

**CHARTER TOWNSHIP OF DELTA**  
Public Meeting Room A  
Delta Township Administration Building  
7710 West Saginaw Highway  
Lansing MI 48917

**TOWNSHIP BOARD REGULAR MEETING MINUTES FOR  
MONDAY, MAY 17, 2010**

**I. CALL TO ORDER**

Supervisor Fletcher called the meeting to order at 6:00 p.m.

**II. OPENING CEREMONIES – Pledge of Allegiance**

**III. ROLL CALL**

Members Present: Supervisor Ken Fletcher, Clerk Janice Vedder, Treasurer Howard Pizzo, and Trustees Jan Cunningham, Jeff Hicks, and Cara Spagnuolo

Members Absent: Barb Poma

Others Present: Manager Richard Watkins, Planning Director Mark Graham, Township Engineer Dennis Williams, Lt. Jeff Campbell, Finance Director Jeff Anderson, and Deputy Manager Jenny Wohlfert.

CLERK VEDDER MOVED THAT TRUSTEE POMA BE EXCUSED.

TRUSTEE CUNNINGHAM SUPPORTED THE MOTION. MOTION PASSED 6-0.

**IV. PRESENTATIONS AND PROCLAMATIONS**

**V. SET/ADJUST AGENDA**

TRUSTEE HICKS MOVED THAT THE AGENDA BE APPROVED WITH THE ADDITION OF A NOISE WAIVER FOR THE AMERICAN CANCER SOCIETY RELAY FOR LIFE.

CLERK VEDDER SUPPORTED THE MOTION. MOTION PASSED 6 TO 0.

**VI. PUBLIC HEARINGS – None**

**VII. COMMUNICATIONS – None**

**VIII. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA - None**

**IX. INTRODUCTION OF ORDINANCES - None**

**X. PASSAGE OF ORDINANCES**

- 1. Adoption of Proposed Amendments to the Delta Township Motor Carrier Safety Act Ordinance** – The Manager’s Office recommends the Township Board adopt the proposed amendments to the Delta Township Motor Carrier Safety Act Ordinance pertaining to Sections 17-66 and 17-67 as they relate to municipal civil infractions.

TREASURER PIZZO MOVED THAT THE DELTA TOWNSHIP BOARD AMEND SECTIONS 2-176, 2-179, 17-51, 17-52, 17-66, AND 17-67 OF THE DELTA TOWNSHIP MOTOR CARRIER SAFETY ACT ORDINANCE. THE PROPOSED AMENDMENTS WOULD PROVIDE A SAFEGUARD FOR THE TOWNSHIP AGAINST TECHNICAL CHALLENGES TO THE TOWNSHIP’S AUTHORITY TO ISSUE A MUNICIPAL CIVIL INFRACTION CITATION. THE TOWNSHIP CLERK IS HEREBY DIRECTED TO PUBLISH A NOTICE OF ADOPTION OF THE AMENDMENTS IN LOCAL NEWSPAPERS AND THE AMENDMENTS SHALL BECOME EFFECTIVE UPON PUBLICATION.

1. Section 2-176 (“Definitions”) of Article VII (“Municipal Civil Infractions”) of Chapter 2 (“Administration”) is hereby amended as follows:

**SECTION 2-176. DEFINITIONS**

As used in this chapter:

*Act* means Act No. 236 of the Public Acts of 1961, as amended.

*Authorized township official* means the chief building inspector, the fire chief, a designee of either official, officers and law enforcement personnel of the Eaton County Sheriff’s Office/Department, the code enforcement officer, or other personnel of the township authorized by this Code of Ordinances to issue municipal civil infraction citations or municipal civil infraction violation notices.

*Bureau* means the Charter Township of Delta Municipal Ordinance Violations Bureau as established by this article.

*Municipal civil infraction action* means a civil action in which the defendant is alleged to be responsible for a municipal civil infraction.

*Municipal civil infraction citation* means a written complaint or notice prepared by an authorized township official, directing a person to appear in court regarding the occurrence or existence of a municipal civil infraction violation by the person cited.

