

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF NOVEMBER 14, 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, Tucker, Goupil, Kesler, Shumaker and Operations Manager
Broecker.

Absent: Krug, 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:

Treasurer Tucker asked to have a discussion regarding office hours added to the end of the agenda. Supervisor Mathis asked to add an agenda item to schedule a workshop meeting and to remove the sewer bond resolution from the agenda. She would like to have the entire board present when this issue is considered. Motion to approve the 11/14/16 Fenton Township Board Meeting agenda as amended.

Motion by: Goupil

Seconded: Tucker

Ayes: All Present

Nays: None

Absent: Krug, Lorraine

Motion carried. The agenda is approved.

MEETING MINUTES

The minutes for the 10/17/16 regular meeting and the 11/1/16 special meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$638,394.94 for payment as presented.

Motion by: Shumaker

Seconded: Kesler

Ayes: Mathis, Tucker, Goupil, Kesler, Shumaker

Nays: None

Absent: Krug, Lorraine

Motion carried.

PUBLIC HEARINGS:

Rezoning # R16-007 Corlin Builders, Parcels 06-11-200-030, 06-11-100-001, 06-11-504-009 & 06-11-504-010 (2294 & 2300 Sonora Drive / former Lang's Marina); Revision to PUD Conditions/Public Hearing & 1st Reading

Supervisor Mathis opened a public hearing and first reading for a proposed Zoning Ordinance amendment to revise the PUD conditions for previously zoned PUD property located on Sonora Drive, (commonly known as Lang's Marina). The Planning Commission has conducted a public hearing on this proposed amendment and has recommended approval. Treasurer Tucker clarified that the purpose of this hearing is to modify the PUD conditions for the project. He emphasized that many issues of concern will be addressed when the developer applies for site plan approval. The proposed

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ordinance clarifies language regarding boat slips, storm water management, setbacks and the Sonora Drive dead end.

Public comment:

Pat Parker, representing resident Dan Crannie

Mr. Parker stated that his client is concerned with the storm water management for the project. It is his understanding that the storm water outlet will be immediately adjacent to his property. He is also concerned about the orientation and proximity to his property of the docks, and the size of the boat slips.

Don Niles, 1429 Edgewater Drive

Mr. Niles expressed concerned regarding the impact of storm water drainage on Lake Fenton's water quality. He also questioned the number of boat slips. The original ordinance allowed for eight. Now the proposal is eight for the non lake-front units plus three more lakefront homes. Treasurer Tucker clarified that all previous meeting minutes were reviewed and it was determined that the eight boat slips were always intended for the non-lakefront units, while lakefront units would also have lake access, including docks. The ordinance is being revised to make this clear. Mr. Niles also believes there is hazardous waste stored on the subject property.

Jeff Polidan, 12085 Brown Street

Mr. Polidan expressed concern that the setbacks for the attached units are reduced from what was originally proposed. He asked the board to reconsider this change.

Dan Crannie, 2283 Ford Street

Mr. Crannie expressed concern that the recent removal of buildings and trees may create erosion problems. Treasurer Tucker clarified that Genesee County WWS will enforce soil erosion requirements.

Kevin Cook, CHMP, representing developer

Mr. Cook advised that the developer has received approval from the DEQ and Genesee County Drain Commissioner's office for a pre-treatment device with direct discharge to Lake Fenton. The quantity of water discharged will not be an issue as a 100-year rain raises the level of Lake Fenton approximately 3/1000 of an inch. The pre-treatment device will filter out debris. Tucker clarified that amendment doesn't mandate storm water retention or detention, just that the storm water plans are subject to Township approval.

Pat Parker

Mr. Parker clarified that Mr. Crannie's concerns relate to his property potentially being eroded/washed out from storm water drainage, not the level of the lake.

The second reading of the proposed ordinance will be conducted at the 12/5/16 meeting.

REPORTS:
Ordinance Enforcement 3rd Quarter Report

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Supervisor Mathis reviewed the third quarter report from Ordinance Enforcement Officer Tom Hosie. Zoning, Tall Grass and Blight were the highest volume of complaints for the quarter.

APM Mosquito Control Annual Report - 2016

Supervisor Mathis reviewed the annual report from APM Mosquito Control. The final cost of \$145,469.63 was \$22,856.67 under budget.

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

Rezoning #R16-006, Jeramy & Randi Goss, part of parcel 06-04-200-001 (located at 4221 Ray Rd); AG to R-3/2nd Reading

Supervisor Mathis reviewed a proposed Zoning Ordinance amendment to rezone property on Ray Road from AG to R-3, which was introduced at the 10/17/16 meeting. It was noted that the subject property is designated for medium density residential in the Future Land Use Plan. There was no further discussion.

Motion to adopt Ordinance No. 791, an amendment to Zoning Ordinance No. 594 to rezone part of parcel 06-04-200-001 from AG to R-3, as presented.

