

**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, NOVEMBER 16, 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, Jan Cunningham, and Cara Spagnuolo.

Members Absent: None.

Others Present: Manager Richard Watkins, Lt. Jeff Warder, Planning Director Mark Graham, Finance Director Jeff Anderson, Utility Department Director Tom Morrissey, Human Resource Director Linda Wells, Engineering Director Denny Williams

**IV. PRESENTATIONS AND PROCLAMATIONS –**

**1. Recognition of Community Awards Committee –**

The committee members were honored for their time and commitment to the 2009 Community Awards Event. Members: Jackie Blodgett, Cindy Bowen, Jennifer Bradford-Vernon, Teresa Fitzwater, Steve Grinnell, Larry Leatherwood, Catrine Medawar, Toni Raleigh, Linda Wells, and Jen Wohlfert.

**V. SET/ADJUST AGENDA**

TREASURER PIZZO MOVED THAT THE AGENDA BE APPROVED AS PRESENTED.

TRUSTEE POMA SUPPORTED THE MOTION. MOTION PASSED 7 TO 0.

**VI. PUBLIC HEARINGS –**

**2. 2010 Budget**

TRUSTEE HICKS MOVED TO CLOSE THE PUBLIC HEARING.

TRUSTEE POMA SUPPORTED THE MOTION. MOTION PASSED 7 TO 0.

TREASURER PIZZO MOVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA ADOPT THE BUDGETS FOR 2010 BY APPROPRIATING FUNDS AS FOLLOWS:

<u>\$16,947,584</u>	FOR THE GENERAL FUND BUDGET;
<u>\$1,489,637</u>	FOR THE PARAMEDIC FUND BUDGET;
<u>\$66,900</u>	FOR TOWNSHIP IMPROVEMENT REVOLVING FUND;
<u>\$15,000</u>	FOR THE ECONOMIC DEVELOPMENT CORP. FUND
<u>\$408,125</u>	FOR THE DEBT SERVICE FUND
<u>\$4,033,233</u>	FOR THE SEWER ENTERPRISE FUND
<u>\$4,826,558</u>	FOR THE WATER ENTERPRISE FUND

ESTIMATED REVENUES TO SUPPORT THE APPROPRIATIONS ABOVE ARE:

<u>\$16,947,584</u>	FOR THE GENERAL FUND
<u>\$1,427,404</u>	FOR THE PARAMEDIC FUND
<u>\$161,500</u>	FOR TOWNSHIP IMPROVEMENT REVOLVING FUND
<u>\$1,000</u>	FOR THE ECONOMIC DEVELOPMENT CORP. FUND
<u>\$408,300</u>	FOR THE DEBT SERVICE FUND
<u>\$3,954,360</u>	FOR THE SEWER FUND, AND
<u>\$4,841,560</u>	FOR THE WATER FUND.

CLERK VEDDER SUPPORTED THE MOTION. MOTION PASSED 7 TO 0.

**VII. COMMUNICATIONS – None**

**VIII. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA –**

Gloria Kovnot, 10803 Canterbury Lane, spoke as the Eaton County representative on the Tri-County Council on Aging. She is also a delegate to MSAC (Michigan Senior Advisory Council) from this tri-county region. She is asking all neighbors to oppose the \$5.3 million dollar cut in home based services for the Office of Aging. Call or write your leadership in Lansing opposing the cuts. As a member of the National Council on Aging, Ms. Kovnot stated there are grants for better health. The grant honors senior centers for innovative programs that promote healthy life styles among older adults. The grant is up to \$1,500

plus \$1,400 in travel expenses to the National Council on Aging Conference 2010 in Chicago in March. Ms. Kovnot would like to see our senior center look at applying for this grant.

Carl Kentner of 2504 Park Street expressed his appreciation to the Board for the Citizen of the Year Award he received at the Delta Community Awards Event.

**IX. INTRODUCTION OF ORDINANCES – None**

**X. PASSAGE OF ORDINANCES – None**

**XI. CONSENT AGENDA**

CLERK VEDDER MOVED THAT THE CONSENT AGENDA BE APPROVED AS PRESENTED.

TRUSTEE POMA SUPPORTED THE MOTION.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

MOTION PASSED 7 TO 0.

**3. Minutes – November 2, 2009 Regular Meeting.**

CLERK VEDDER MOVED THAT THE MINUTES OF THE NOVEMBER 2, 2009 REGULAR MEETING BE APPROVED AS PRESENTED.

TRUSTEE POMA SUPPORTED THE MOTION. MOTION PASSED 7 TO 0.

**4. Bills and Financial Transactions - \$982,539.17**

CLERK VEDDER MOVED THAT THE BILLS AND FINANCIAL TRANSACTIONS IN THE AMOUNT OF \$982,539.17 BE APPROVED.