*Municipal civil infraction violation notice* means a written notice prepared by an authorized township official, directing a person to appear at the township municipal ordinance violations bureau and to pay the fine and costs, if any, prescribed for the violation by the schedule of civil fines adopted by the township, as authorized under Sections 8396 and 8707(6) of the Act.

2. Section 2-179 (“Municipal civil infraction citations; contents”) of Article VII (“Municipal Civil Infractions”) of Chapter 2 (“Administration”) is hereby amended as follows:

**SECTION 2-179. MUNICIPAL CIVIL INFRACTION CITATIONS; CONTENTS**

(a) A municipal ordinance citation shall inform the alleged violator that he or she may do one of the following:

(1) Admit responsibility for the municipal civil infraction by mail, in person, or by representation, at or by the time specified for appearance.

(2) Admit responsibility for the municipal civil infraction "with explanation" within the time specified for appearance by mail or in person, or by representation.

(3) Deny responsibility for the municipal civil infraction by doing either of the following:

a. Appearing in person for an informal hearing before a judge or district court magistrate, without the opportunity of being represented by an attorney, unless a formal hearing before a judge is requested by the township.

b. Appearing in court for a formal hearing before a judge, with the opportunity of being represented by an attorney.

c. The citation shall also inform the alleged violator of all of the following:

1. That if the alleged violator desires to admit responsibility "with explanation" in person or by representation, the alleged violator must apply to the court in person, by mail, by telephone, or by representation within the time specified for appearance and obtain a scheduled date and time for an appearance.

2. That if the alleged violator desires to deny responsibility, the alleged violator must apply to the court in person, by mail, by telephone, or by representation within the time specified for appearance and obtain a scheduled date and time to appear for a hearing, unless a hearing date is specified on the citation.

3. That a hearing shall be an informal hearing unless a formal hearing is requested by the alleged violator or the township.

4. That at an informal hearing the alleged violator must appear in person before a judge or district court magistrate, without the opportunity of being represented by an attorney.

5. That at a formal hearing the alleged violator must appear in person before a judge with the opportunity of being represented by an attorney.

(b) The citation shall contain a notice in boldfaced type that the failure of the alleged violator to appear within the time specified in the citation or at the time scheduled for a hearing or appearance is a misdemeanor and will result in entry of a default judgment against the alleged violator on the municipal civil infraction.

1. Section 17-51 (“Violations”) of Article III (“Truck Traffic and Parking”) of Chapter 17 (“Traffic and Motor Vehicles”) is hereby amended as follows:

#### **SECTION 17-51. VIOLATIONS**

A person who violates any provision of this article is responsible for a municipal civil infraction, and shall be subject to civil fine for a first offence not to exceed \$100.00, or as otherwise established by resolution of the Township Board, plus other costs, damages, or sanctions which the court in its discretion may impose. Nothing in this section shall be construed to limit the remedies available to the Township in the event of a violation by a person of this article.

(1) Increased civil fines may be imposed for repeat violations by a person of any requirement or provision of this article. As used in this section, repeat offenses means a second (or any subsequent) municipal civil infraction violation of the same requirement or provision (i) committed by a person within any one-year period (unless some other period is specifically provided by this article) and (ii) for which the person admits responsibility or is determined to be responsible. Unless otherwise specifically provided by this article for a particular municipal civil infraction violation, the increased fine for a repeat offense shall be as follows:

a. The fine for any offense, which is a first, repeat offense, shall be no less than \$250.00, plus costs.

b. The fine for any offense, which is a second, repeat offense or any subsequent repeat offense shall be no less than \$500.00, plus costs per offense.

(2) Failure to answer a citation or notice to appear in court for a municipal civil infraction is a misdemeanor violation punishable by a fine of not more than \$500.00, plus other costs, or by imprisonment for term not to exceed 90 days, or both fine and imprisonment.

(3) Failure to comply with an order, judgment, or default in payment of a civil fine, costs, damage, or expenses so ordered may result in enforcement actions, including but not limited to imprisonment, collections, placement of liens or other remedies as permitted in Chapter 87 of Act 236 of Public Acts of 1961 as amended.

