

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF DECEMBER 15, 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, Lorraine, Shumaker, Attorney
Cooley and Operations Manager Broecker.

Absent: None

PLEDGE OF ALLEGIANCE / OPENING PRAYER:

Trustee Goupil offered the opening prayer. Supervisor Mathis led the pledge of allegiance to the flag.

APPROVAL OF AGENDA:

Supervisor Mathis asked to remove the agenda item regarding boat storage issues and add it to the 1/5/15 agenda. Motion to approve the 12/1/14 Fenton Township Board Meeting agenda as amended.

Motion by: Lorraine

Seconded: Shumaker

Ayes: All

Nays: None

Motion carried. The agenda is approved.

MEETING MINUTES

The minutes for the 12/1/14 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$469,924.54 for payment as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Motion carried.

PUBLIC HEARINGS:

None

REPORTS:

None

COMMUNICATIONS:

MNRTF Grant Application Update

Clerk Krug reported that the Township's application to the Michigan Natural Resources Trust Fund for a grant to develop the Thompson Road park was not approved for funding. The board will now need to "regroup" and decide how to proceed with development plans. The Township may resubmit the grant application in 2015.

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ADOPTION OF ORDINANCES:

Proposed Zoning Ordinance Amendment-Wholesale and Warehousing/2nd Reading

Supervisor Mathis reviewed a proposed Zoning Ordinance amendment to revise the definition of **Wholesale and Warehousing**, and to add this use as a principal permitted use in the C-3 and M-1 zoning districts, which was introduced at the 12/1/14 meeting. There was no further discussion.

Motion to adopt Ordinance No. 774, an amendment to Articles 2 & 3 of Zoning Ordinance No. 594 to revise the definition of **Wholesale and Warehousing**, and to add this use as a principal permitted use in the C-3 and M-1 zoning districts, as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Motion carried. Ordinance declared adopted.

Rezoning #R14-004, Skipper Properties, LLC, parcel 06-13-556-015, R-3 to C-2/1st Reading

Supervisor Mathis stated that this is the first reading of a proposed Zoning Ordinance amendment to rezone parcel 06-13-556-015 from R-3 to C-2. Tracy, general manager for Skipper Bud's on Lake Fenton, explained that the company needs this property, which is adjacent to their boat storage facility on Fenton Road, to handle additional boat storage. Treasurer Tucker noted that, based on discussions at the Planning Commission hearing, the applicant has submitted proposed conditions to be attached to the rezoning ordinance.

Public Comment:

Bryon Rhoades, 13530 Fenton Road

Mr. Rhoades, who lives just north of the subject property, stated that Skipper Bud's has always used this property for boat storage and he is not opposed to the rezoning. He would like the tree line on the north side of the parcel to be preserved as a buffer for the adjacent residential properties.

There was no further discussion. The second reading of the proposed ordinance will be conducted at the 1/5/15 meeting.

UNFINISHED BUSINESS:

Schedule Workshop Meeting – January 2015

Supervisor Mathis stated that she would like to schedule a joint meeting of the Township Board, Planning Commission and Zoning Board of Appeals to discuss a possible Zoning Ordinance amendment regarding the construction of accessory buildings on vacant properties. After a brief discussion the board agreed to schedule the workshop for Monday 1/26/15 at 7:00 p.m.

NEW BUSINESS:

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Lake Fenton Property Owners Association – Request for Support of Canada Geese Roundup Application

Supervisor Mathis reviewed a request from the Lake Fenton Property Owners Association for support of their application to the DNR for a permit to conduct a Canada Geese roundup in 2015. Association President George Dyball explained that the Canada geese on Lake Fenton are becoming more of a nuisance every year and they want to implement measures to reduce the population. While they prefer the Egg & Nest Destruction program, the DNR requires that a goose roundup be completed three times within a 5-year period before an Egg & Nest Destruction permit could be considered. The association is requesting a letter or resolution of support to move the process forward.

Public Comment:

Dan & Marilyn Daniels, 13293 Haddon Street

Mr. & Ms. Daniels reviewed alternate measures for goose management, including a motion activated water sprinkler that has been proven successful in keeping wildlife away from gardens, fruit trees, yards, etc. A brief video of this product was shown to the board and audience. Mr. & Ms. Daniels also distributed to the board members flash drives containing documents and information regarding their research on alternative goose control methods.

