

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 3, 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, Barb Poma, and Cara Spagnuolo

Members Absent: Jeff Hicks

Others Present: Manager Richard Watkins, Planning Director Mark Graham, Lt. Jeff Campbell, Utility Director Tom Morrissey, and Deputy Manager Jenny Wohlfert.

CLERK VEDDER MOVED THAT TRUSTEE HICKS BE EXCUSED FROM THIS EVENING'S MEETING.

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

IV. PRESENTATIONS AND PROCLAMATIONS

1. Larry Hutchinson Retirement

- a. Full-time Firefighter; served 23 years as an employee

Supervisor Fletcher recognized Larry Hutchinson for his 23 years of service with the Township's Fire Department and wished Larry a very happy retirement.

Mr. Hutchinson thanked the Township for his years of employment.

Supervisor Fletcher recognized the passing of Ella Hartman who was active in the founding of the 39ers senior citizen's program. Ms. Hartman passed away at the age of 108 years old.

V. SET/ADJUST AGENDA

TRUSTEE CUNNINGHAM MOVED THAT THE AGENDA BE APPROVED AS SUBMITTED.

TRUSTEE POMA SUPPORTED THE MOTION. MOTION PASSED 6 TO 0.

VI. PUBLIC HEARINGS AND ACTION - None

VII. COMMUNICATIONS – None

VIII. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

Bob Robinson introduced himself to the Board as a candidate for the State House of Representatives for District 71. Mr. Robinson noted that he had been a business owner in the State of Michigan for 30 years and that he was a communications professional and a writer. Mr. Robinson noted that he wanted to work at the State level in creating jobs for Eaton County and for Michigan. He believed revenue sharing needed to be restored in Michigan and that it was an important component in order to serve the citizens of the district with the services and the programs that they demanded. Mr. Robinson indicated that he had spent the last year meeting with over 6,000 residents in Delta Township and over 12,000 residents throughout the district.

Ryan Wilson introduced himself as a candidate for the office of Eaton County Probate Judge that was recently vacated by the death of Judge Skinner. Mr. Wilson felt his past record of service and expertise as a probate lawyer for the past 20 years and the fact that he had been recognized as an expert in the field would serve him well on the bench. Mr. Wilson noted that he was the only candidate that had an AB rating from Martindale Hubbell and that he had over 25 years in military service. Mr. Wilson noted that his court would be run with efficiency and discipline and that he would be running on his ability to be a strong voice for families in Eaton County.

Allen Schlossberg introduced himself as a candidate for the office of Probate Court Judge for Eaton County. Mr. Schlossberg noted that he had been an attorney for over 27 years, a resident of Eaton County for over 20 years, and had been with the Friend of the Court since 2002. Mr. Schlossberg noted that he had served the children and families of Eaton County for over 9 years and wanted to continue serving them as probate judge.

Terry Johnson, 2312 Bowman, said he was the scout master for Boy Scout Troop 121 based at St. Gerard Church. Mr. Johnson noted that a few of his boy scouts that were present this evening were working on their citizenship and community

merit badge and that one of their responsibilities was to attend a public meeting and learn more about the functions of the Township Board. Mr. Johnson noted that Boy Scouts of America was celebrating its 100th year.

IX. INTRODUCTION OF ORDINANCES

- 2. Introduction of Amendments to the Delta Township Motor Carrier Safety Act Ordinance** – The Manager’s Office recommends the Township Board introduce amendments to the Delta Township Motor Carrier Safety Act Ordinance pertaining to Section 17-66 and 17-67 as they relate to municipal civil infractions.

Mr. Watkins noted that enforcement of the Township’s Motor Carrier Safety Ordinance had enhanced the life of the Township’s roads. However, he noted that the Township had experienced a few technical challenges with enforcing the ordinance. Mr. Watkins noted that the Township Attorney reviewed the ordinance and had recommended amendments to the ordinance that would aid the Township in their efforts to enforce the ordinance.