(4) A municipal civil infraction is not lesser included offense of a criminal offense or an ordinance violation that is not a civil infraction.

(5) Impounding of motor vehicles: Motor vehicles which have failed to answer six or more parking violation notices or citations under this article may be immobilized or impounded by the township.

(6) Continuing offenses: Each day on which a violation of this article continues, constitutes a separate or repeat offense and shall be subject to penalties or sanctions as a separate or repeat offense.

2. Section 17-52 (“Enforcement actions”) of Article III (“Truck Traffic and Parking”) of Chapter 17 (“Traffic and Motor Vehicles”) is hereby amended as follows:

#### **SECTION 17-52. ENFORCEMENT ACTIONS**

This article shall be enforced by officers and law enforcement personnel of the Eaton County Sheriff’s Office/Department, as well as other authorized Township officials as designated by Section 2-176 of the Township’s Code of Ordinances. A municipal civil infraction action may be commenced upon the issuance of a municipal civil infraction citation directing the alleged violator to appear in court.

1. Section 17-66 (“Violations”) of Article IV (“Motor Carrier Safety Act Ordinance”) of Chapter 17 (“Traffic and Motor Vehicles”) is hereby added as follows:

**SECTION 17-66. VIOLATIONS**

A person who violates any provision of this article is responsible for a municipal civil infraction, and shall be subject to civil fine as established from time to time in this article or by resolution of the Township Board, plus other costs, damages, or sanctions which the court may impose. Nothing in this section shall be construed to limit the remedies available to the Township in the event of a violation by a person of this article.

2. Section 17-67 (“Enforcement actions”) of Article IV (“Motor Carrier Safety Act Ordinance”) of Chapter 17 (“Traffic and Motor Vehicles”) is hereby added as follows:

**SECTION 17-67. ENFORCEMENT ACTIONS**

This article shall be enforced by officers and law enforcement personnel of the Eaton County Sheriff’s Office/Department, as well as other authorized Township officials as designated by Section 2-176 of the Township’s Code of Ordinances. A municipal civil infraction action may be commenced upon the issuance of a municipal civil infraction citation directing the alleged violator to appear in court.

TRUSTEE SPAGNUOLO SUPPORTED THE MOTION.

ROLL CALL:

AYES: TRUSTEE CUNNINGHAM, SUPERVISOR FLETCHER,  
TRUSTEE HICKS, TREASURER PIZZO, TRUSTEE  
SPAGNUOLO, AND CLERK VEDDER

NAYS: NONE

ABSENT: TRUSTEE POMA

MOTION PASSED 6 TO 0.

**XI. CONSENT AGENDA**

TREASURER PIZZO MOVED THAT THE CONSENT AGENDA BE APPROVED AS SUBMITTED.

TRUSTEE CUNNINGHAM SUPPORTED THE MOTION.

ROLL CALL:

AYES: SUPERVISOR FLETCHER, TRUSTEE HICKS, TREASURER PIZZO, TRUSTEE SPAGNUOLO, CLERK VEDDER, AND TRUSTEE CUNNINGHAM.

NAYS: NONE

ABSENT: TRUSTEE POMA

MOTION PASSED 6 TO 0.

**2. Minutes – May 3, 2010 Regular Board Meeting.**

TREASURER PIZZO MOVED THAT THE MAY 3, 2010 REGULAR BOARD MEETING MINUTES BE APPROVED AS SUBMITTED.

TRUSTEE CUNNINGHAM SUPPORTED THE MOTION. MOTION PASSED 6-0.

**3. Bills & Financial Transactions**

TREASURER PIZZO MOVED THAT THE BILLS & FINANCIAL TRANSACTIONS IN THE AMOUNT OF \$912,420.78 BE APPROVED.

TRUSTEE CUNNINGHAM SUPPORTED THE MOTION. MOTION PASSED 6-0.

