

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF MARCH 7, 2016**

**FENTON TOWNSHIP CIVIC COMMUNITY CENTER
12060 MANTAWAUKA DRIVE, FENTON, MICHIGAN**

Supervisor Mathis called the meeting to order at 7:40 p.m.

Present: Mathis, Krug, Tucker, Kesler, Shumaker and Attorney Cooley.

Absent: Goupil, Lorraine

OPENING PRAYER / PLEDGE OF ALLEGIANCE:

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

APPROVAL OF AGENDA:

Motion to approve the 3/7/16 Fenton Township Board Meeting agenda as presented.

Motion by: Tucker

Seconded: Shumaker

Ayes: All Present

Nays: None

Absent: Goupil, Lorraine

Motion carried. The agenda is approved.

MEETING MINUTES

Treasurer Tucker noted a minor spelling correction in the minutes pertaining to the correction of the minutes from the previous meeting. The official version of the minutes has been corrected. The minutes for the 2/22/16 regular meeting stand approved as corrected.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$612,066.49 for payment as presented.

Motion by: Tucker

Seconded: Shumaker

Ayes: Mathis, Krug, Tucker, Kesler, Shumaker

Nays: None

Absent: Goupil, Lorraine

Motion carried.

PUBLIC HEARINGS:

None

REPORTS:

Road Update

Supervisor Mathis reviewed a memo from Genesee County Road Commission area supervisor Dan Hudson. He reports the following:

- Road crews will be patching potholes almost every day this week, weather permitting.
- Unpaved roads will be graded as soon as weather allows.
- Potential flooding will be worsened by the ground still being partially frozen.

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COMMUNICATIONS:

Letter from Genesee County Sheriff

The board briefly reviewed a letter from Genesee County Sheriff Robert Pickell commending Fire Chief Ryan Volz and the Fenton Township Fire Department for their professional conduct during the recent carbon monoxide tragedy.

ADOPTION OF ORDINANCES:

Proposed Amendment to Land Division Ordinance/1st Reading

Supervisor Mathis introduced a proposed amendment to the Land Division Ordinance to give authority to the Zoning Board of Appeals to grant variances from the lot depth-to-width ratio requirements of the ordinance, rather than the Township Board. This amendment was suggested at the 2/22/16 board meeting when the board reviewed and granted such a variance.

There was no public comment. The second reading of the proposed ordinance will be conducted at the 3/21/16 meeting.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

2016 Law Day Proclamation

Supervisor Mathis stated that the Genesee County Bar Association has requested that the Township consider adopting a proclamation designating May 1st as Law Day. The Township has adopted similar proclamations in previous years. Treasurer Tucker noted that Law Day is designed to give students an appreciation for the legal system. Among other activities, Law Day is an opportunity for students to appear before real judges in a mock trial. Clerk Krug presented the following:

2016 LAW DAY PROCLAMATION

“Miranda: More than Words”

WHEREAS, Law Day is an occasion of public acknowledgement of our nation’s and Michigan’s heritage of justice, liberty and equality under the law, and

WHEREAS, Law Day has been annually proclaimed by the President of the United States since Dwight D. Eisenhower proclaimed the first Law Day on May 1, 1958, and

WHEREAS, the United States Congress in 1961 encoded the presidential practice into law, statutorily designating May 1 as Law Day, and

WHEREAS, the year 2016 marks the 50th anniversary of a milestone in legal history: the United States Supreme Court’s landmark 1966 decision in Miranda v. Arizona, concluding that statements made by a suspect in police custody are generally inadmissible if the suspect has not been made aware of his or her Fifth and Sixth Amendment rights, and

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WHEREAS, in response to this decision, law enforcement personnel throughout the country provide a Miranda Warning to suspects in custody apprising them of their right to remain silent, their right to an attorney, and their right to appointed counsel in cases where they cannot afford an attorney, and

WHEREAS, the Miranda Warning has become one of the nation's most recognizable legal expressions and a symbol of procedural fairness that represents much more than just the words of the warning, and