TRUSTEE POMA SUPPORTED THE MOTION. MOTION PASSED 7 TO 0.

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

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

5.

6.

**XIV. ITEMS OF BUSINESS**

7. **Michigan Avenue Extension Agreement** – The Manager’s Office recommends the Township Board approve the Township Request and Agreement for Road Improvement for the Michigan Avenue Extension.

Doug Kosinski, 7305 Glenn Terra Drive, addressed the Board on behalf of the Citizens Against Extending Michigan Avenue. Mr. Kosinski passed materials out to the Board members:

Don,

For new construction of a three lane road on undeveloped land, we estimate the cost to be approximately \$6,500,000 per mile. That includes all earthwork, drainage, paving, sidewalk, etc. (no bridges, no Real Estate costs)

Senior Project Manager  
Michigan Department of Transportation  
425 W. Ottawa Street  
PO Box 30050  
Lansing MI 48909

>>>”Don Skittenhelm” <dskit@comcast.net> 10/29/2009 3:10PM>>>

Actually what I was looking for is cost to construct new through territory where there never was a road such as farm or undeveloped land for a 3 lane highway plus side walk on each side, can you do that?

Don

-----Original Message-----From: “Rianna Kibbey”KibbeyR@michigan.gov  
To: “Don Skittenhelm” <dskit@comcast.net>  
Sent: Thursday, October 29, 2009 at 2:19PM  
Subject: Re: Construction (ContentID – 64505)

How much to reconstruct an asphalt road – 1 lane mile? -\$260,000 (rough estimate)

1 lane, 1 mile, 12” depth, 12ft wide freeway lane, in Metro Detroit, does not include pavement removal cost

Sincerely,

Ms. Rianna Kibbey  
Communications Student Assistant  
Michigan Department of Transportation  
Office of Communications  
517-373-2160  
kibbeyr@michigan.gov

**From the American Road and Transportation Builders Association website:**

**How much does it cost to build a mile of road?**

**There is no single answer to this question. Construction costs per mile of road depend on location, terrain, type of construction, number of lanes, lane width, durability, number of bridges, etc. It costs more to build a new road than to rehabilitate a road or add lanes. Roads cost more to build in urban areas than in rural areas. Roads in mountainous terrain are more expensive to build than roads on flat land.**

**Nonetheless, some states have developed cost models to guide planning for their highway construction programs. These models give a ballpark figure for various kinds of highway improvements. The following are some examples:**

**\*Construct a new 2-lane undivided road-about \$2-\$3 million per mile in rural areas, about \$4-5million in urban areas.**

**\*Construct a new 4-lane highway-\$4-\$6 million per mile in rural and suburban areas, \$8-\$10 million per mile in urban areas.**

**\*Construct a new 6-lane Interstate highway - about \$7 million per mile in rural areas, \$12 million or more per mile in urban areas.**

**\*Mill and resurface a 4-lane road - about \$1.25 million per mile.**

**\*Expand an Interstate Highway from 4 lanes to 6 lanes - about \$4 million per mile.**

**The Florida Department of Transportation has published its generic cost per mile information 2009 online.**

**The Arkansas Highway Department's estimated cost per mile for 2005 is available online.**

**Highway construct costs have risen about 25 percent since this was posted.**

COMPLETE FOR ALL PROJECTS

SURFACE TRANSPORTATION PROGRAM PROJECTS  
PRIORITY ASSESSMENT FORM  
HIGHWAY PROJECTS

I. DESCRIPTION OF PROPOSED PROJECT

Applicant Agency: Eaton County Road Commission

Project Location: Michigan Avenue from Canal Road to Creyts Road  
 (If project terminates at mid-block, provide a distance and direction)

Inside/Outside Urban Area: Inside

Functional Classification: Urban Minor Arterial

Federal Funding System (NHS,STP): STP

Project Code: 31

Estimated Project Cost

Item	Total Cost	Federal Share	Local Match	Federal Fiscal Year Requested for Funding (Oct 1 – Sept 30)
Design	80,000	xxxxxxxxxxxxxxxxxxx	80000	
R.O.W.		xxxxxxxxxxxxxxxxxxx		
Construction	1,600,000	80% 1,280,000	20% 320,000	
Construction Engineering	160,000	xxxxxxxxxxxxxxxxxxx	160000	
TOTAL	1,840,000	1,280,000	560,000	2009

Item	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept
1 Availability of Local Match	X											
2 R.O.W. Acquisition	n/a											
3 Design	X	X	S									
4 EIS/EA	n/a											
5 Bid Letting				X								
6 Contract					X							

II. PROJECT DESCRIPTION (Attach a written description of the project and a map showing project location. Provide an additional page if necessary.)