TRUSTEE POMA MOVED THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA INTRODUCE AMENDMENTS TO 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 SAFE GUARD 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 ADVERTISE THIS INTRODUCTION IN LOCAL NEWSPAPERS.

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.

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

X. PASSAGE OF ORDINANCES - None

XI. CONSENT AGENDA

CLERK VEDDER MOVED THE CONSENT AGENDA BE APPROVED AS SUBMITTED.

TRUSTEE POMA SUPPORTED THE MOTION.

ROLL CALL:

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

NAYS: NONE

ABSENT: HICKS

MOTION PASSED 6 TO 0.

3. Minutes – April 12, 2010 Committee of the Whole Meeting and April 19, 2010 Regular Board Meeting

CLERK VEDDER MOVED THAT THE APRIL 12, 2010 COMMITTEE OF THE WHOLE MEETING MINUTES AND THE APRIL 19, REGULAR BOARD MEETING MINUTES BE APPROVED AS SUBMITTED.

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

4. Bills & Financial Transactions

CLERK VEDDER MOVED THAT THE BILLS & FINANCIAL TRANSACTIONS IN THE AMOUNT OF \$644,659.44 BE APPROVED.

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

5. Board and Commission Appointments/Reappointment Recommendations –

The Selection Committee recommends the Township Board approve the reappointment of Jim Schweitzer to the Planning Commission; appoint Andrea Cascarilla and Mike MacLaren to the Planning Commission, and appoint Bob Lathrop to fill the remaining term of Mohammad Hammad on the Planning Commission. It is also recommended the Township Board approve the reappointment of Gary Reed and Merle Barnhart to the Zoning & Sign Board of Appeals. It is also recommended the Township Board approve the reappointment of Debbie Peacock and Daren Bebee to the Parks, Recreation, and Cemeteries Commission. It is also recommended that the Township Board approve the reappointment of Dale Hoffman, David Miller, and Matt Miller to the Fire Board of Appeals. It is also recommended the Township Board approve the appointment of Carol Walker to the Delta Township District Library Board. It is also recommended the Township Board approve the reappointment of Don Hartwick to the Delta Township Mechanical & Building, Property Maintenance Board of Appeals. Finally, it is recommended that the Township Board approve the reappointment of Don Hartwick to the Delta Township Plumbing Board of Appeals.

CLERK VEDDER MOVED THAT THE AFOREMENTIONED PERSONS CONTAINED IN A MEMO DATED APRIL 23, 2010 TO THE TOWNSHIP BOARD, BE APPOINTED/REAPPOINTED TO THE TOWNSHIP BOARDS, COMMISSIONS AND THAT THE CLERK IS HEREBY DIRECTED TO SEND NOTIFICATION TO ALL OF THOSE SELECTED INFORMING THEM OF THEIR APPOINTMENT/REAPPOINTMENT AND THOSE WHO WERE NOT SELECTED THANKING THEM FOR THEIR INTEREST IN SERVING THEIR COMMUNITY.

Planning Commission

Jim Schweitzer is recommended for reappointment for a three year term expiring March 31, 2013.

Andrea Cascarilla and Mike MacLaren are recommended for appointment for a three year term expiring March 31, 2013.

Bob Lathrop is recommended for appointment to fill the remaining term of Mohammad Hammad which expires on March 31, 2011.

Zoning & Sign Board of Appeals

Gary Reed and Merle Barnhart are recommended for reappointment for a three year term expiring March 31, 2013

Parks, Recreation and Cemeteries Commission

Debbie Peacock and Daren Bebee are recommended for reappointment for a three year term expiring March 31, 2013.

Fire Board of Appeals

Dale Hoffman, David Miller, and Matt Miller are recommended for reappointment for a three year term expiring June 31, 2013

Delta Township District Library Board

Carol Walker is recommended for appointment for a four year term expiring June 31, 2014.

Delta Township Mechanical & Building, Property Maintenance Board of Appeals

Don Hartwick is recommended for reappointment for a two year term expiring June 30, 2012.

Delta Township Plumbing Board of Appeals

Don Hartwick is recommended for reappointment for a two year term expiring June 30, 2012.

