

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 4, 2009**

I. CALL TO ORDER

Supervisor Fletcher called the meeting to order at 7:00 p.m.

II. OPENING CEREMONIES – Pledge of Allegiance

III. ROLL CALL

Members Present: Supervisor Ken Fletcher, Clerk Janice Vedder, Treasurer Howard Pizzo, Trustees Barb Poma, Jeff Hicks, and Cara Spagnuolo.

Members Absent: Trustee Jan Cunningham.

Others Present: Manager Richard Watkins, Planning Director Mark Graham, Finance Director, Jeff Anderson, Township Fire Chief, Vic Hilbert, and Executive Secretary Kathy Ernst.

IV. PRESENTATIONS AND PROCLAMATIONS

1. Presentations by the Delta Township Fire Department
a. Life Saving Award for Christopher Linsell

Fire Chief Vic Hilbert said it was his privilege to present to the Township Board, individuals that had made a difference in Delta Township and in the lives of a number of people. Chief Hilbert introduced Chris Linsell, an employee of Plum Tree Apartments, who pulled a 14 year old girl out of the apartment's pool on April 11, 2009 and performed mouth to mouth and cardio pulmonary resuscitation until the young girl started breathing on her own. Chief Hilbert said without Mr. Linsell's quick thinking and knowledge of CPR, the outcome of this event may not have had a happy ending.

Chief Hilbert said on behalf of all members of the Delta Township Fire Department and the Delta Township Board, he is honored to present Mr. Linsell with the Delta Township Fire Department's Life Saving Award

which commends Mr. Linsell for his quick thinking and prompt action that lead to the saving of a life.

b. Commendation for Outstanding Service – Stoll Road Incident

Chief Hilbert introduced Sergeant Adam Morris, Officer's Dan Fillian, Brian Bartlett, and Brian Cole of the Eaton County Sheriff's Department Delta Patrol and acknowledged the gentlemen's outstanding service during a fire on Stoll Road and to present them with a Letter of Commendation.

Chief Hilbert said in the early morning hours of March 1, 2009, members of the Delta Township Sheriff's Department responded to a structure fire at 333 Stoll Road in Delta Township. The sheriff officers worked aggressively and without regard for their personal safety, to hold the fire in check while several firefighters entered the rear of the building and attempted to locate a victim trapped in the basement of the house. Also during this time, the police officers were aggressive in helping the firefighters drag hose lines and use the hose lines to protect the firefighters, cut open a fence to allow the cot and stretcher to be taken to the rear of the house, and later perform CPR on the victim when he was brought out of the basement.

Chief Hilbert said on behalf of all members of the Delta Township Fire Department and the Delta Township Board of Trustees, these officers are hereby commended for outstanding service under the most difficult conditions in the line of duty. Their professionalism, valor, and courage have demonstrated to us their deep commitment to public safety and the saving of life and property.

Chief Hilbert said not only did the Delta Township Fire Department provide outstanding service the evening of the fire on Stoll Road, but he would like to honor firefighters from Looking Glass and Lansing Township who assisted the Township. Chief Hilbert presented Captain Mark Covert and other members of the Delta Township Fire Department, a Letter of Commendation for their outstanding service under the most difficult conditions in the line of duty. Their professionalism, valor, and courage have demonstrated to us all their deep commitment to public safety and the saving of life and property.

Chief Hilbert introduced Lara Gillentine, Supervisor of the Eaton County Central Dispatch and April Heinze of Eaton County Central Dispatch, to honor them for their outstanding assistance during the fire on Stoll Road.

Chief Hilbert presented Ms. Gillentine with a Letter of Commendation which stated on March 1, 2009; Ms. Gillentine took the call for help and began to settle the caller down. The caller stated that he was trapped in the basement and he could not get out. Ms. Gillentine began to comfort him as she asked questions and he responded. Ms. Gillentine gave the caller instructions and often had to reassure him that help was on its way. Through all of this, Ms. Gillentine gave him hope, encouragement, and reassurance. Ms. Gillentine's extraordinary efforts to save a life under the most extreme conditions shall serve as an outstanding example of courage, professionalism to all those who follow. Chief Hilbert said on behalf of all members of the Delta Township Fire Department and the Delta Township Board, he is pleased to present the department's Distinguished Service Award.