III. NON-MOTORIZED BENEFITS

Does this project include elements designed to benefit non-motorized traffic (page 43)

Yes  No

IV. CONSISTENCY WITH REGIONAL VISION POLICY MAP (Appendix E)

Is this project consistent with the Regional Growth Plan Policy Map  Yes  No

Please provide support for projects consistency. Attached separate page if necessary.

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The group feels the materials handed out (as reflected in the record above) should be considered and reviewed before the Board takes any action this evening on the Michigan Avenue Project. Mr. Kosinski reviewed the three documents and the cost figures contained therein. Mr. Kosinski further pointed out the engineering costs referenced in the Eaton County Road Commission Application and the environmental study expenses. The road is approaching a quarter of a million dollars in upfront costs by Delta Township. \$6.5 million dollars exceeds the currently allocated amount by \$5 million dollars. Unless there is a reasonable expectation out there, that money in that amount is going to be forthcoming from the federal government or from some other government entity. That is a cost which would be almost solely borne by Delta Township. It is a cost which would be borne by the Township at precisely the time when \$.75 million dollar deficit is anticipated going into fiscal 2011 and there being a reasonable basis for supposing that the deficit will be much greater given the anticipated state budget situation and resulting cuts in revenue sharing and other revenues that are recognized from the State. As a result, we would ask that this Board table consideration of the agreement on the agenda tonight until such time as the figures that we have presented and other pertinent facts can be verified. The group contends as they have now for the better part of 11 months, that this project is poor public policy and unaffordable public policy.

TRUSTEE POMA MOVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA PPROVE THE REQUEST AND AGREEMENT FOR THE MICHIGAN AVENUE EXTENSION AND AGREE TO PAY THE LOCAL SHARE OF THE COST STIMATED TO BE \$392,300.00, AND

FURTHER, THE TOWNSHIP MANAGER BE AUTHORIZED AND DIRECTED TO EXECUTE SAID AGREEMENT AND DEEDS.

TRUSTEE SPAGNUOLO SUPPORTED THE MOTION. MOTION PASSED 7 TO 0.

**8. 2009 Budget Adjustment for Drains at Large** – The Accounting Department recommends the Township Board amend the 2009 General Fund budget by increasing the Drains at Large line item.

TREASURER PIZZO MOVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA AMEND THE 2009 GENERAL FUND BUDGET BY INCREASING THE DRAINS AT LARGE REPAIRS AND MAINTENANCE LINE ITEM BY \$803,008 AND DECREASING UNALLOCATED FUND BALANCE BY \$803,008.

TRUSTEE SPAGNUOLO SUPPORTED THE MOTION. MOTION PASSED 7 TO 0.

Trustee Hicks stated this would result in a net reduction of almost a \$128,000 to the 2010 General Fund Budget.

**9. Mutual Aid Agreement – Potterville/Benton Township** – The Public Safety Committee recommends the Township Board approve a mutual aid agreement with Potterville/Benton Township Fire Administrative Board.

Trustee Cunningham stated the Public Safety Committee recommends approval of the proposed Mutual Aid Agreement. This is similar to Delta's other mutual aid agreements and follows through with Delta's general policy of regional cooperation.

TRUSTEE CUNNINGHAM MOVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA APPROVE THE MUTUAL AID AGREEMENT BETWEEN POTTERVILLE/BENTON TOWNSHIP FIRE ADMINISTRATIVE BOARD AND THE CHARTER TOWNSHIP OF DELTA, AND FURTHER

THAT THE TOWNSHIP SUPERVISOR, TOWNSHIP CLERK AND THE TOWNSHIP MANAGER BE AUTHORIZED TO SIGN THE AGREEMENT ON BEHALF OF THE TOWNSHIP.

TRUSTEE SPAGNUOLO SUPPORTED THE MOTION. MOTION PASSED 7 TO 0.

**10. Special Land Use Permit – Crashed Toys** – The Planning Department recommends the Township Board grant a special land use permit to Crashed Toys for a vehicle storage yard.

Planning Director Mark Graham was present to answer questions along with Ken LaPeer, a representative of Crashed Toys. Mr. Graham provided a short slide show regarding the request. Crashed Toys has several facilities throughout the United States. The request tonight is for a special land use permit for a vehicle storage yard and Delta's zoning ordinance requires the special land use permit. The property is properly zoned industrial. There is no need to rezone the parcel. Site is

already paved and fenced. Vehicles are brought in, washed, and resold on the internet. Vehicles are generally turned around in 120 days. Online auctions are held weekly. Crashed Toys also goes and picks up the vehicles. There will not be numerous people bringing in and dumping vehicles. Vehicles include motorcycles, ATV's, boats, trailers, etc. No cars, no trucks, hence the name Crashed Toys. The request was unanimously supported by the Planning Commission.