**XII. ITEMS REMOVED FROM CONSENT AGENDA FOR DISCUSSION**

**XIII. ITEMS ADDED TO AGENDA UNDER SECTION V. SET/ADJUST AGENDA**

**4. Noise Ordinance Waiver – American Cancer Society Relay for Life**

Molly Day from the American Cancer Society noted that the Relay for Life event would be held May 21 and 22 at St. David's Episcopal Church which was a 24-hour walking event for anyone touched by cancer.

TRUSTEE HICKS MOVED THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA APPROVE THE REQUEST BY MOLLY DAY ON BEHALF OF THE AMERICAN CANCER SOCIETY FOR A WAIVER OF THE NOISE ORDINANCE BETWEEN THE HOURS OF 1:00 P.M. ON FRIDAY, MAY 21, 2010 THROUGH 1:00 P.M. ON SATURDAY, MAY 22, 2010.

TRUSTEE CUNNINGHAM SUPPORTED THE MOTION. MOTION PASSED 6-0.

5.

#### XIV. ITEMS OF BUSINESS

6. **Sale of Surplus Ambulance** - The Township Treasurer recommends the Township Board approve the sale of the 1997 Ford Road Rescue surplus ambulance to the Potterville/Benton Township Fire Department for the sale price of \$1,000.

Treasurer Pizzo noted that this piece of equipment was somewhat of an exception to the policy in that the Fire Chief didn't feel the Township would be able to get more than \$1,500 for the vehicle due to the fact that it would probably be purchased for a use other than an ambulance, but he noted that the Potterville/Benton Township Fire Department had a need for the vehicle. Mr. Pizzo noted that in the past, municipalities had wanted surplus fire equipment for free and that this organization was willing to pay for the vehicle. Mr. Pizzo noted that he wanted to bring this matter to the Board for discussion.

Clerk Vedder felt the Township's policy should be followed as it was adopted by the Board. She noted that if it was felt that the Township could only get \$1,500 for the vehicle, she felt the Board owed it to the taxpayers to receive \$1,500 for the vehicle instead of \$1,000. Ms. Vedder noted that she would certainly like to help out a neighboring fire department, but she felt the Board should follow the policy for the benefit of the taxpayers.

Trustee Hicks said he researched several of the ambulance auction web sites and based on what he had found on those web sites, he felt the Township would be able to receive a higher price for the vehicle. Mr. Hicks noted that he was in favor of allowing the market to dictate what the Township received for the vehicle.

CLERK VEDDER MOVED THAT THE AMBULANCE BE PUT OUT FOR BIDS AS THE MOST COST EFFECTIVE MANNER.

TRUSTEE HICKS SUPPORTED THE MOTION. MOTION PASSED 6-0.

7. **Special Land Use Permit – Richard Wagner, Home Occupation: Case No. 4-10-4** – The Planning Department recommends the Township Board approve the request for a SLUP for a home occupation on the premises located at 9415 Nixon Road for the retail sale of firearms.

Mr. Graham noted that Mr. Wagner lived on a 45 acre parcel located on Nixon Road and that Mr. Wagner's father owned the adjacent 200 acres. He noted that the Alcohol, Tobacco & Firearms (ATF) required that the Township provide zoning approval for firearms sales. Mr. Graham noted that in order for him to sign the permit as Township Zoning Administrator, he had always mandated that

the petitioner go through the special land use permit process. Mr. Graham indicated that the Township had had four of these requests in the past, three of which were still in operation, which he continued to receive ATF renewal forms for. He noted that Mr. Wagner was presently located on Washington Avenue in the City of Lansing and was attempting to downsize which was why he wanted to move his license to his home. Mr. Wagner had estimated that he would have a maximum of one visitor to his home per day and that the operation consisted of a buying service that he performed as a registered dealer. Mr. Graham noted that in the past, there had been concerns expressed by neighbors when these requests have been within residential neighborhoods, but since Mr. Wagner lived in such a rural area of the Township, he had not received any input from the residents. However, Mr. Graham noted that his research had revealed that according to ATF, 74% of licensed firearms dealers lived in residential neighborhoods.

