Nays: None

Absent: Lorraine

Motion carried.

**BOARD COMMENT:**

Trustee Goupil noted that the Lake Fenton High School Drama Club recently put on multiple performances of Beauty and the Beast. He would like to recognize this group for their efforts. He was very impressed with the quality of the production.

Supervisor Mathis reported that three vehicles fell through the ice on Lake Ponemah over the weekend. She cautioned residents not to drive on the frozen lakes. While the ice may be very thick in most areas, there are usually areas that are thinner and not safe for vehicles.

Supervisor Mathis noted that the Polar Plunge event to benefit Special Olympics is this weekend on Lake Fenton in front of the Moose Lodge.

Supervisor Mathis noted that the Genesee County Road Commission is working long shifts to keep up with snow plowing and asked residents to be patient. The Road Commission garage that services Fenton Township only has 8 employees and they also service Gaines, Argentine & Mundy Townships.

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

None

**ADJOURN:** Meeting adjourned at 8:15 p.m.

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Bonnie Mathis, Supervisor

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Robert Krug, Clerk

**Minutes Posted 2/4/14**