CLERK VEDDER MOVED THE DELTA TOWNSHIP BOARD OF TRUSTEES GRANT A SPECIAL LAND USE PERMIT TO CRASHED TOYS FOR A VEHICLE STORAGE YARD ON PROPERTY LEGALLY DESCRIBED IN CASE NO. 10-09-08, FOR THE FOLLOWING REASONS:

1. THE PROPOSED USE COMPLIES WITH THE GENERAL REQUIREMENTS FOR SPECIAL LAND USES AS REQUIRED BY SECTION 18.4.0 OF THE TOWNSHIP'S ZONING ORDINANCE.
2. THE PROPOSED USE CAN COMPLY WITH THE SPECIFIC REQUIREMENTS FOR VEHICLE STORAGE YARDS AS STIPULATED IN SECTION 18.18.0 R OF THE TOWNSHIP'S ZONING ORDINANCE.
3. THE SUBJECT PARCEL IS SERVED BY ALL PUBLIC UTILITIES AND HAS ADEQUATE ACCESS TO ALL-WEATHER PUBLIC ROADS.

THE SPECIAL LAND USE PERMIT IS RECOMMENDED FOR APPROVAL SUBJECT TO THE FOLLOWING STIPULATIONS:

1. THE EXISTING CHAIN LINK FENCE SURROUNDING THE STORAGE YARD AT 7828 LANAC SHALL BE IMPROVED SUCH THAT IT'S IN COMPLIANCE WITH THE SCREENING REQUIREMENT OF SECTION 18.18.0 R OF THE ZONING ORDINANCE.
2. KNOX BOXES SHALL BE INSTALLED ON THE TWO GATES TO THE STORAGE YARD AS PER THE REQUIREMENTS OF THE DELTA TOWNSHIP FIRE DEPARTMENT.
3. IF THE APPLICANT FAILS TO COMPLY WITH ANY OF THE PROVISIONS REQUIRED BY THE DELTA TOWNSHIP ZONING ORDINANCE, OR THESE STIPULATIONS, SUCH ACTION(S) SHALL CONSTITUTE GROUNDS FOR TERMINATION OF THE SPECIAL LAND USE PERMIT BY THE BOARD.

TRUSTEE POMA SUPPORTED THE MOTION.

Trustee Poma inquired as to the website where the auctions take place. Mr. Graham referenced [crashedtoys.com](http://crashedtoys.com). All the vehicles are listed on the site with a description and photo.

MOTION PASSED 7 TO 0.

**11. December Regular Board Meeting Dates** – The Administrative/Personnel Committee recommends the Township Board cancel the December 7, 2009 and December 21, 2009 regular meetings and schedule November 30, 2009 and December 14, 2009 as regular meetings.

Supervisor Fletcher stated that due to some members having conflicts with attendance, the November 30<sup>th</sup> and December 14<sup>th</sup> dates are proposed.

Trustee Poma stated it would work well for her.

Manager Watkins stated that December 14<sup>th</sup> is a regularly scheduled planning commission meeting. Mr. Graham is going to have a meeting that night which is held in the same room. However, we talked about shifting the planning commission meeting over to the fire department meeting room to accommodate the 14<sup>th</sup>. During the discussion regarding the November 30<sup>th</sup> date, there appears to be very few items, and the Board may consider going with one meeting in December. However, if there was not a meeting there would need to be a way to deal with the accounts payable and payment of bills.

After considerable discussion, Supervisor Fletcher concluded the meeting would not be formally set for November 30<sup>th</sup>. The meeting for December 7<sup>th</sup> would be cancelled. The meeting for December 21<sup>st</sup> would remain as is.

Clerk Vedder will post the cancellation.

TRUSTEE POMA MOVED TO CANCEL THE TOWNSHIP BOARD'S DECEMBER 7, 2009 REGULAR MEETING.

TREASURER PIZZO SUPPORTED THE MOTION. MOTION PASSED 7 TO 0.

TREASURER PIZZO MOVED THE TOWNSHIP BOARD GIVE THE TOWNSHIP MANAGER THE AUTHORITY TO RELEASE PAYMENT OF VENDOR INVOICES WHICH HAVE BEEN APPROVED BY THE FINANCE COMMITTEE IN WHICH WOULD HAVE NORMALLY BEEN PRESENTED FOR PAYMENT AT THE DECEMBER 7, 2009 MEETING. AND FURTHER, THAT THE SAME VOUCHERS WOULD BE PRESENTED FOR THE TOWNSHIP BOARD APPROVAL AT THE BOARD OF TRUSTEES REGULAR MEETING SCHEDULED FOR DECEMBER 21, 2009.

CLERK VEDDER SUPPORTED THE MOTION. MOTION PASSED 7 TO 0.