2. Volunteer Service Programs for Residents Over the Age of 50
a. Gloria Kovnot, Tri-County Council on Aging

Delta Township resident Gloria Kovnot spoke on the importance of volunteerism in our community. She is currently involved with Tri-County Council on Aging, Michigan State Advocacy Council, Michigan Commission on Volunteerism, and many other community activities. She stated a grant to fund volunteer initiatives would be available October 1, 2009 when the Edward M. Kennedy Service Act takes effect. Her suggestion was to start an Experience Corp., an intergenerational volunteer program which older adults work with students in elementary schools, A School of Hope Tutor where retirees tutor students 30 minutes a week with the same child, CERT which was working with public safety initiatives, MMAP to assist retirees in making educated health insurance decisions, and raising funds for Greener Delta 2010.

V. SET/ADJUST AGENDA

MOTION BY HICKS, SECONDED BY POMA, THAT THE AGENDA BE APPROVED AS PRESENTED. 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

3. Introduction of Amendments to the Delta Township Construction Impacts Ordinance - The Planning Department recommends the Township

Board introduce amendments to the Delta Township Construction Impacts Ordinance as they pertain to dust and dirt resulting from fill operations in the Township.

MOTION BY SPAGNUOLO, SECONDED BY HICKS, THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA INTRODUCE AMENDMENTS TO SECTIONS 11-145, 11-147 AND 11-149 OF THE DELTA TOWNSHIP CONSTRUCTION IMPACTS ORDINANCE AS FOLLOWS:

SEC. 11-145. ABATEMENT AND MITIGATION PROCEDURES.

- (1) WHERE A PROPERTY IS DETERMINED TO BE A NUISANCE DUE TO THE CREATION OF DUST, THE DEVELOPER SHALL BE REQUIRED TO SPRAY THE DISTURBED AREA, INCLUDING THE HAUL ROUTE IF NECESSARY, WITH WATER OR AN APPROPRIATE DUST LAYING MATERIAL AS MANDATED BY THE ZONING ADMINISTRATOR AND MAINTAIN A WATER TRUCK OR SIMILAR EQUIPMENT FOR SPRAYING PURPOSES ON THE PREMISES.
- (2) WHERE A PROPERTY IS DETERMINED TO BE A NUISANCE DUE TO THE ACCUMULATION OF DUST, DIRT, AND OTHER MATERIALS ON STREETS OR HIGHWAYS, THE DEVELOPER SHALL BE RESPONSIBLE FOR SWEEPING THE AFFECTED STREETS AND HIGHWAYS OR CONTRACT TO HAVE THE AFFECTED STREETS AND HIGHWAYS SWEEP AS MANDATED BY THE ZONING ADMINISTRATOR. FAILURE BY THE DEVELOPER TO SWEEP STREETS AND HIGHWAYS AS MANDATED BY THE ZONING ADMINISTRATOR SHALL CAUSE THE TOWNSHIP TO PERFORM THE SWEEPING AND SEEK REIMBURSEMENT.
- (3) WHERE A PROPERTY IS DETERMINED TO BE A NUISANCE DUE TO THE TRACKING OF DIRT/MUD ONTO ADJACENT ROADWAYS, THE ZONING ADMINISTRATOR MAY REQUIRE THE INSTALLATION OF AN IMPROVED HAUL ROAD FOR THE SUBJECT PARCEL. THE HAUL ROAD MAY CONSIST OF AGGREGATE, CRUSHED CONCRETE, LIMESTONE CHIPS, ROTO-MILLED ASPHALT, ASPHALT, OR OTHER MATERIALS FOUND TO BE ACCEPTABLE BY THE TOWNSHIP ENGINEER.

SEC. 11-147. ENFORCEMENT.

- (1) IT SHALL BE THE RESPONSIBILITY OF THE SHERIFF'S DEPARTMENT, THE ZONING ADMINISTRATOR, OR A

TOWNSHIP OFFICIAL APPOINTED BY THE TOWNSHIP
MANAGER, TO ENFORCE THE TERMS OF THIS ORDINANCE.

- (2) THE ZONING ADMINISTRATOR SHALL HAVE THE RIGHT OF
ENTRY UPON A CONSTRUCTION ACTIVITY SITE AT ALL
REASONABLE TIMES TO AID IN THE ENFORCEMENT OF THIS
ORDINANCE.

