

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF FEBRUARY 8, 2016**

**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

**OPENING PRAYER / PLEDGE OF ALLEGIANCE:**

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

**APPROVAL OF AGENDA:**

Motion to approve the 2/8/16 Fenton Township Board Meeting agenda as presented.

Motion by: Tucker

Seconded: Lorraine

Ayes: All

Nays: None

Motion carried. The agenda is approved.

**PRESENTATION:**

**State Representative Joe Graves**

State Representative Joe Graves reviewed legislative issues with the board, including:

- An update on the water issue in Flint.
- Detroit Public Schools near bankruptcy.
- PA 269, which has been interpreted by some that local governments are prohibited from providing factual information regarding local ballot proposals. There is pending legislation that will hopefully clarify some of the provisions in PA 269.
- Road funding changes go into effect in January 2017.

Regarding the Flint water crisis, Clerk Krug suggested that Flint consider pipe lining as an alternative to replacement. Supervisor Mathis also urged township residents to have their water tested as well. While lead should not be an issue in Fenton Township, most well water in this area has some level of naturally occurring arsenic. Water testing kits are available at the township office. Trustee Lorraine expressed dismay that the Flint water crisis has become a political issue. He stated that he is proud to have Mr. Graves as our State Representative because of his level of dedication to his job, having not missed a vote in over four years.

The board thanked Representative Graves for his report.

**MEETING MINUTES**

Treasurer Tucker noted two minor corrections in the discussion regarding the proposed Zoning Ordinance amendment relating to detached accessory structures. The final version of the minutes will be corrected accordingly. The minutes for the 1/25/16 regular meeting stand approved as revised.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF FEBRUARY 8, 2016**

**EXPENDITURES:**

The board discussed options to the practice of adding time sensitive invoices to the approval list after the board packets are e-mailed out on the Friday before each board meeting. They are concerned that receiving the additional payments at the meeting does not provide adequate time for review. Operations Manager Broecker will prepare and present procedural options at the next meeting. Motion to approve invoices and expenditures for all funds totaling \$518,299.32 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:**

None

**ADOPTION OF ORDINANCES:**

**Proposed Government Agency Cost Recovery Ordinance/2<sup>nd</sup> Reading**

Supervisor Mathis reviewed a proposed ordinance to recover the cost of services provided by the township or a county agency that benefit individual properties, which was introduced at the 1/25/16 meeting. The proposed ordinance will allow the Township to invoice individual property owners for improvements or repairs provided by the Township or a county agency (GCRC, GCDC, etc.) that benefit only that property. Examples include new driveway culverts and new sanitary sewer leads. Treasurer Tucker noted that the road commission would previously invoice the residents directly when it became necessary to replace their driveway culvert, usually during a ditching project. The county will now invoice the Township and the proposed ordinance provides the mechanism to pass those costs on to the benefitting property owners. Trustee Lorraine asked if residents would have the option of hiring someone else to do the work. It was clarified that the road commission is unlikely to issue a permit for a contractor to work in their right-of-way when the county is already doing the work. Discussion continued regarding types of costs to be billed to the residents. Operations Manager Broecker stated that driveway culverts and sanitary sewer leads are the only types of costs we expect to pass on to residents. The ordinance language is broad enough to encompass other situations if they should arise.

Motion to adopt Ordinance No. 784, Government Agency Cost Recovery Ordinance, as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Motion carried. Ordinance declared adopted.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF FEBRUARY 8, 2016**

**Proposed Zoning Ordinance Amendment - Site Plan Escrow/2<sup>nd</sup> Reading**

Supervisor Mathis reviewed a proposed Zoning Ordinance amendment to give the Township the authority to require an escrow deposit for new commercial, industrial or residential developments, which was introduced at the 1/25/16 meeting. The escrowed funds would be used to cover the cost of plan reviews by professional consultants, rather than invoicing the developer for each review separately. Trustee Lorraine asked why the developer should pay for the Township Engineer to review his plans if they were created by a licensed engineer. Treasurer Tucker pointed out that the Township Engineer is verifying compliance with the Zoning Ordinance and conditions placed by the Planning Commission. The Township Engineer is working for the benefit of the Township. The developer's engineer is working for the benefit of the developer. There have been situations in the past where non-compliant site plans were approved because the Township relied on the developer's engineer.

Motion to adopt Ordinance No. 785, an amendment to Article 8 of Zoning Ordinance No. 594 to revise language regarding the escrowing of funds for new development projects, as presented.

Motion by: Lorraine

Seconded: Tucker

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

Nays: None

Motion carried. Ordinance declared adopted.

**Proposed Zoning Ordinance Amendment – Accessory Structures/2<sup>nd</sup> Reading**

Supervisor Mathis reviewed a proposed Zoning Ordinance amendment to revise language relating to the timing of detached accessory building construction. The amendment, if adopted, would require the completion of a property's principal structure before a building permit could be issued for a detached accessory building.

Trustee Shumaker suggested putting the issue to a vote directly as he does not believe there is enough support amongst the board members to adopt the amendment. Supervisor Mathis believes there is merit to the proposed amendment. It would prevent a situation where a pole barn is constructed on a lot and the home isn't built for several years, or not at all, which would be considered an eyesore by some. She sees merit to both sides of the argument but believes the proposed amendment should be adopted. Treasurer Tucker reminded the board that a majority of the Planning Commission voted against recommending approval. They were concerned with the potential for building material theft if there was no accessory building in which to store the materials, and they also did not believe the amendment was necessary since there have only been a few such instances in the past 22 years. Trustees Lorraine and Shumaker expressed concern that the proposed amendment would constitute overregulation of our residents.

Motion to adopt an amendment to Article 4 of Zoning Ordinance No. 594 to revise language regarding the issuing of building permits for detached accessory structures, as presented.

Motion by: Lorraine

Seconded: Goupil

Ayes: Mathis, Krug

Nays: Tucker, Goupil, Kesler, Lorraine, Shumaker

Motion failed. Ordinance is not adopted.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF FEBRUARY 8, 2016**

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

**Letter of Retirement – Township Attorney**

Supervisor Mathis reported that Attorney Richard Cooley has advised the Township that he is retiring from practicing law, which means a new Township Attorney must be appointed. Mr. Cooley will continue as the Township's attorney until a successor is appointed. Supervisor Mathis noted that Mr. Cooley has served as Fenton Township's attorney since the firm of Bellairs, Dean & Cooley was appointed by the Township Board on December 17, 1970 – more than 45 years ago.

Motion to accept, with great regret, the retirement of Township Attorney Richard E. Cooley, to be effective when a new Township Attorney has been appointed.

Motion by: Goupil

Seconded: Shumaker

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

Nays: Tucker

Motion carried.

The board collectively thanked Mr. Cooley for his many years of outstanding service.

**BOARD COMMENT:**

Trustee Shumaker requested that the board schedule a workshop meeting to work on a new employment agreement for Operations Manager Broecker. After a brief discussion the board agreed to schedule the workshop meeting for Tuesday 2/16/16 at 6:00 p.m.

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

None

**ADJOURN:** Meeting adjourned at 8:47 p.m.

---

Bonnie Mathis, Supervisor

---

Robert Krug, Clerk

**Minutes Posted 2/9/16**