**XV. ITEMS FOR DISCUSSION ONLY**

**12. Portable Storage Units and Dumpsters**

Mark Graham was previously before the Board making a presentation on truck parking in residential neighborhoods. At that time, Planning Commissioner Mark Mudry raised a concern about portable storage units. These are referred to as PODS units. PODS are white in color, and about 8' wide by 8' high and about 12' or 16' long. Their popularity is growing. In August there was a request that PODS be piggy-backed onto the truck parking issue and sent to the Planning Commission which deliberated on them in September. The Planning Commission thought it was a good idea to proceed with regulations pertaining to portable storage units as well as dumpsters. A report has been provided to the Board regarding pros and cons of regulating PODS/dumpsters as well as other area municipalities and their regulations.

Mr. Graham recommended that they should be regulated in both residential and non-residential areas. Residential areas may be limited to no more than 200 square feet, no more than two PODS at one time, limited to 90 days per year with a possibility of a single extension for 30 days by the Zoning Administrator for extenuating circumstances and finally could not be placed on property such as they block a sidewalk or the clear vision area. The same regulations are proposed for non-residential areas with the exception that the time permitted is doubled to 180 days.

Currently the zoning ordinance regulates dumpsters in non-residential areas but not for dumpsters in single family residential areas. Mr. Mudry brought to our attention an area over in the eastern portion of the Township and there were some photos available at the Planning Commission meeting where someone had abused the privilege and placed a dumpster in their front yard for an extended period of time. The proposed regulations would provide Delta with teeth to pursue these issues if necessary. Pros and cons are noted in the report. The proposed regulations would apply to dumpsters in residential areas. Not more than one dumpster on the property at a time, limit the dumpsters to 30 days per year and could not block clear vision or sidewalk.

If support of the proposed regulations is provided this evening by the Board, this will come back to the Board for sponsorship to send the matter to the Planning Commission for public hearing and comments back to the Board.

Trustee Hicks inquired about increased administrative costs. Would there be an administration fee to offset that? Mr. Graham has not proposed a permit fee or application process. This will be similar to what has been done with garage sales. When there is a violation, a letter is sent. Charging and enforcing the requirement to have a permit is cumbersome. There is documentation from the POD company to determine when a unit was rented and dropped. Trustee Hicks suggested something along the lines of a refundable deposit as utilized with temporary signs. This would provide an incentive for people to comply. Mr. Graham inquired as to who would pay the fee. The POD company or the renter? Trustee Hicks felt the renter as with the sign, it is the individual who wants the sign out front. This would provide a little self-policing. Mr. Graham questioned if this would be a disincentive.

Clerk Vedder suggested possibility taking a wait and see attitude about implementing a fee as has been done with other issues in the past. Maybe try it for a year or two on a complaint basis and then re-evaluate for needing a permit.

Treasurer Pizzo supports not having a permit at this time. There are often complaints while the neighbor is actually still in compliance with the ordinance.

The Board concurs to move forward with this issue.

### **13. Truck Parking in Residential Neighborhoods**

Mr. Graham was before the Board in August regarding truck parking in neighborhoods. There was a cube van for a plumber parked in the Allison Heights neighborhood off of Willow Highway. A neighbor several streets away was complaining about it. The plumber was quite cooperative but admitted that he drove the vehicle home. He did not operate the business out of his house, he just parked his vehicle in his driveway. The problem is with the Zoning Ordinance definition of trucks and commercial vehicles, referring to no vehicles over 1 ton. That is very ambiguous and met something back in the 1960's when the original ordinance was implemented. This is no longer quantifiable or measurable. Other community, particularly the City of Grand Ledge has language regarding larger vehicles. Much of their language has been utilized to propose three possible ways to address the truck parking problem. One option is to do nothing. People are trying to sell homes and wanting their surroundings to look good. Some contractors, plumbers, etc. used to have commercial sites are trying to economize and drive vehicles home to eliminate the need of a commercial yard.

The Planning Commission was generally supportive of the proposed Grand Ledge regulations. There were two schools of thought at the Planning Commission meeting. Some thought trucks should certainly be regulated and others felt in this economy regulations should be more liberal.

The regulations that exist in Grand Ledge which would regulate these vehicles in residential neighborhoods would prohibit vehicles with three or more axels, prohibit vehicles with gross vehicle weight ratings of 10,000 lbs or more, and prohibit those that are 12' high or 35' in length such as a school bus. Then have a list of those trucks specifically prohibited such as school buses, garbage trucks, etc. Vehicles making routine business calls in neighborhood just as in the truck ordinance would still be allowed to go in the neighborhood to due construction work and etc.