SEC. 11-149. VIOLATIONS AND PENALTIES.

- (2) IN ADDITION TO THE AUTHORITY TO ISSUE A CITATION, THE
SHERIFF'S DEPARTMENT, THE ZONING ADMINISTRATOR,
OR A TOWNSHIP OFFICIAL APPOINTED BY THE TOWNSHIP
MANAGER, SHALL HAVE THE AUTHORITY TO ISSUE CEASE
AND DESIST ORDERS IMMEDIATELY UPON EVIDENCE THAT A
CONSTRUCTION ACTIVITY IS BEING CONDUCTED WITHIN THE
TOWNSHIP IN VIOLATION OF ANY OF THE TERMS OF THIS
ARTICLE.

THE PROPOSED AMENDMENTS ARE INTENDED TO ADDRESS
CONCERNS PERTAINING TO DUST AND DIRT RESULTING FROM FILL
OPERATIONS IN THE TOWNSHIP. FURTHER, NO ACTION SHALL BE
TAKEN ON THE PROPOSED FILL ORDINANCE AT THIS TIME.

ROLL CALL:

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

NAYS: NONE

ABSENT: CUNNINGHAM.

MOTION PASSED 6 TO 0.

4. **Introduction of Amendments to the Delta Township Zoning Ordinance – Rezoning Case No. 4-09-3** - The Planning Commission recommends the Township Board introduce an amendment to rezone property from O, Office, to B1, Local Service Commercial for 7050 W. Saginaw LLC.

MOTION BY PIZZO, SECONDED BY POMA, THAT THE TOWNSHIP
BOARD INTRODUCE CASE NO. 4-09-3, WHICH IS A REQUEST FROM
7050 W. SAGINAW LLC TO REZONE THEIR 1.7 ACRE PROPERTY
FROM O, OFFICE TO B1, LOCAL SERVICE COMMERCIAL. PIZZO

FURTHER MOVED THAT THIS REZONING REQUEST SHALL BE CONSIDERED FOR FINAL ACTION BY THE TOWNSHIP BOARD AT THE MAY 18, 2009 REGULAR MEETING. THE CLERK IS HEREBY DIRECTED TO PUBLISH NOTICE OF SAID MEETING IN THE LOCAL NEWSPAPERS AS REQUIRED PRIOR TO MAY 18, 2009.

ROLL CALL:

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

NAYS: NONE

ABSENT: CUNNINGHAM.

MOTION PASSED 6 TO 0.

X. PASSAGE OF ORDINANCES - None

XI. CONSENT AGENDA

MOTION BY PIZZO, SECONDED BY SPAGNUOLO, THAT THE CONSENT AGENDA BE APPROVED. MOTION PASSED 6-0.

5. Minutes – April 20, 2009 Regular Meeting

MOTION BY PIZZO, SECONDED BY SPAGNUOLO, THAT THE MINUTES OF THE APRIL 20, 2009 REGULAR BOARD MEETING BE APPROVED. MOTION PASSED 6 TO 0.

4. Bills and Financial Transactions

MOTION BY PIZZO, SECONDED BY SPAGNUOLO, THAT THE BILLS AND FINANCIAL TRANSACTIONS IN THE AMOUNT OF \$624,069.38 BE APPROVED. MOTION PASSED 6 TO 0.

5. Waiver of Lien, Deed of Grant, and Easement Grant for Good Shepherd Lutheran Church – The Engineering Department recommends the Township Board accept the Waiver of Lien, Deed of Grant, and Easement Grant for the water facilities installed for the expansion of Good Shepherd Lutheran Church.

MOTION BY PIZZO, SECONDED BY SPAGNUOLO, THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA ACCEPT THE WAIVER OF LIEN, DEED OF GRANT, AND EASEMENT GRANT

FOR THE WATER FACILITIES INSTALLED TO SERVE THE EXPANSION OF THE GOOD SHEPHERD LUTHERAN CHURCH SITE IN THE SOUTHWEST QUARTER OF SECTION 10 OF DELTA TOWNSHIP AT 7000 WEST SAGINAW HIGHWAY, AND FURTHER, THAT SAID WATER FACILITIES BE ACCEPTED INTO THE DELTA TOWNSHIP WATER SYSTEM, AND THAT MAY 4, 2009 BE ESTABLISHED AS THE DATE OF ACCEPTANCE. MOTION PASSED 6 TO 0.