Treasurer Pizzo noted that one of the questions that the Planning Commission had asked Mr. Wagner was whether there would be any ammunition stored on the property or the firing of the weapons and the fact that Mr. Wagner had answered no. Mr. Pizzo questioned whether the ATF had a special designation for a dealer who also dealt with ammunition or was it simply a choice a dealer made once he had his authorization.

Mr. Graham said the form that he filled out as Zoning Administrator just referred to licensed firearms dealers and did not provide different types of dealer classifications. He felt the concern of the Planning Commission was black powder resulting in a fire hazard.

TRUSTEE SPAGNUOLO MOVED THAT THE TOWNSHIP BOARD APPROVE THE SPECIAL LAND USE PERMIT FOR A HOME OCCUPATION ON THE PROPERTY DESCRIBED IN CASE NO. 4-10-4 FOR THE RETAIL SALE OF FIREARMS FOR FOLLOWING REASONS:

1. THE REQUEST MEETS THE GENERAL STANDARDS SPECIFIED FOR SPECIAL LAND USES IN SECTION 18.4.0 OF THE DELTA TOWNSHIP ZONING ORDINANCE.
2. THE REQUEST MEETS THE SPECIFIC STANDARDS SPECIFIED FOR HOME OCCUPATIONS IN SECTION 18.6.0 D OF THE ZONING ORDINANCE.

THE APPROVAL OF THE HOME OCCUPATION IS SUBJECT TO THE FOLLOWING STIPULATIONS:

1. THE DISCHARGE OF FIREARMS BY CUSTOMERS ON THE SUBJECT PARCEL SHALL BE PROHIBITED.

2. IF THE APPLICANT FAILS TO COMPLY WITH ANY OF THE PROVISIONS REQUIRED BY THE DELTA TOWNSHIP ZONING ORDINANCE, OR ANY STIPULATIONS REQUIRED BY THE DELTA TOWNSHIP BOARD, SUCH ACTION(S) SHALL CONSTITUTE GROUNDS FOR TERMINATION OF THIS SPECIAL LAND USE PERMIT BY THE BOARD.

TRUSTEE HICKS SUPPORTED THE MOTION. MOTION PASSED 6-0.

## **XV. COMMITTEE OF THE WHOLE**

### **8. Manager's Report**

#### **a. Oneida Township Sanitary Sewer Update Discussion**

Mr. Watkins said over the past year, the Township had been in discussions with Oneida Township to provide sanitary sewer in several areas of their Township where property owners were experiencing failed septic systems. He noted that the Board had instructed staff to continue discussions with Oneida Township after it had been determined that Delta's first proposal to extend sanitary sewer along Saginaw Highway to serve properties on the north side of Saginaw Highway was not a viable option. He noted that discussions were redirected to extend sanitary sewer to those areas on the south side of Willow Highway, immediately west of Delta's boundary to the Bellaire pump station. Mr. Watkins noted that during the Board's discussion on the Strategic Plan, Board members had expressed concern with the extension of sanitary sewer and the possibility that it may promote the expansion of commercial development along the Saginaw Highway corridor west of Broadbent Road.

Trustee Hicks noted that the former Utility Committee had discussed three options regarding the extension of sanitary sewer and he questioned whether any of those options had changed based on the new information that had been presented.

Mr. Watkins said the option of extending sanitary sewer down Saginaw Highway had changed based on the fact that a larger property owner had decided not to participate which made it too expensive for the remaining property owners. He noted that the extension of sanitary sewer to Oneida Township would necessitate a special assessment district.

Trustee Spagnuolo asked how many homes had been red tagged in Oneida Township by the Health Department.

Mr. Watkins said he didn't know how many homes had been red tagged, but he noted that there were homes located in Delta along Saginaw Highway who had also been red tagged.