Richard Schaefer, Case's Island property owner

Mr. Schaefer noted that the sprinkler only works during warm weather months. Geese produce about 1 pound of waste every day. The increased population of Canada Geese on Lake Fenton is negatively impacting properties and lake water quality. Lake Fenton is being overrun with geese. Because there is no hunting on Lake Fenton there is no other way to control the population. We should take advantage of opportunities to reduce the goose population.

Mathis suggested delaying action until the Township can work with the DNR to see if there are better approaches or if there is some way for Lake Fenton to skip the roundup requirement and implement the Egg & Nest Destruction program. After additional discussion, the board agreed to postpone the issue until the 1/19/15 meeting.

Proposed Cleaning & Janitorial Services Agreement – JW Carpet Cleaning

Clerk Krug reported that three proposals were received in response to the Township's RFP for cleaning and janitorial services. The board reviewed the proposals, the lowest of which was from JW Carpet Cleaning, the current service provider. Supervisor Mathis noted that JW had done an excellent job for the Township.

Motion to approve the Cleaning & Janitorial Services Agreement with JW Carpet Cleaning as presented.

Motion by: Krug

Seconded: Tucker

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

Nays: None

Motion carried.

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Proposed Lawn, Landscape & Beach Maintenance Services Agreement – Michigan DPW, LLC

Clerk Krug reported that only one proposal was received in response to the Township's RFP for lawn, landscape and beach maintenance services. The board reviewed the proposal from Michigan DPW LLC, the current service provider. Clerk Krug noted that the projected annual increase for the proposed 3-year contract is less than \$1,500. Supervisor Mathis noted that Michigan DPW had done an unbelievably good job for the Township.

Motion to approve the Lawn, Landscape & Beach Maintenance Services Agreement with Michigan DPW LLC as presented.

Motion by: Shumaker

Seconded: Kesler

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

Nays: None

Motion carried.

Proposed Solid Waste Collection Contract Extension – Republic Services

Supervisor Mathis reported that Republic Services is still working on revised contract language to incorporate a one-cart or two-cart program, however it was not ready for tonight's board meeting. Regardless of which cart option is chosen, the cart program would begin no sooner than April 2015. Therefore it has been proposed that the existing contract be extended for three months to allow adequate time for the board to make their final decision and to draft the contract accordingly. All provisions of the existing contract would be extended through March 31, 2015, except that the cost would be based on the most recent proposal (\$10.43 per unit per month).

Motion to approve a 3-month extension of the 2011-2014 Solid Waste Collection Agreement with Republic Services at a rate of \$10.43 per unit per month, through March 31, 2015, as presented.

Motion by: Shumaker

Seconded: Tucker

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

Nays: None

Motion carried.

Proposed Compensation Increase for Planning Commission, Zoning Board of Appeals, Construction Code & Fire Code Board of Appeals

Supervisor Mathis stated that the board reviewed a proposed increase to the per-meeting pay for the various appointed boards, (Planning Commission, Zoning Board of Appeals, Construction Code Board of Appeals and Fire Code Board of Appeals), at a recent workshop meeting. The members of these boards are currently paid \$50.00 per meeting. This rate has been in effect since 2000 when it was increased from \$44.00. According to the Michigan Townships Association, similar pay rates from across the state range from \$35-80.

The consensus of the board members at the workshop was to increase the per-meeting pay to \$60.00, effective January 1, 2015. There was no further discussion.

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Motion to increase the per-meeting pay rate from \$50 to \$60, effective January 1, 2015, for the following appointed boards:

Fenton Township Planning Commission
Fenton Township Zoning Board of Appeals
Fenton Township Construction Code Board of Appeals
Fenton Township Fire Code Board of Appeals

Motion by: Krug
Seconded: Tucker
Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker
Nays: None
Motion carried.

Resolution No. 2014-41, Indian Creek Drain Improvements

Supervisor Mathis reviewed information from the Genesee County Drain Commissioner (GCDC) regarding proposed maintenance to the Jennings Road Branch of the Indian Creek Drain. Per the Drain Code, there is a \$5,000.00 limit of work permitted per fiscal year on this drain, however the low bid came in at \$16,900.00 to properly cleanout the entire drain through the wooded area, without making it a multi-year project. The GCDC office is requesting that the Township Board consider adopting a resolution to allow the project to exceed the annual limit, so that the entire job can be done at one time. The total cost of the project would be assessed over a four (4) year period.