XII. ITEMS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION – None

**XIII. ITEMS ADDED TO AGENDA UNDER SECTION V. SET/ADJUST AGENDA -
None**

XIV. ITEMS OF BUSINESS

- 10. Set Public Hearing to Consider Request to Transfer a 2008 Class C Liquor License** – The Manager’s Office recommends the Township Board set a public hearing for May 18, 2009 to consider a request from REB & Co. LLC to transfer a 2008 Class C Liquor License (The Embassy).

MOTION BY PIZZO, SECONDED BY VEDDER, THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA SET A PUBLIC HEARING FOR MAY 18, 2009, TO CONSIDER A RESOLUTION APPROVING THE REQUEST BY REB CO. LLC TO TRANSFER A 2008 CLASS C LICENSED BUSINESS LOCATED AT 6131 W. SAGINAW, LANSING, MICHIGAN 48917, DELTA TOWNSHIP IN EATON COUNTY; AND FURTHER THAT THE TOWNSHIP CLERK SHALL ADVERTISE SAID PUBLIC HEARING. MOTION PASSED 6-0.

- 11. Parks, Recreation, and Cemeteries Commission Appointments** – The Parks, Recreation, and Cemeteries Selection Committee recommends the Township Board reappoint Paul Kelsey and Alec Wilson to three year terms on the Parks, Recreation, and Cemeteries Commission.

MOTION BY SPAGNUOLO, SECONDED BY HICKS, THAT PAUL KELSEY OF 11731 GOLD FIELDS DR., GRAND LEDGE, MICHIGAN 48837 AND ALEC WILSON OF 1027 WESTON, LANSING, MICHIGAN 48917, BE APPOINTED TO THE DELTA TOWNSHIP PARKS, RECREATION & CEMETERIES COMMISSION FOR THREE YEAR TERMS THAT WILL EXPIRE ON MARCH 31, 2012. MOTION PASSED 6-0.

- 12. Planning Commission Appointments** – The Planning Commission Selection Committee recommends the Township board reappoint Patricia Gabriel and appoint Alecia Ruswinckel and Mark Mudry to three year terms on the Planning Commission.

MOTION BY PIZZO, SECONDED BY POMA, THAT THE TOWNSHIP BOARD OF CHARTER TOWNSHIP OF DELTA REAPPOINT PATRICIA GABRIEL AND APPOINT ALECIA RUSWINCKEL AND MARK MUDRY TO THREE YEAR TERMS ON THE DELTA TOWNSHIP PLANNING COMMISSION. THE TOWNSHIP CLERK IS HEREBY INSTRUCTED TO GIVE THE OATHS OF OFFICE. FURTHER, THE CLERK IS ASKED TO SEND LETTERS TO ALL OF THE CANDIDATES THANKING THEM FOR THEIR INTEREST IN SERVING THEIR COMMUNITY. MOTION PASSED 5-1 (VEDDER).

XV. ITEMS FOR DISCUSSION ONLY

13. 2008 Audit Report Discussion – Jeff Anderson, Finance Director

Mr. Anderson stated that the audit report would be available on the Township's web site. He felt the most important part of the document was that the financial statements were in compliance with the General Accepted Accounting Principles of the United States. Mr. Anderson said the auditors didn't find any issues with the methods or the internal controls within the organization. Mr. Anderson pointed out that auditors went into much more detail of documenting internal controls and the Township should be proud of the fact they received a flawless audit.

Mr. Anderson reviewed the Township's General Fund focusing on the cash and investments which was the liquidity of the Township. He said there was a distinct difference from this year's total compared to last year's total due to the state of the economy. He noted that revenues in the Fund Balance exceeded expenditures. He said 56% of the expenditures in 2008 were covered with the Unreserved Fund Balance. He noted revenues were consistent with the prior year, but there were a few funds that experienced a decrease in revenues due to the economy. He said the General Fund expenditures were very consistent with prior years. However, he noted that there was a big decrease in the streets and highway fund from 2007 to 2008 due to the fact that there weren't any major road projects in 2008.