Motion by: Tucker

Seconded: Kesler

Ayes: Mathis, Tucker, Goupil, Kesler, Shumaker

Nays: None

Absent: Krug, Lorraine

Motion carried. Ordinance declared adopted.

Proposed Vehicle Code Ordinance/1st Reading

The board reviewed a proposed Vehicle Code ordinance, which was distributed at the November 1st special meeting. If adopted, this updated ordinance will replace the existing version.

There was no public comment. The second reading of the proposed ordinance will be conducted at the 12/5/16 meeting.

UNFINISHED BUSINESS:

PA 152 Compliance (Health Insurance Costs) – Selection of 2017 Compliance Method

Since there are two board members absent, the board agreed to postpone action on this issue.

Schedule Special/Workshop Meeting

Supervisor Mathis stated she would like to schedule a special/workshop meeting to review several issues. After a brief discussion the board agreed to schedule the meeting for Monday 11/28/16 at 7:00 p.m.

NEW BUSINESS:

Resolution No. 2016-22, Honoring Eagle Scout Bradley Trecha

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Supervisor Mathis stated announced that Fenton Township resident Bradley Trecha has recently earned the rank of Eagle Scout in Boy Scout Troop 219. Bradley is the younger brother of John Trecha and Parker Trecha, who were previously honored by this board for achieving the rank of Eagle Scout. A resolution has been prepared to honor Bradley for this noteworthy accomplishment. Operations Manager Broecker presented the following resolution:

RESOLUTION NO. 2016-22

WHEREAS, Fenton Township resident Bradley Patrick Trecha attained the rank of Eagle Scout on October 18, 2016, and

WHEREAS, the Eagle Scout is the highest rank of recognition attainable in Scouting, and

WHEREAS, to earn the rank of Eagle Scout, a Boy Scout must advance through the various ranks of Scouting, earn a minimum of 21 merit badges and complete a service project that benefits a non-profit organization within the community, and

WHEREAS, Bradley Trecha, a valued member of Boy Scout Troop 219, is a dedicated young man who has earned the respect and admiration of his fellow scouts through his active participation in the many programs sponsored by the Boy Scouts of America, including earning all 53 Belt Loop and 53 Pin awards offered in Cub Scouts and earning the highest rank in Cub Scouts – the Arrow of Light Award in 2010, and

WHEREAS, Bradley has truly exhibited a commitment to the principals of Scouting and has consistently conducted himself in a manner becoming an Eagle Scout, and

WHEREAS, Bradley earned 138 merit badges to become one of only 325 scouts in the 106-year history of Boy Scouts to earn every possible merit badge, and

WHEREAS, Bradley completed a major community service project consisting of repairing and repainting the pavilion and playground areas for VFW Fenton Post #3243, leading family, friends and fellow scouts in working 190 hours on the project;

NOW, THEREFORE, BE IT RESOLVED, that the Township Board of the Charter Township of Fenton hereby applauds the diligence, determination, and dedication of Bradley Patrick Trecha in pursuing the highest honor awarded by the Boy Scouts of America and extends its heartiest congratulations to him on the occasion of his attaining the rank of Eagle Scout, and

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

Motion to adopt Resolution No. 2016-22 as presented.

Motion by: Goupil

Seconded: Kesler

Ayes: Mathis, Tucker, Goupil, Kesler, Shumaker

Nays: None

Absent: Krug, Lorraine

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Motion carried. Resolution declared adopted.

Proposed 2017-18 Genesee County Sheriff Department Law Enforcement Services Agreement

The board reviewed a proposed 2-year agreement to continue to contract law enforcement services through the Genesee County Sheriff Department. The agreement maintains the existing level of service: 5 full time deputies and 60% of the cost of a detective. Attorney Belzer and the Township's insurance company have both reviewed the agreement and have no concerns with its approval.

Motion to approve the 2017-18 Law Enforcement Services Agreement with the Genesee County Sheriff Department as presented.

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

Motion carried.

Appointments to the Fenton Township Zoning Board of Appeals

Supervisor Mathis reported that the terms of Zoning Board of Appeals members K.C. Baran, Jim Cady and Michele Spear will expire at the end of November. All three have done an outstanding job as members of the ZBA and all three have expressed a desire to be re-appointed. She recommends that all three be re-appointed to 3-year terms.

Motion to re-appoint K.C. Baran to the Fenton Township Zoning Board of Appeals for the term ending November 30, 2019.

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

Motion carried.

Motion to re-appoint James R. Cady to the Fenton Township Zoning Board of Appeals for the term ending November 30, 2019.

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

Motion carried.

Motion to re-appoint Michele K. Spear to the Fenton Township Zoning Board of Appeals for the term ending November 30, 2019.

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

Motion carried.

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Adoption of 2017 Fenton Township Meeting Schedule

Supervisor Mathis noted that the proposed 2017 meeting schedule was discussed at the 11/1/16 special meeting, and is now being presented for formal adoption.

Motion to adopt the 2017 Fenton Township Meeting Schedule as presented.

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

Motion carried.