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

XII. ITEMS REMOVED FROM CONSENT AGENDA FOR DISCUSSION - None

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

- 6.
- 7.

XIV. ITEMS OF BUSINESS

- 8. **Referral and Sponsorship of Amendments to the Planning Commission regarding Non-Motorized Transportation** – The Planning Department recommends the Township Board sponsor amendments to the Delta Township Zoning and Subdivision Ordinances pertaining to non-motorized transportation improvements as well as refer proposed amendments to the Planning Commission for the purpose of holding a public hearing and providing a recommendation to the Township Board.

TREASURER PIZZO MOVED THAT THE DELTA TOWNSHIP BOARD AGREE TO SPONSOR AMENDMENTS TO THE DELTA TOWNSHIP ZONING AND SUBDIVISION ORDINANCES PERTAINING TO NON-MOTORIZED TRANSPORTATION IMPROVEMENTS. IN ADDITION, THE BOARD AGREES TO SPONSOR AMENDMENTS TO THE DELTA TOWNSHIP CODE OF ORDINANCES PERTAINING TO THE CREATION OF AN EASEMENT ORDINANCE. I FURTHER MOVE THAT THE AMENDMENTS BE REFERRED TO THE PLANNING COMMISSION FOR THE PURPOSE OF HOLDING A PUBLIC HEARING AND MAKING A RECOMMENDATION TO THE TOWNSHIP BOARD.

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

- 9. **Referral of Ken Stockwell (for Frank Fata & Sons, LLC) regarding a Rezoning Request, Case No. 4-10-5** - The Planning Department recommends the Township Board refer Ken Stockwell request to rezone the properties described in Case No. 4-10-5 to the Planning Commission for the purpose of holding a public hearing and providing a recommendation to the Township Board.

Trustee Poma inquired about the rezoning request.

Mr. Graham noted that the owner, Frank Fata & Sons, had owned three houses on the east side of Clark Road, immediately north of the Smokers Oasis building, for many years. He noted that the houses had been rental units and that Mr. Fata had purchased the homes with the intention of incorporating them into his commercial property located at the northeast

corner of the Clark/Saginaw Highway intersection. He noted that Mr. Fata had indicated that he had had difficulty maintaining the buildings and keeping good renters and that it was his intention to redevelop the corner if the rezoning was granted and expand the developable area that was already zoned commercial.

Treasurer Pizzo inquired as to whether the Township's ordinances provided safeguards that would provide a buffer for the neighborhood if the properties were rezoned.

Mr. Graham said there were a number of safeguard provisions contained in the Zoning Ordinance to protect neighborhoods such as buffer strips, landscaping requirements, and greater setback requirements. He noted that there was also a site plan review process by the Planning Commission to development proposals to ensure safeguards were in place.

TRUSTEE CUNNINGHAM MOVED THAT THE DELTA TOWNSHIP BOARD REFER THE KEN STOCKWELL REQUEST TO REZONE THE PROPERTIES DESCRIBED IN CASE NO. 4-10-5 FROM RC, MODERATE DENSITY RESIDENTIAL TO B1, LOCAL SERVICE COMMERCIAL, TO THE PLANNING COMMISSION FOR THE PURPOSES OF HOLDING A PUBLIC HEARING AND SUBMITTING A RECOMMENDATION TO THE TOWNSHIP BOARD.

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

- 10. Referral and Sponsorship of Proposed Zoning Ordinance Amendments –** The Planning Department recommends that the Township Board sponsor amendments to the Delta Township Zoning Ordinance pertaining to child care homes and adult foster homes as well as refer amendments to the Planning Commission for the purpose of holding a public hearing and providing a recommendation to the Township Board.

TRUSTEE POMA MOVED THAT THE DELTA TOWNSHIP BOARD SPONSOR AMENDMENTS TO THE DELTA TOWNSHIP ZONING ORDINANCE PERTAINING TO CHILD CARE HOMES AND ADULT FOSTER CARE HOMES. I FURTHER MOVE THAT THE AMENDMENTS BE REFERRED TO THE PLANNING COMMISSION FOR A PUBLIC HEARING AND A RECOMMENDATION TO THE TOWNSHIP BOARD.