One of the issues at the Planning Commission meeting was the weight of the vehicles. In local communities weight ranges varied. Some communities such as Grand Ledge and Watertown Township put the rating at 10,000 pounds. Others like Delhi increased it to 15,000. That makes a difference because the cube van would be prohibited under the 10,000 rating but permitted under the 15,000. Most of the complaints say there is a big ugly vehicle across the street from me. They don't say it has a 10,000 etc. In all

fairness a school bus weights typically 22,000-26,000 pounds unloaded. Another 14,000 pounds can be added depending on how big the kids are, putting the bus over 40,000 pounds. A 25 cubic yard, rear loading garbage truck that serves residential neighborhoods runs about 35,000 pounds. Some say a 10,000-15,000 pound vehicle is too heavy on residential neighborhoods. There are already trucks/buses 3x that size already in the neighborhood.

Planning Commissioner Mudry, provided some pictures of trucks that meet or exceed the gross tonnage weight that was discussed. Some of them are fairly large and some are okay. The pick-up trucks are all light duty trucks. Some individuals are concerned about emblems. Emblems should not be a problem. Mr. Mudry has resided in Delta for over 25 years and resides in an area of the Township in which road frontage is small and there is little acreage. A large truck at one of these houses can't be in the road and therefore sticks out of the driveway. Some of the vehicles will be there 15 hours per day. Looking out your window, the view maybe blocked by a large truck. The economy is poor, but the recession will end. An ordinance can't be made on the state of the economy. There are numerous empty store fronts. The special use land permits that are issued by the Township are rigorous regarding the vehicles and traffic related to granting them. Mr. Mudry expressed a concern that by not regulating the trucks, trucks are being given a pass. Are the trucks a matter of convenience? If so, for who, the driver or the boss? Does this allow an extra half hour of sleep in the morning? Mr. Mudry feels the ordinance is generous as proposed.

Mr. Mudry further commented on dumpsters. They are not cheap. You would think that dumpsters would be cost prohibitive to leave for long periods. Not so as one was there for nine months. With the PODS, they are almost as big as a truck sitting in the driveway.

Planning Commissioner Jim Schweitzer, 11351 Nixon Road, is more liberal in his opinion. Mr. Schweitzer is considerate of heating and plumbing situations where there is 24 hour on call service. This would provide for quicker responses for those in need. If the ratings are low for the size that they have, they would be liberal enough to handle such situations.

Supervisor Fletcher also thought of those on call for services. However, for some that could mean every day or every weekend, especially if the homeowner is the business owner. Certainly, businesses being operated out of homes are not the result being sought here.

Trustee Hicks did feel the point regarding giving these folks a "pass" in comparison of the other requirements for special land use permits was important. The economy is a factor and relates to people trying to sell their homes in the area. For every person that is bringing a truck home there is probably 10 people affected by the truck being in the area.

Mr. Mudry did internet research regarding these issues. A complaint was made on the internet regarding a refrigerated truck parked near their house as the refrigeration unit would kick on every 15 minutes or so. This needs to be taken into consideration as well.

Supervisor Fletcher summarized that the Board recommends moving forward with option #3.

#### **14. Local Limits, Part II – Tom Morrissey**

Trustee Spagnuolo stated that in June there was a request to change the local limits that relate to the surcharge rates and the second part of this, or what is being presented tonight, the discharge quantities and limitations and the calculation of user surcharge. This is a result of research conducted because GM choose to install environmentally friendly urinals. Because there is no water flush, GM was exceeding the ammonia strength allowed. There have been several meetings with the DEQ and a GM consultant. The best way to deal with the situation was to remove the ammonia limit and do a mixable allowable head-works limitation. There are a couple of charts in the packet for reference.

Utilities Director Tom Morrissey further mentioned that the resolutions normally come together. There are three total related to the local limits. However, there was one brought in June which was acted upon due to the potential financial burden that may have taken place if the resolution waited. The two remaining resolutions are Calculating the User Surcharge Rates and Quantities and Limitations. The calculating surcharge rates is the numbers and formulas used to actually arrive at the dollars contained in the resolution previously passed in June. Very minor changes are proposed.

The Maximum Allowable Head-works was reached to account for the lack of water utilized by GM in their urinals and for GM to maintain their current “green” standing. GM did assist in paying the extra cost associated with the testing in this regard.

The Board concurred to move forward with the resolutions as proposed.

#### **15. Oneida Sewer Request – Dennis Williams**

Trustee Spagnuolo stated talks have been ongoing since 2004 with the request. The committee learned of this in July when the properties on Saginaw Highway were starting to have the onsite failures. Denny Williams brought this to the committee and the various meetings with the Barry-Eaton Health Department as well. Trustee Spagnuolo sat in on a meeting on September 23<sup>rd</sup> with various representatives. Delta presented three options discussed in committee. Basically the first option would be to enter into an agreement with Oneida and be responsible for building the gravity sewer and the pipe. This would require all residents within 200 feet to hook up. The backlash

is that people may not want to pay. Delta does give residents 15 years to pay with 8% interest. The current system can handle this. Future residential growth in the area would create a need for the satellite treatment plant but future residential growth in the area would help pay for the satellite treatment plant. The second option would be to start an assessment district. Mr. Williams explained that with this option it only requires 20% of the land area to object. With certain parcels in the area reaching the 20% would not be hard and the project would be stopped. The third option was for Delta to sit back and wait for people to petition. Mr. Williams indicated that there are three petitioners to date. Generally 50% would need to be collected before the Board would take action.