Dennis Williams, Township Engineer, noted that the options Trustee Hicks had referred to were predominately for properties within Delta if sanitary sewer was extended. He noted that one option was for the Board to create an assessment district within Delta Township. He noted that Mr. Watkins had also referred to the changes that Oneida Township had proposed in order to find an alternative route to provide service to those areas along Willow Highway that had experienced failures. He said the options that had been discussed by the former Utility Committee focused on how the Township would initiate the extension of sanitary sewers. He noted that there were currently three petitioners in Delta along Saginaw Highway between Nixon and the Township's westernmost border who wanted sanitary sewer service. He noted that one of the options was based on Delta extending sanitary sewer to Oneida Township which would require all of the occupied buildings within 200 feet of the sewer main to connect. He said the second option was for property owners to petition Delta to extend sewers, and that the third option was to start a petition whereby property owners within the district were assessed. He noted that at least five properties had been red tagged by the Health Department for failed septic systems.

Treasurer Pizzo noted that in an effort to reduce the cost of extending sanitary sewers to both the Saginaw and Willow Highway areas, a grinder pump and pressure system could be constructed at a cost of approximately \$20,000 per parcel. Mr. Pizzo said it had also been noted that an alternative to public sewers would be for residents to install an engineered system at a cost of approximately \$15,000 per parcel.

Mr. Williams noted that an engineered system still placed a burden on property owners and that there were no guarantees that this type of system would work. He also noted that parcels needed to be of sufficient size to accommodate an engineered system and that property owners took a gamble as to whether an engineered system would take care of the problem versus public sewers. He noted that these types of systems also required an annual inspection. He estimated that there were 10 to 15 engineered systems in Delta Township of varying ages and types, but most of the systems were located on larger parcels than subdivision lots.

Trustee Hicks didn't feel engineered systems were an admiration and that they were a commonly accepted form of septic system for communities that didn't have the benefit of public sewers.

Mr. Williams noted that a public system would be funded by Delta whereas; property owners would have to provide their own funding for an on-site system.

Trustee Hicks indicated that when the former Utility Committee discussed this issue, he initially struggled with balancing the burden of cost and shifting it from the property owner to the populace as a whole. Mr. Hicks said he understood that there were different issues surrounding the Willow area versus the Saginaw area, but the cost of extending sanitary sewers would eventually come back to the taxpayers.

Mr. Williams noted that there was a current problem in Delta with sewage on the ground and running down the street. He noted that the property owners must come up with an engineered system in order to occupy their homes.

Treasurer Pizzo didn't feel that utilizing a pump and grind system and replacing the Bellaire pump station would actually encourage development in the area, but rather he felt this option solved the problems on Saginaw Highway and as the system went north, it solved the problems that Oneida Township had experienced in areas along Willow Highway. Mr. Pizzo didn't feel this option provided anymore capacity for future development.

Mr. Watkins felt Mr. Pizzo was correct and that the area Oneida Township had requested be served by sanitary sewers was already developed. He noted that Oneida Township had also looked at providing service to those areas further south of Saginaw Highway which would have provided an opportunity for future development along the St. Joe Highway corridor.

Mr. Williams noted that there were properties along Willow Highway, west of the Lootens Park pump station that were not served by sanitary sewer. He noted that that had been several discussions that had taken place regarding the force main as to timing issues and future projections.

Treasurer Pizzo inquired about the Bellaire Hills pump station replacement in 2011/2012.

Mr. Williams noted that the projection was based on the age of the lift station and recognizing its life expectancy for future funding in the Township's Capital Improvements Program. He noted that it was also the impetus in purchasing the DNR parcel along the river for future replacement or expansion of the lift station.

Trustee Hicks inquired as to whether the DEQ's prohibition on the City of Grand Ledge's treatment plant was based on their current capacity or was it based on the fact that they couldn't handle anymore sewage. Tom Morrissey noted that in his discussions with the City of Grand Ledge, there wasn't room to expand the City's treatment plant at this time. He noted that the DEQ was concerned with the overflow sewage levels at one of the City's lift stations and was attempting to correct the problem.

Mr. Williams noted that he had met with the DEQ in regards to obtaining more information on the prohibition that had been placed on the City's treatment plant and was informed that the prohibition was still in effect.