WHEREAS, the criminal justice system still faces many challenges and we must all rededicate ourselves to the great goal of ensuring that it provides fair and equal treatment for all, and

WHEREAS, promoting public understanding of the roots of our freedom are an important component in the civic education of the citizens of the United States and of the state of Michigan, and

WHEREAS, the American Bar Association has identified the 2016 Law Day theme as "Miranda: More than Words", and

*WHEREAS, **Law Day, May 1, 2016**, will be commemorated in the state of Michigan;*

NOW, THEREFORE, BE IT RESOLVED, that the Township Board of the Charter Township of Fenton does hereby proclaim May 1, 2016 as Law Day. We urge the people of Fenton Township and all of Genesee County to acknowledge the importance of our legal and judicial systems with appropriate ceremonies and activities, and to display the flag of the United States and the State of Michigan in support of this educational observance. We further encourage schools, businesses, media, religious institutions, civic and service organizations to join the members of the bar and bench in commemorating Law Day.

Motion to adopt the 2016 Law Day Proclamation as presented.

Motion by: Krug

Seconded: Tucker

Ayes: Mathis, Krug, Tucker, Kesler, Shumaker

Nays: None

Absent: Goupil, Lorraine

Motion carried. The proclamation is declared adopted.

Approval of 2016 Local Road Projects

Supervisor Mathis reported that the Township has been reviewing various local road improvement projects since the public hearing held in January. Presented for board consideration are the following projects:

Asphalt Resurfacing – Wiggins Road

Wiggins Road is in need of resurfacing. Due to the very poor condition of some sections of the road, a chip & seal resurfacing would not be effective. Therefore, asphalt

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resurfacing is recommended. The estimated net cost to Fenton Township after applying 50/50 matching funds is approximately \$91,324.

Storm Sewer Outlet Replacement – Old Linden Road at Dooley Drive

The storm sewer outlet on Old Linden Road needs to be replaced. This project has been in the works since 2014. The revised cost estimate is \$83,085, which would be divided equally between the Township and the Genesee County Road Commission. The net estimated cost to Fenton Township is \$41,542.

Motion to approve the following 2016 local road improvement projects as presented:

- Asphalt Resurfacing – Wiggins Road
- Storm Sewer Outlet Replacement – Old Linden Road at Dooley Drive

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

Motion carried.

Resolution No. 2016-04 - Supporting DNR Canada Goose Egg & Nest Destruction Program – Lake Fenton

Supervisor Mathis reported that the Lake Fenton Property Owners Association (LFPOA) is making application to the Michigan DNR to participate in the Canada Goose Egg & Nest Destruction program this year. A resolution of support from the local governing body is required.

Public comment:

Robert Chimovitz, 2383 Margaret Drive

Mr. Chimovitz reported that LFPOA President George Dyball was not able to attend tonight's meeting and asked him to represent the association. He reported that the LFPOA participated in a Canada Goose roundup in 2015 in an attempt to control the goose population on and around Lake Fenton. Their intent was to continue conducting roundups for the required three years in order to move up to the egg & nest destruction program. The MDNR has granted a special exemption to Lake Fenton and they are eligible to participate in the egg & nest destruction program in 2016.

Clerk Krug presented the following resolution:

RESOLUTION NO. 2016-04

WHEREAS, the Lake Fenton Property Owners Association wishes to make application to the Michigan Department of Natural Resources (MDNR) to participate in the Canada Goose Egg & Nest Destruction Program on and around Lake Fenton in 2016, and

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

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WHEREAS, the Fenton Township Board supports the efforts of the Lake Fenton Property Owners Association 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 of the Lake Fenton Property Owners Association to participate in the MDNR Canada Geese Egg & Nest Destruction Program in 2016.

Motion to adopt Resolution No. 2016-04 as presented.

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

Motion carried. Resolution declared adopted.

BOARD COMMENT:

None

PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

None

ADJOURN: Meeting adjourned at 8:05 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 3/9/16