Mr. Williams provided some cost estimates. Those were discussed at the October 20<sup>th</sup> meeting. The memo provided today provides those costs.

Denny Williams stated the request for sewer is from the east-side of Saturn Grand Ledge to the common Oneida/Delta property line which is just west of Grand Ledge Ford. As Trustee Spagnuolo indicated, the request was originally made in 2004 and there has been a lot of discussion since then. The request in 2004 was for a much larger geographical area. The area now is of immediate concern both by the Barry-Eaton Health Department and for parcels within Delta Township. Barry-Eaton Health Department has three parcels in Delta Township that are on special circumstances. Whereby they are in a pump and haul situation. Over the last couple of years, they have been policing areas within Oneida Township with onsite systems that are in continuous failure during different parts of the year.

As far as the capital charges presented, they are based on Delta's charges. A capital charge is joining the county club type of a fee that Delta Township has for the facilities that are necessary to serve your property but not related directly to your property. It starts at the sewer treatment plant, pumps stations and over-sizing of pipe.

The questions on the table are: shall we proceed, how we proceed, should we continue talking. Grand Ledge is under orders with the DEQ to not provide further connections for Oneida Township.

Treasurer Pizzo clarified that the properties in question are both in Delta and Oneida Township.

A home in Delta has been flagged as not able to occupy for a lack of a compliant system. Like a red tag.

Clerk Vedder raised the issue of the sewer contributing to urban sprawl along Saginaw Highway. Are there other options? Like from Willow. Mr. Williams said the flow would provide issues for Delta.

Manager Watkins stated that with the development on the corner of Nixon Road, that sewer is already close to a half of mile down the road and only about a half of a mile extension is needed. If the area were desirable to a developer, it would be a very easy run to connect that at this point since the line is out that far. An option would be to have Oneida run a force main into where our gravity main ends and not extend our system. But, that would not help anyone in Delta Township that has the issue either.

Supervisor Fletcher asked what Oneida's options are outside of Delta. There are none unless there is a treatment plant to utilize. Grand Ledge is at capacity.

Gary Arnold of C2AE, Oneida Township consulting engineer on this project addressed the Board. The proposed service area along M43 to pretty much established, existing developments. The only caveat to that would be on the north-end of Rupp Road. Rupp Road is between Sundance and their used car lot. There is a piece of property up there of about 18 acres that Ed MacKenzie owns. This would likely be developed but this is the only large parcel for future development. A lift station would be situated in Maywoods subdivision just west of Sundance. It is a dead end road that makes a little loop. The station would pump from there, east on Saginaw to either an extended Delta Township sewer or to where Delta sewer currently ends on the west side of the apartments. Why invest Oneida's money into a force main within Delta Township at about \$25.00 per foot to be thrown away basically when you extend the sewer west? Oneida Township is interested in potentially contributing part of the cost of your gravity sewer extension to the west by offsetting the cost of the force main they would have to build to get to the apartments. It is somewhat of a cost share advantage to both.

Manager Watkins inquired if there was a consensus to at least move forward and have discussions with Oneida and come up with some type of agreement that can be brought back to the Board, or are discussions a waste of time.

The Board consensus is for Manager Watkins to move forward with discussions.

#### **16. Capital Area emergency Services Consortium – Public Safety Committee**

Trustee Cunningham turned this matter to Manager Watkins. Mr. Watkins indicated that over a year ago some areas began meeting about emergency services and how cooperation could be improved. Training was mentioned and the benefit could be implemented easily. LCC and Delta has worked on a consortium together with area governments to deal with training. There is no financial contribution at this time. Funding contributions will come if there is a specific project proposed in the future. The purpose now is to coordinate training. Manager Watkins recommends entering the agreement and putting it on the agenda for the next Board meeting for approval.

Trustee Cunningham pointed out to the Board that everyone involved in the consortium has equal say and equal vote. There is no financial commitment. Any financial

contribution requested in the future would be brought to the Board on a project by project basis.

Board agrees to move forward.

