

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF NOVEMBER 23, 2015**

**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

OPENING PRAYER / PLEDGE OF ALLEGIANCE:

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

APPROVAL OF AGENDA:

Supervisor Mathis asked to have the following items added to the **New Business** section of the agenda:

*Township Employee Resignation
Appointment to Southern Lakes Parks & Recreation Board of Directors*

Motion to approve the 11/23/15 Fenton Township Board Meeting agenda as amended.

Motion by: Tucker

Seconded: Shumaker

Ayes: All Present

Nays: None

Absent: Lorraine

Motion carried. The agenda is approved.

PRESENTATION:

Gary Hicks – Republic Services

Gary Hicks, general manager of Republic Services, provided the board with an update on the carted waste service that was implemented earlier this year. All cart exchanges (replacing 95-gallon carts with 65-gallon ones) have been completed, with additional requests handled on an individual basis. The initial deployment of carts did not go as planned as the company hired to distribute the carts missed many homes, which resulted in a significant amount of extra work to provide carts to those homes. Overall, the process has smoothed out and residents have adjusted to the change. Mr. Hicks also noted that the Township has implemented "Pick-Up Service" for handicapped and elderly residents that are unable to move their carts to the street. Operations Manager Broecker confirmed that five residents have signed up for this service so far.

Supervisor Mathis agreed that the initial implementation should have gone much better. The township office fielded a very high volume of complaint calls for several weeks and she personally was approached outside of work on numerous occasions by unhappy residents.

Treasurer Tucker asked what percentage of our residents requested the 65-gallon carts. Mr. Hicks indicated that 65-gallon carts have been provided to approximately 150 homes out of 5,900.

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Trustee Shumaker stated that many residents have expressed concern that items that were previously accepted for recycling are no longer on the recycling list, specifically polystyrene and plastic grocery bags. Mr. Hicks stated that polystyrene has never been on the approved recycling list, although they are working on a potential agreement with Dart Container to establish a drop-off location for polystyrene (aka Styrofoam). Regarding the plastic grocery bags, the Materials Recovery Facility (MRF) used by Republic no longer accepts the bags due to increased maintenance cost on processing equipment. Items delivered to the MRF that are unacceptable are ultimately placed in a landfill, which drives up the cost of recycling. One alternative for plastic bags would be to recycle them at local grocery stores, most of which do accept plastic grocery bags.

The board thanked Mr. Hicks for his report.

MEETING MINUTES

The minutes for the 11/2/15 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$397,528.04 for payment as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Absent: Lorraine

Motion carried.

PUBLIC HEARINGS:

None

REPORTS:

APM Mosquito Control Annual Report

Supervisor Mathis reviewed the annual report from APM Mosquito Control. The final expense for the year was \$1,651.48 under budget.

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

Rezoning #R15-005, Amendment to PUD Conditions and Conceptual Plan for Thomas Miller; Parcel 06-03-200-028 (Thompson Road, west of Torrey Road); Public Hearing & 1st Reading

Supervisor Mathis reviewed a proposed Zoning Ordinance amendment to revise the conditions of a previously approved PUD project on Thompson Road, which was introduced at the 11/2/15 meeting. The applicant is requesting that the number of access points on Thompson Road be increased from 2 to 3. The Planning Commission has recommended approval.

James Milanowski, representing the applicant, briefly reviewed the request, noting that the GCRC has already consented to the proposed driveway configuration. There was no further discussion.

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Motion to adopt Ordinance No. 783, an amendment to Zoning Ordinance No. 594 to revise the PUD conditions for parcel 06-03-200-028 as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Absent: Lorraine

Motion carried. Ordinance declared adopted.

Rezoning #R15-006, Greg Cislo, Parcel 06-21-400-003 (Vacant Land – Silver Lake Road); R-3 to C-2/1st Reading

Supervisor Mathis introduced a proposed Zoning Ordinance amendment to rezone vacant land on Silver Lake Road from R-3 to C-2. Treasurer Tucker stated that the Future Land Use Plan designation for the subject property is medium density residential, although “neighborhood commercial” is also appropriate for residential areas. The Planning Commission felt that the requested rezoning did not fit with the surrounding zoning and recommended denial of the request. In some cases conditional zoning may be a viable alternative, but in this case the proposed use of a storage facility would still not fit.