Clerk Krug presented the following resolution:

RESOLUTION NO. 2014-41

*WHEREAS, the **Genesee County Drain Commissioner** has been requested to perform maintenance and/or repairs to **INDIAN CREEK, JENNINGS ROAD BRANCH of PETRY BRANCH of DRAIN #0978, and***

WHEREAS, Section 196 of PA 40 of 1956 as amended requires the approval of the governing body of each township, city and village affected by 20% of the cost when the cost will exceed statutory limits, and

*WHEREAS, the **Genesee County Drain Commissioner** has determined that the necessary repairs shall exceed the statutory limits;*

NOW, THEREFORE, BE IT RESOLVED, that the Township Board of the Charter Township of Fenton does hereby approve and authorize the expenditures in excess of the statutory limit in order to complete the necessary repairs and/or maintenance, and

BE IT FURTHER RESOLVED, That the Township Supervisor and Township Clerk be and are hereby authorized and directed to execute said resolution for and on behalf of the Charter Township of Fenton to file same with the Drain Commissioner of the County of Genesee.

Motion to adopt Resolution No. 2014-41 as presented.

Motion by: Krug
Seconded: Tucker
Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker

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Nays: None
Motion carried. Resolution declared adopted.

Proposed 2015 Board of Review Property Tax Financial Hardship Exemption Policy

Supervisor Mathis noted that the Township adopts a revised property tax hardship policy each year for the Board of Review to use in reviewing hardship exemption applications. The proposed policy is identical to the policy adopted for 2014, with updated income levels and deadlines.

Motion to adopt the 2015 Fenton Township Property Tax Financial Hardship Exemption Policy as presented.

Motion by: Tucker
Seconded: Lorraine
Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker
Nays: None
Motion carried.

Proposed Summer Tax Collection Agreements – Linden, Fenton & Genesee Intermediate School Districts

Supervisor Mathis reported that Fenton Township has received requests again this year to collect a portion of the local school district taxes in the summer property tax bills. Agreements have been prepared to formalize these arrangements with the Linden and Fenton school districts and the Genesee Intermediate School District. The agreements are identical to the agreements executed for 2014.

Motion to approve the 2015 Summer Tax Collection Agreement with Linden Community Schools as presented.

Motion by: Tucker
Seconded: Shumaker
Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker
Nays: None
Motion carried.

Motion to approve the 2015 Summer Tax Collection Agreement with Fenton Area Public Schools as presented.

Motion by: Lorraine
Seconded: Tucker
Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker
Nays: None
Motion carried.

Motion to approve the 2015 Summer Tax Collection Agreement with the Genesee Intermediate School District as presented.

Motion by: Tucker
Seconded: Lorraine
Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker
Nays: None
Motion carried.

Appointments to the Fenton Township Board of Review

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Supervisor Mathis reported that the terms of the Board of Review members will expire at the end of this year. All three members, Bev McKenna, Beth Ryan and John Brancheau, have done an outstanding job for the Township and all have indicated the desire to be re-appointed. There was no further discussion.

Motion to re-appoint Beverly J. McKenna to the Fenton Township Board of Review for the term ending December 31, 2016.

Motion by: Lorraine
Seconded: Goupil
Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker
Nays: None

Motion carried.

Motion to re-appoint Beth A. Ryan to the Fenton Township Board of Review for the term ending December 31, 2016.

Motion by: Lorraine
Seconded: Tucker
Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker
Nays: None

Motion carried.

Motion to re-appoint John A. Brancheau to the Fenton Township Board of Review for the term ending December 31, 2016.

Motion by: Krug
Seconded: Shumaker
Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker
Nays: None

Motion carried.

PEG Grant Application – Upgrades to Channel 191 Equipment

Operations Manager Broecker reviewed a proposed to purchase equipment to upgrade the operations of Channel 191, the public access channel. The existing equipment is approximately 10 years old, is very outdated and has been breaking down frequently. The FACT Consortium has recommended approval of the funding up to a total of \$30,000.00. Fenton Township's share of this cost is just under \$13,000.00. It was also pointed out that these funds are restricted and can only be used for capital purchases to support the PEG channel.

Motion to approve funding for the PEG Grant application of the Fenton Area Cable Television Consortium up to a total amount of \$13,000.00, as presented.

Motion by: Goupil
Seconded: Shumaker
Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker
Nays: None

Motion carried.

Request for Lot Depth-To-Width Ratio Variance – Part of Parcel 06-24-200-022

Supervisor Mathis reviewed a request from Donald Doyle for a lot depth-to-width variance to allow him to divide a portion of his property and sell it to adjacent land

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owners. The property to be split has already been rezoned by the Township to allow the division, however the proposed division would result in a depth-to-width ratio of just over 6:1. Since the Township's Land Division Ordinance includes a maximum limit of 5:1, a variance is required to allow the division.