Trustee Cunningham inquired about the statement made that Oneida Township would own the lift station and Delta would maintain and operate the facility.

Mr. Williams said the first proposal was to build a gravity sewer to the western area of Oneida Township to a lift station. However, he noted that Oneida Township was not in the position to maintain the lift station and that it would be maintained and operated by Delta.

Clerk Vedder inquired about the statement contained in the information the Board had been provided with that indicated that red tagged buildings and homes could not be sold. However, she felt those properties could be sold with an engineered system.

Mr. Williams said that was correct if the property could accommodate an engineered system and the property owner was able to pay for one. He said all of that would have to be done prior to the Health Department releasing the building or house under their time of sale.

Mr. Williams said the problems dated back to the Township's first discussions to expand sanitary sewers west of I-96. At that time, Delta had had discussions with the Health Department and Oneida Township regarding the areas being discussed this evening due to the problems that were occurring with failed septic systems.

Treasurer Pizzo inquired as to whether the larger property owner within Oneida Township who declined to be included in the assessment district would be able to develop their property using an engineered system.

Mr. Williams said he could not answer that question, but he noted that in the future, it would be much more difficult to obtain a permit for a private system when public sewer was available. He noted that this was a large vacant parcel that was part of the Maywood Subdivision that consisted of large subdivided lots. He said in order for the owner to split the property, he would have to obtain signatures from all of the property owners within the subdivision signing off on changing the size of the larger parcel if he were to develop the property. Mr. Williams said the existing zoning classification on the property would not override the fact that it was platted as four parcels.

Trustee Cunningham asked how much it would cost Delta to extend sanitary sewers.

Mr. Watkins said there may be cost savings for Delta by sharing the cost of the upgrade of the lift station.

Jeff Anderson said the time was rapidly approaching when Delta would have to do something with the Bellaire lift station because of its age. If the addition of Oneida sewers was known before then, they would be contributing to their share of the sizing required. Mr. Anderson indicated that all of the Oneida properties that would be connecting would be paying capital charges which would help the financing in Delta's system.

Supervisor Fletcher felt this issue was originally raised when the Board was reviewing the Township's Strategic Plan and concerns had been raised about encouraging urban sprawl. However, he felt the proposals that were being discussed in regards to extending public sewers would not encourage further development.

Clerk Vedder said she felt more comfortable with extending public sewers primarily to residential areas that had a long history of failed septic systems and health issues.

It was the consensus of the Board to continue discussions on extending sanitary sewers to existing properties.

**b. Ingham County Road Commission Financial Assistance Request**

Mr. Watkins noted that the Ingham County Road Commission had contacted Mr. Graham to discuss the possibility of the Township contributing to the cost of installing an upgraded traffic signal in conjunction with the Waverly/St. Joe Highway intersection improvements. Mr. Watkins noted that the Road Commission had asked the Township to share in the cost of the improvements to the intersection and that the Township had declined.

Treasurer Pizzo felt the issue of cost sharing should be discussed when the Township reviewed its Road Improvement Program and what the Township's level of contribution should be or the flexibility the Township wanted to have.

Mr. Watkins noted that the Township had a long standing relationship with the Eaton County Road Commission in helping maintain the Township's roads and that the Township generally paid a 20% share of the cost. He felt this request was somewhat different in that the request was from the Ingham County Road Commission for a county line road. He noted that the County

actually shared different segments of maintenance on entire links of roads and that this road was actually maintained by Ingham County.

Following up on Mr. Pizzo's comment, Mr. Graham noted that he had received an e-mail from Blair Ballou of the Eaton County Road Commission who had been provided with a copy of his memo to Mr. Watkins regarding this matter. He noted that Mr. Ballou indicated that the Township needed to anticipate future improvements when it accepted mandatory donations from developers for road improvements and that a two-party agreement should be entered into that would address future maintenance and improvements. Mr. Graham used the example where the Township had mandated that Kroger donate \$50,000 for a traffic signal at the Creyts/Saginaw Highway intersection which was related to a Consent Judgment. He noted that the same situation had occurred on Waverly Road in front of Home Depot where the developer made a donation for a one-sided traffic signal.