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

- 11. Approve the WWTP Oxidation Towers Restoration Project Bid –** The Utility Department recommends the Township Board award the WWTP

Oxidation Tower Restoration project bid to Spence Brothers of Saginaw, Michigan.

Mr. Morrissey said this project consisted of the restoration of the treatment plants two oxidation towers that would have been phased out over a two year period. However, he noted that due to the fact that the bid for the second tower came in lower than what had been anticipated and the fact that it would result in a significant savings to the Township, it was recommended that the Township consider completing both towers this year rather than over a two year period.

Trustee Poma questioned how long the restoration project would take.

Mr. Morrissey noted that the project would start in June and both towers would be completed in October. He noted that the process was lengthy due to the fact that the casing around the towers would be removed and replaced with concrete. The elevation of the tower could only be raised five feet at a time and that there was a seven day waiting period between each elevation in order for the concrete to cure.

Mr. Watkins noted that it would cost the Township more money to restore the second tower next year rather than restoring both towers at the same time. He noted that the Township's estimate for the entire project was low and by taking advantage of having the two towers done at the same time brought the cost closer to the Township's original cost estimate.

TRUSTEE CUNNINGHAM MOVED THAT THE TOWNSHIP BOARD OF DELTA TOWNSHIP ACCEPT THE LOW BASE BID OF \$337,900 AND ADDITIVE ALTERNATE BID OF \$128,850 FROM SPENCE BROTHERS FOR THE WWTP OXIDATION TOWER RESTORATION PROJECT.

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

XV. COMMITTEE OF THE WHOLE

12. Report Regarding the Raising of Chickens in Residential Zoning Districts

Mr. Graham noted that the Planning Department had received a number of calls from people inquiring about raising chickens in residential neighborhoods. He said at the present time, the Township's Zoning Ordinance didn't allow chickens in residential areas and that the raising of chickens was only allowed in the agricultural zoning districts. He noted that other communities were now allowing chickens and that he had drafted regulations that were modeled after East Lansing's regulations. Mr. Graham noted that the proposed regulations

would limit the number of chickens to four and that all chickens would be required to be kept in an enclosure a minimum of 10 feet from any property line and a minimum of 40 feet from a house. Mr. Graham noted that persons would also be required to obtain a permit from the Township's Zoning Administrator. He noted that permits would expire after five years at which time permits could be renewed on or before the expiration date.

Mr. Graham noted that free-range chickens would not be allowed and that the Township's Noise Ordinance addressed noise issues. He indicated that staff had had a number of other inquiries regarding sustainable practices in neighborhoods that included goats, bees, and geese, but the request for chickens had been more prevalent. Mr. Graham pointed out that the proposed regulations provided a specific clause regarding subdivision private deed restrictions shall remain enforceable and would take precedence over the Township's permit. He noted that the interpretation and enforcement of the private restrictions would be the responsibility of the private parties involved.

Jim Greer, 12703 Kingsgate, said his neighbor had had chickens illegally for two years. He noted that the chickens cackled every day from 10:00 a.m. to 3:00 p.m. which was very annoying, not to mention the odor that was generated by the chickens. Mr. Greer indicated that he had spoken to his neighbor about the fact that the raising of chickens wasn't allowed in residential neighbors, but his neighbor compared it to a day care in that both activities produced noise. Mr. Greer said he didn't pursue the matter because he wanted to get along with his neighbor. He felt that if the Township permitted the keeping of chickens in residentially zoned areas; it would open up a can of worms and promote the keeping of other types of animals. Mr. Greer reiterated the fact that he was not in favor of allowing the keeping of chickens in residential areas and that he had firsthand knowledge of what it was like to live next door to someone who had chickens. He also expressed concern with the resale value of his home.

Mr. Graham noted the fact that Mr. Greer visited the Planning Department two years ago to inquire about the keeping of chickens. He said at that time, Mr. Greer didn't want staff to pursue the matter and that Mr. Greer would speak to his neighbor.