Public Comment:

The following individuals commented on the proposed rezoning:

Derek Day, 4305 Lake Farms Court
Phil Hagerman, 15171 Pinewood Trail
Ross Merchant, 4214 Silver Lake Road

Their comments/concerns included:

- The subject property is not an appropriate location for commercial uses.
- Any commercial use would negatively impact the surrounding residential neighborhoods.
- A storage facility would not constitute a “neighborhood business”.
- There is no need for additional storage facilities in this area.

The second reading of the proposed ordinance will be conducted at the 12/7/15 meeting.

UNFINISHED BUSINESS:

Resolution No. 2015-24, Adoption of Amended & Restated Pension Plan Agreement

Operations Manager Broecker reviewed the amended and restated pension plan adoption agreement for the Township. The IRS requires all pension plan agreements to be updated and re-adopted every six years, (the Township’s was last done in 2009). There are no changes to the fee structure or way the plan operates. This action simply adopts an updated version of the plan document.

Clerk Krug presented the following resolution:

RESOLUTION NO. 2015-24

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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 Internal Revenue Service (IRS) requires retirement plan sponsors to restate their plan documents at regular intervals, and

WHEREAS, the Township is currently within an IRS mandated restatement cycle and must update its group retirement plan;

NOW, THEREFORE, BE IT RESOLVED, that the Fenton Township Governmental Non-ERISA Retirement Plan (the "Plan") be amended and restated in the form attached hereto, which Plan is hereby adopted and approved, and

BE IT FURTHER RESOLVED, that the Township Supervisor be, and is hereby, authorized and directed to execute the Plan on behalf of the Charter Township of Fenton.

Motion to adopt Resolution No. 2015-24 as presented.

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

Motion carried. Resolution declared adopted.

NEW BUSINESS:

Appointment to Fenton Township Board of Review

Supervisor Mathis noted that, with the recent resignation of Beth Ryan, there is a vacancy on the Fenton Township Board of Review. She recently interviewed a candidate that was recommended by current Board of Review member Bev McKenna. Joyce Theodoroff has an extensive background in information technology and real estate. She would be a fine addition to the Board of Review and Supervisor Mathis recommends her appointment to fill the board vacancy.

Motion to appoint Joyce Theodoroff to the Fenton Township Board of Review for the term ending December 31, 2016.

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

Motion carried.

Fire Protection & Emergency Medical Services Agreement - Tyrone Township

The board reviewed a proposed 3-year renewal of the Fire Protection and Emergency Medical Services Agreement with Tyrone Township. Trustee Goupil, chairman of the Public Safety Committee, indicated that the Fire Chief is satisfied with the proposed agreement and supports approval.

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Motion to approve the 2016-2019 Fire Protection and Emergency Medical Services Agreement with Tyrone Township as presented.

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

Motion carried.

Replacement of Fire Chief Vehicle

The board reviewed two proposals for replacing the Fire Chief's vehicle. The lowest cost option is to purchase the vehicle from Vic Canever Chevrolet and contract with Arrowhead Public Safety Equipment for the vehicle conversion. The Arrowhead proposal includes two options: one that gives the Township a \$4,200 credit for trading in the 2003 Chevrolet Tahoe and one with no trade-in.

Trustee Shumaker stated that the Township may be able to sell the 2003 Tahoe outright for more than \$4,200, which would save more money. After a brief discussion the board agreed to approve the purchase of the new vehicle from Vic Canever Chevrolet and contract with Arrowhead for the conversion, but delay the decision on the trade-in until Trustee Shumaker can research the value of the 2003 vehicle further.

Motion to approve the purchase of a 2016 Chevrolet Tahoe from Vic Canever Chevrolet and emergency vehicle conversion from Arrowhead Public Safety Equipment, and authorize the Township Supervisor to decide if the contracted conversion will or will not include the trade-in of the 2003 Chevrolet Tahoe, based on the recommendation of Trustee Shumaker.

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

Motion carried.