Schedule Public Hearing on 2017 Fenton Township Budget

Supervisor Mathis noted that, as required by Michigan law, a preliminary draft version of the 2017 Fenton Township Budget was distributed to the members of the Township Board at the end of August. A revised draft is currently being developed and should be completed within the next week. It is requested that the Township Board schedule a public hearing on the proposed 2017 budget for the 12/5/16 meeting. The updated public hearing draft of the budget will be provided to the board at least one week prior to the public hearing.

Motion to schedule a public hearing on the 2017 Fenton Township Budget to be held at the December 5, 2016 Township Board meeting.

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

Motion carried.

Resolution No. 2016-23, Request to Assume Ownership & Maintenance of Type I Water Supply - Lake Ponemah Mobile Home Park

Operations Manager Broecker reported that the new owner of the Lake Ponemah Mobile Home Park is required to ask the local unit of government to take over its Type I water supply system. The Township's past practice is to deny such requests since the Township does not currently maintain any public water supplies. A resolution has been prepared to formalize the denial. The following resolution was presented:

RESOLUTION NO. 2016-23

WHEREAS, Fenton Lakefront Community, LLC owns and operates a drinking water system serving the Lake Ponemah Mobile Home Park located at 14214 Eastview Drive, Section 22, T5N R6E, and

WHEREAS, Fenton Lakefront Community, LLC possesses the ability and willingness to continue effective operation and maintenance of said system, and

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WHEREAS, the Charter Township of Fenton recognizes the need for effective and continued operation and maintenance of said system to protect the public health, and

WHEREAS, the Charter Township of Fenton deems it impractical for the Township to own, operate and administer this particular drinking water supply;

NOW, THEREFORE, BE IT RESOLVED, that the Charter Township of Fenton hereby declines to accept ownership of or operation, maintenance and administrative responsibilities for said particular drinking water supply. The Charter Township of Fenton endorses the application of Fenton Lakefront Community, LLC to continue these responsibilities under state permit.

Motion to adopt Resolution No. 2016-23 as presented.

Motion by: Shumaker

Seconded: Kesler

Ayes: Mathis, Tucker, Goupil, Kesler, Shumaker

Nays: None

Absent: Krug, Lorraine

Motion carried. Resolution declared adopted.

LAFF – Silver Lake Road Non-Motorized Trail Project Update

Jeff Huhta of Nowak & Fraus Engineers, representing the Linden, Argentine, Fenton & Fenton Township Pathway organization, provided an update on the proposed Silver Lake Trail project. The planning committee has identified the route as Ripley Road to Jennings Road. Two possible routes have been developed: the north side of Silver Lake Road and south side. Mr. Huhta noted that the south option will cost approximately \$500,000 less than the north option. He also reviewed the various pros and cons for each route and reported that the committee and both cities (Fenton and Linden) have declared support for the south option. The group is seeking Fenton Township's support as well.

Trustee Goupil asked if bicycles are allowed on sidewalks in the two cities. Victor Lukasavitz stated that they are, in general. It is possible there may be restrictions in the downtown areas (similar to Village of Holly) but the rest of the city is open to bicycles.

Trustee Shumaker stated that he is concerned with the safety of having a trail on a busy road like Silver Lake Road. He asked if other routes were considered. Victor Lukasavitz stated that the Silver Lake Road pathway was the top priority as determined by previously held public input sessions. He also stated that the pathway would increase safety compared to biking or walking along Silver Lake Road today.

Treasurer Tucker agreed that the south route is more scenic and is the better option.

Pat Parker noted that no public money has been spent on the project thus far. All funds expended have been obtained by LAFF through donations, grants and fundraisers.

Motion to concur with the recommendation of the LAFF Pathway Committee to select the South Pathway option for the Silver Lake Road Non-Motorized Trail.

Motion by: Goupil

Seconded: Kesler

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

Motion carried.

GCRC Cost Participation Agreement – Michigan TED-A Reconstruction of Thompson Road

The board reviewed an agreement from the Genesee County Road Commission for the project to reconstruct and widen Thompson Road from US-23 to Torrey Road. The Township's share of the \$1.42 million project will be \$240,000 or less. Trustee Shumaker asked where the Township would obtain these funds. Operations Manager Broecker stated that the anticipated sale of tax-reverted properties should provide enough funds to offset this cost. The Township's General Fund balance is also sufficient to absorb this expense. Trustee Shumaker asked that the approval of the agreement include a commitment to use funds from property sales to offset the expense.

Motion to approve the cost participation agreement with the Genesee County Road Commission for the Michigan TED-A reconstruction of Thompson Road from US-23 to Torrey Road, as presented, with the condition that revenue from sale of tax-reverted properties be used to offset the expense.

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

Motion carried.

BOARD COMMENT:

None

PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

None

ADJOURN: Meeting adjourned at 9:40 p.m.

Bonnie Mathis, Supervisor

Thomas Broecker, Deputy Clerk

Minutes Posted 11/15/16