**c. Regional Millage Rates**

Mr. Watkins said the Board had been provided with a comparison and review of millage rates for surrounding communities compared to Deltas, as well as a breakdown of what the individual rates represented and what they paid for. Treasurer Pizzo felt it would be helpful as the Township discussed the public services that were provided and how they were funded. He felt it was a fair way of making comparisons.

**d. EATRAN Millage**

Mr. Watkins said discussion took place at the May 12<sup>th</sup> EATRAN Board meeting as to the best method of promoting the upcoming millage vote. He noted that Donna Webb would be putting together information and organizing a committee to help promote the informational portion of the project.

**e. Comprehensive Plan Discussion**

Mr. Watkins said the Board was aware of the fact that the Township's Comprehensive Plan was due for an update. He noted that the Planning Department would start gathering basic information so that the cost of a consultant could be kept minimal. He said it was also felt that due to the fact that there were several new Planning Commission members and many Board members who were new to the process, he had tentatively scheduled a joint meeting for June 21<sup>st</sup> with the Board and Planning Commission to discuss the project.

## **XVI. PUBLIC COMMENTS**

Trustee Hicks said the Michigan Municipal League's Economic Development and Land Use Committee had been reviewing proposed statutory revisions to the complete listing of streets. As introduced, the proposed revisions would require local municipalities to engage in a wholesale review of every street within the Township. He noted that municipalities would be required to conduct traffic impact studies, crash mitigation procedures, noise abatement procedures, and engage in speed studies for every street within the municipality, regardless of whether it was a county or a state highway.

Judy Oversmith, 11241 Broadbent Road, expressed concerns with the new residential parking regulations the Township had recently adopted and the hardship it placed on people who drove school busses. Ms. Oversmith said now that she couldn't park her bus in her driveway, she would have to drive back and forth to pick up her bus which was an added expense that would have to be passed on to her employer and the school system. Ms. Oversmith didn't feel the Township had enforced the parking of motor homes or old cars in people's driveways, but yet she was being penalized for parking a well maintained school bus in her driveway.

Supervisor Fletcher said the parking regulations were put in place to preserve the quality and integrity of the Township's residential neighborhoods. He noted that there had been concerns expressed by residents in the past about the parking of these types of vehicles in neighborhoods.

Sheila Kathleen McCoy said she was running for Probate Judge of Eaton County. Ms. McCoy felt she was a strong advocate for families and had dedicated her life to helping families, children, and the elderly. Ms. McCoy said the Probate Court didn't just deal with elderly people or decedent's estates but it also dealt with abuse, neglect, and children in custody battles. Ms. McCoy said she was very much accomplished in those areas and had worked in the court system for several years.

Michael Kessler, 1003 Turner Road, DeWitt, Michigan, said his reason for being here this evening was to encourage the Board to think about the work being proposed at Mt. Hope Church on behalf of the elderly and to encourage the Board to consider including pilots for non-profits in the plan that would serve the seniors in Delta Township. Mr. Kessler hoped that the review of the plan contained measurable goals so that it could be determined whether the Township was meeting those goals. He noted that the Mt. Hope Church would be submitting a rezoning application in the near future and further discussing their proposal for a reduced pilot. He noted that the church was still proposing to build a 65 unit senior complex and that they had applied to the Federal Home Loan Bank for a \$500,000 grant to help keep the rents affordable for the seniors. Mr. Kessler said the church had also considered the Township's "greener" initiative and

had proposed approximately \$360,000 of upgrades and improvements to construct greener buildings and had proposed edible landscape design. Mr. Kessler noted that the church would be approaching the Board and asking for a 10% pilot in the near future.

**XVII. ADJOURNMENT**

Supervisor Fletcher adjourned the meeting at 7:10 p.m.

**CHARTER TOWNSHIP OF DELTA**

JANICE VEDDER, TOWNSHIP CLERK

KENNETH FLETCHER, TOWNSHIP SUPERVISOR