Award of Contract - Private Road Snow Removal

Supervisor Mathis reported that proposals were recently solicited for snow removal services for private roads under special assessment. Three proposals were received and an analysis of those proposals is included in the packet. Picasso Services was the lowest of the three bids. Operations Manager Broecker reported that he contacted references provided by Picasso Services and received very positive feedback regarding the quality of their work.

Motion to award a 3-year Snow Removal Services contract for private roads to Picasso Services as presented.

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

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Motion carried.

Selection of Option - PA 152 Compliance (Health Insurance Costs)

Operations Manager Broecker reminded the board that the *Publicly Funded Health Insurance Contribution Act* (PA 152 of 2011) placed limits on how much a public employer can pay toward employee healthcare.

There are three options for PA 152 compliance. The default option is that employers cannot pay more than the prescribed "hard caps" established by the State of Michigan. The hard caps for 2016 are \$6,142.11 for single, \$12,845.04 for 2-person and \$16,751.23 for family coverage. The second option is a flat 80/20 cost sharing arrangement where the employer pays no more than 80% of the total cost. The third option is to opt out of the requirement altogether. A 2/3 majority vote of the Township Board is required to choose the 80/20 or opt out option.

For 2012 through 2015 the Township Board chose the 80/20 cost sharing option to comply with this statute. These approvals were each effective for one year and the board needs to review this decision annually. The 80/20 option is again recommended for 2016. A flat percentage is the most equitable approach for all employees, and it will be more easily adaptable if the township changes plans in the future.

Treasurer Tucker stated that he requested and received a comparison of the 80/20 and hard cap options earlier this evening. He agreed that the hard cap approach creates a larger disparity between individual employees. The 80/20 option is more equitable. Trustee Shumaker stated he would like to review the numbers in more detail and asked if action could be postponed. The board agreed to postpone action until the 12/7/15 meeting.

Planning Commission Resignation - David Franz

Supervisor Mathis reported that David Franz has submitted a letter of resignation from the Fenton Township Planning Commission and Zoning Board of Appeals. Mr. Franz very recently moved out of Fenton Township and is no longer eligible to serve on these appointed boards.

Motion to accept, with regret, the resignation of David Franz from the Fenton Township Planning Commission and Zoning Board of Appeals.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Absent: Lorraine

Motion carried.

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 every year. Each community may appoint one elected official, one citizen representative and one alternate. Those appointments are currently filled by Trustee Kesler, Andy Marko (citizen) and Clerk Krug (alternate).

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Motion to re-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: Shumaker
Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Shumaker
Nays: None
Absent: Lorraine

Motion carried.

Schedule Public Hearing on 2016 Fenton Township Budget

Supervisor Mathis noted that a preliminary draft version of the 2016 Fenton Township Budget was distributed to the members of the Township Board at the end of August. This draft will continue to be refined and will be completed at least one week prior to the required public hearing. It has been recommended that the Township Board schedule the public hearing on the proposed 2016 budget for the December 7, 2015 meeting.

Motion to schedule a public hearing on the 2016 Fenton Township Budget to be held at the December 7, 2015 Township Board meeting.

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

Motion carried.

Township Employee Resignation

Supervisor Mathis reported that Julie Wendland submitted her two-week notice of resignation earlier today. She has accepted a new position and her last day will be 12/4/15.

Motion to accept the resignation of Julie Wendland, effective 12/4/15 as presented.

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

Motion carried.

Appointment to Southern Lakes Parks & Recreation Board of Directors

Supervisor Mathis noted that Clerk Krug's term as Fenton Township's representative on the Southern Lakes Parks & Recreation Board of Directors will expire at the end of this year. Mr. Krug has indicated he would like to be re-appointed.

Motion to re-appoint Robert Krug as Fenton Township representative on the Southern Lakes Parks & Recreation Board of Directors for the term ending December 31, 2018.

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

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Nays: None
Absent: Lorraine
Motion carried.

BOARD COMMENT:

Supervisor Mathis emphasized that cleaning wipes and wet wipes labeled “flushable” should not be flushed into the sewer system. These products do not break down and frequently result in sewer line blockages and pump station shut down. Residents should refrain from placing these items into the sewer.

PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft asked for clarification on what polystyrene is. The board explained that polystyrene is the same as Styrofoam.

ADJOURN: Meeting adjourned at 9:10 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 11/24/15