Trustee Cunningham referred to Mr. Graham's memo which addressed the fact that the Township had gone to great lengths to protect residential neighborhoods by placing restrictions on dumpsters and truck parking and that allowing the keeping of chickens was contrary to the Board's recent actions. Ms. Cunningham noted that she was not favor of staff taking any more time researching this issue. She also questioned whether the chickens next door to Mr. Greer would be a deterrent for him selling his home.

Treasurer Pizzo noted that the Township's Strategic Plan stated that the Township would provide a sense of personnel security peacefulness, and harmony for people while they lived in their home. He didn't believe the keeping of chickens would promote harmony.

It was the consensus of the Board not to pursue proposed Zoning Ordinance amendments to permit the raising of chickens in residential zoning districts.

13. Utility Department Report

Mr. Morrissey touched on things the Utility Department had done in conjunction with the "Greener" theme and how they were finding ways to conserve resources. He noted that the Water Department had been working with the Fire and Engineering Departments to better conserve water resources when conducting firefighter training and with the Township's water main flushing program. Mr. Morrissey said they were also working with the Board of Water & Light on a regional basis to look at ways to not only serve the Township, but other municipalities in the region with water saving devices in residential homes. He noted that the fire protection programs of the Township's larger water customers were also being considered for ways to conserve water.

Mr. Morrissey indicated that the Wastewater Treatment Plant had just completed their spring application of their bio-solids. He noted that the Township was a Class A organization within the State which permitted the Township the ability to apply unrestricted throughout farmers fields. Mr. Morrissey noted that the Township was the first municipality in the State to achieve the Class A bio-solids in 2000 and since that time, there had only been six more municipalities that had achieved this rating. He said by applying bio-solids on farmer's fields, the material didn't have to be taken to a landfill which resulted in a \$300,000 savings over the last seven years in landfill costs, as well as a savings of space in the landfill itself. He noted that the treatment plant was making good use of their resources that were generated in-house by using the methane gas that was produced by the treatment plant in their boilers. He indicated that this had resulted in a savings of over \$600,000 over a six year period. Mr. Morrissey noted that the biggest item that they were looking at for the future was the plants aeration blower that cost the Township \$140.00 per day to operate. He noted that last fall, the Manager's office had applied for a grant for a frequency drive that would have reduced the cost to operate this piece of equipment by 40% but unfortunately, the Township was unsuccessful in obtaining a grant.

14. Manager's Report

Mr. Watkins noted that Greener Delta was very successful and that he had received a lot of positive feedback from those in attendance, as well as the vendors who had participated in the event. Mr. Watkins noted that he would be attending a program sponsored by Michigan State University entitled "A New Economy" which had been attended by Mark Graham and Gary Bozek of the Planning Department last week, as well as Planning Commissioner's. He said the Township had recently joined a program called "First to Warn" which sent out timelier storm alerts over cell phones. Mr. Watkins noted that he had received preliminary approval for a grant for the extension of a pathway from Creyts Road to Eastbury Drive. Mr. Watkins indicated that he had been appointed to a special advisory committee at the MML to review materials and suggested policies that the MML could present to the State legislature on issues that effected cities, township's, and villages.

XVI. PUBLIC COMMENTS

Gerald Brandel, 1307 Berrywood Place, said he had been a residential of the Township for 45 years. He noted that in regards to the Clark Road rezoning request, he questioned why the Township would consider rezoning additional property to a commercial classification when there were so many vacancies along the Saginaw Highway corridor. He felt the Township should be concentrating on filling the vacancies rather than rezoning residentially zoned properties.

Supervisor Fletcher said those were the types of things the Planning Commission would look at and the Board would consider when reviewing the rezoning request.

XVII. ADJOURNMENT

Supervisor Fletcher adjourned the meeting at 7:09 p.m.

CHARTER TOWNSHIP OF DELTA

JANICE VEDDER, TOWNSHIP CLERK

KENNETH FLETCHER, TOWNSHIP SUPERVISOR