Motion to approve a lot depth-to-width ratio variance to permit the requested division of parcel 06-24-200-022, as presented.

Motion by: Goupil

Seconded: Tucker

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

Nays: None

Motion carried.

**Resolution No. 2014-42, Honoring Retiring Lake Fenton School Board Member
Alberta Martin**

Supervisor Mathis reported that Alberta Martin is retiring after more than 32 years on the Lake Fenton Board of Education. A resolution honoring her for her years of public service has been prepared for board consideration. Clerk Krug presented the following resolution:

RESOLUTION NO. 2014-42

WHEREAS, Alberta B. Martin is retiring from the Lake Fenton Community Schools Board of Education, and

WHEREAS, Mrs. Martin has been a resident of Fenton Township for many years, during which time she has contributed greatly to the progress and welfare of the community, most notably as a member of the Lake Fenton Board of Education, Loose Senior Citizen Center Board of Directors and the Southern Lakes Parks & Recreation Board of Directors, and

WHEREAS, Mrs. Martin's accomplishments in service to her community and state include:

- o Served on the Detroit Board of Education from 1970 to 1982.*
- o Served as President of the Detroit Council of PTA.*
- o Served on the Michigan Congress of PTSA.*
- o Served as a board member of the National School Board Association.*
- o Served on the Board of Directors of the Michigan Association of School Boards (MASB) from 1986 to 2010, serving as president in 2005.*
- o Received the Michigan Association of School Administrators "Champion of Children" award in 2007.*
- o Received the "Priority Children" Award in 2008.*
- o Founding member and chair of the Southern Lakes Parks and Recreation Board of Directors.*
- o Member of the Genesee County Association of School Board Members,*
- o More than 10 years as a member of the Loose Senior Citizen Center Board of Directors.*
- o Received the Lifetime Achievement Award from the Lake Fenton Community Schools Foundation in 2010.*
- o Received the MASB "President's Award" in 2014.*

and

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WHEREAS, Mrs. Martin has served loyally and faithfully as a member of the Lake Fenton Community Schools Board of Education from 1982 through 2014, exhibiting the qualities of vision and leadership throughout her 32½ years of dedicated service to the students, faculty and families of the Lake Fenton school district;

NOW, THEREFORE, BE IT RESOLVED, that the Township Board of the Charter Township of Fenton hereby recognizes Alberta B. Martin for her valuable contributions to our community and expresses sincere appreciation and gratitude for her dedicated service to Lake Fenton Community Schools, and conveys to her its heartiest congratulations and best wishes on the occasion of her retirement, and

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

Motion to adopt Resolution No. 2014-42 as presented.

Motion by: Krug

Seconded: Lorraine

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

Nays: None

Motion carried. Resolution declared adopted.

Designation of Representatives – Genesee County Metropolitan Alliance

Supervisor Mathis noted that the Genesee County Metropolitan Alliance asks the communities to appoint or re-appoint members to the Alliance each year. Each community may appoint one elected official, one citizen representative and one alternate. Those appointments are currently filled by Trustee Lorraine, Andy Marko (citizen) and Clerk Krug (alternate).

Motion to appoint Trustee Kesler as primary representative, Andrew Marko as citizen representative and Clerk Krug as alternate on the Genesee County Metropolitan Alliance.

Motion by: Tucker

Seconded: Lorraine

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

Nays: None

Motion carried.

Proposed Amendments to 2014 Fenton Township Budget

Operations Manager Broecker reviewed proposed amendments to the 2014 budget. The proposed budget amendment for the General Fund shows a large deficit, however that is based on the potential for increasing the interfund transfer to the Sewer fund is the Township sells any property before the end of the year. The General Fund is projected to end with a modest surplus for the year. The Solid Waste and Fire Funds are relatively unchanged. The Mosquito Fund includes an increase to the expense due to the weather conditions this year, however there are adequate funds available. The Sewer Fund spent a significant amount on capital purchases this year (DPW building and vector truck), however these purchases will pay for themselves in the long term. There was no further discussion.

Motion to adopt amendments to the 2014 Fenton Township Budget as presented.

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Motion by: Tucker
Seconded: Goupil
Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker
Nays: None
Motion carried.

BOARD COMMENT:

Supervisor Mathis noted that thin ice on the lakes is creating hazardous conditions, especially for animals. Residents are urged to keep their pets off the ice.

PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

None

ADJOURN: Meeting adjourned at 9:35 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 12/16/14