Mr. Anderson said the Paramedic Fund experienced an increase in funds because a new ambulance had not been purchased in 2008. Mr. Anderson said the Township currently levied 1 mill to fund paramedic services for the Township. He said the Township's General Fund billed insurance companies and non-residents for ambulance services. He said the Township's Improvement Revolving Fund was a fund where monies were reserved for future capital improvements.

Mr. Anderson addressed the Budget Stabilization Fund which the Township set up several years ago at the request of the State of Michigan. This fund

was where the Township accounted for the millage for the construction of Fire Station #1 which was paid off in 2007. Mr. Anderson said monies left over in the Debt Service Fund were used for future tax refunds. He said the fund was structured so that the cost of the new library would transfer to the Township a month before the bonds were due. He noted the lease was set up so that the bond payments were exactly the same as the rental income. The Debt Service Fund would not have tax revenue, but there would be rental income that would match the Township's principal expenditures.

Mr. Anderson said the Township's sewer and water funds were separate autonomous entities. These funds were structured so that they supported themselves with payments from its users in the form of monthly bills. He said between cash and investments and cash designated for replacement, the Township had over \$11 million in the Sewer Fund. Mr. Anderson said the Township wanted to maintain reserves for future expenditures when it came to maintenance of the sewer system so that the Township didn't have to raise their sewer rates in order to pay for a major project.

Mr. Anderson said the Water Funds net of depreciation was \$34 million and the total assets in the fund were \$44 million. He noted that the Water Fund was newer and therefore had \$11.2 million of bonds outstanding at the end of 2008. Prior to 2007, the Township experienced significant increases in water usage with the GM plant up and running in 2007 and 2008. He said until water mains were installed along Old Lansing Road, the Township water system saw very little growth. He felt another contributing factor was that the summer of 2008 wasn't as dry as 2007 and therefore, the water usage was down. Mr. Anderson said the Water Fund remained healthy and monies were reserved for future replacement and maintenance. Mr. Anderson said the Township received the distinguished Budget Award for 2009 from the Government Finance Officers Association.

Mr. Pizzo said the Board was proud that Mr. Anderson had reduced the hours of the external auditors. He said because of Mr. Anderson's diligence and his staff's preparedness, the auditors needed less time.

Mr. Anderson noted that the Township saved \$9,000 from last year's bill.

XVI. BOARD MEMBER, MANAGER, AND DEPARTMENT REPORTS AND COMMITTEE MINUTESS

Manager Watkins said the Governors Executive Order was coming out tomorrow with budget cuts. There may be an 8% overall cut in revenue sharing which would mean approximately \$180,000 in cuts to the Township. He said there could also be a 30% cut in statutory budgets which would mean \$60,000 in cuts to the Township. The Township would experience a few significant cuts in what was projected for the Township's

revenue sharing this year which was down in revenue sharing, as well as in investment income. He said with interest rates low, it was hard to make any money on interest at the present time which was affecting the Township's bottom line for this year. He said next year the Township will be looking at tax revenue decreases, but he felt the Township was in good shape moving forward. He also noted the City of Lansing invited the Township to join them in an electrical vehicle demonstration grant. He said Township staff was working on applications for the electrical vehicles. He said Smith Electric and Ford Motor Company were joining efforts to produce electric vehicles. The Township could join together with the whole region and put a grant together. He noted the Township had applied for an additional CFL grant. The Township had a small CFL grant at the present time, but had applied for another CFL grant in cooperation with Eaton County and East Lansing. The region was coming together to benefit each community.

Clerk Vedder noted that May 5th was a school election. She said Grand Ledge Schools Eaton County ISD had a millage increase on the ballot and Waverly School District had two school board seats on the ballot.

Mr. Hicks attended a seminar where a company spoke on utility audits that assisted municipalities in reducing their overall utility costs.

Mr. Watkins said the Township had completed an energy audit last year with a grant received from the State of Michigan. The Township had formed a committee to study different energy issues in making the Township more energy efficient. He noted that October 27th had been set as the date for the Delta Community Reward Reception.

XVII. PUBLIC COMMENTS (*maximum five minutes*)—

XVII. ADJOURNMENT

CLERK VEDDER MOVED THE MEETING ADJOURN AT 8:10 P.M.

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

CHARTER TOWNSHIP OF DELTA

JANICE VEDDER, TOWNSHIP CLERK

KENNETH FLETCHER, TOWNSHIP SUPERVISOR