#### **17. Auto-Owners – Richard Watkins**

Brian Heisrodt, Director of Real Estate for Auto Owners Insurance Company. Stated that Auto Owners purchased 141.6 acres primarily consisting of the Blue Cross/Blue Shield site along with four residential properties, one blank commercial property on Mt. Hope and then bought the two Home Builders Association Buildings. Auto Owners has sought a MEGA grant from the State of Michigan. As part of the MEGA grant the company has to continue on and obtain a commercial rehabilitation district and an ACT 328 personal property abatement as part of that package through the State.

Anthony Pecchio, from Christman Company, addressed the Board regarding the project status. The project has been going now for a little over a year. Auto Owners fortunately has been experiencing growth. Unfortunately, Auto Owners is land locked at their current facilities and actually invested in some property other places north of here for potential expansion. Through good luck, Blue Cross is planning to move to downtown Lansing into the Accident Fund Building. The project is taking advantage of state tax incentives. Part of the conditions of the tax credit is local participation. That local participation in this case will be ACT 328 personal property tax abatement and a commercial rehabilitation district which is another type of real property tax abatement. The four programs, the Brownfield, the ACT 328, the MEGA and the commercial rehab were the best fit as a package to offset the additional costs and to incent Auto Owners to stay here and build on that site.

Manager Watkins clarified that the next steps are actually setting some public hearings. The first one is for a commercial redevelopment district. The new building taxes will be frozen for 10 years once the construction is completed. The current buildings on the site will be taxed as normal. The new building will be frozen at zero. Tax revenue will be gained by everyone that levies taxes by bringing Blue Cross buildings back on the roll. They have been exempt forever and they will come back to the tax roll.

Public Act 328 is now available to Delta. It was not available to Delta in the past. In the past 425 Agreements were utilized to get the 328 ability. Now Delta can do this without the city if there is a MEGA grant. This provides a 100% abatement on their personal property tax for 15 years once the construction is completed. The construction schedule is that Blue Cross and Blue Shield will move out the end of 2012, construction will begin 2013 and the move completed by 2014. Public hearings will have to be set in December to be held at the January 4<sup>th</sup> meeting.

This expansion should create about 800 new jobs.

**XVI. BOARD MEMBER, MANAGER, AND DEPARTMENT REPORTS AND COMMITTEE MINUTES**

**18. Manager's Report**

The employee retreat was a great success. Dr. Lew Bender talked about team building and employees learned a lot plus enjoyed the day.

Working with the Visitor and Convention Bureau, there has been discussion regarding the U2 concert and all of the things that may go on during that week. It is scheduled for June 30<sup>th</sup>. Tickets go on sale next week. The opening band is The Black Eyed Peas. This is one of the largest productions in the world. One hundred semi truck and trailers are used just to bring the equipment in to have this show in the stadium.

The benchmark group had its first conference last week. The reports were discussed. That group is moving along and becoming successful in the information they are distributing.

The library last week celebrated their silver LEED construction award. This was presented to the Township Board. This is a great land mark for Delta.

This week there is a meeting with MDOT representatives to discuss the sidewalks across the expressway during their construction in the next two years and also the right-of-way in front of the fire station that Delta has some concerns about.

Mr. Watkins will be on vacation starting Friday through the next week and will be in Georgia to visit his daughter and grandkids.

**19. Public Safety Committee – November 9, 2009 meeting update.**

**20. Administrative/Personnel Committee – November 12, 2009 meeting update.**

Supervisor Fletcher stated there are a couple of issues that were discussed that will definitely come back to the Board for more discussion. A conversation began on the issue of whether or not our rental inspection fees are fair, whether or not the fees are too excessive. Delta is currently in line with other jurisdictions. Delta is not making money on inspections. Delta does not charge a fee for re-inspection. Discussion regarding shifting some of the upfront cost to charge for re-inspection fees is under consideration.

Additionally a discussion took place on signs. Some businesses along Saginaw would like to have more signage, sandwich board type things, signs to help promotional events.

Trustee Spagnuolo stated the Utility Committee was meeting November 17<sup>th</sup> and discussing different options for the ordinance for Brewer Lumber's well request.

Treasurer Pizzo stated the Budget Finance Committee is also meeting November 17<sup>th</sup> at 4pm. Public liability insurance will be reviewed and changing public official coverage to occurrence basis as this is the recommendation of the consultant from last year and the current carrier. The recent surplus property sale will be reviewed and look at the process for authorizing financial institutions to do business with Delta Township.

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

Mark Mudry, 1013 Meadowview, addressed the Board in regard to trucks and dumpsters. In his neighborhood some people tend to push the envelope and he is concerned about trucks. At this moment there is a fifth-wheel trailer blocking the sidewalk and four other vehicles completely blocking the sidewalk. There are many people that park across a sidewalk. A wheel chair would not be able to pass those driveways. At one home there is a school bus plus three other vehicles that completely block the walk. There is school bus parking on his street. There are at least two utility trailers parked on the street that have remained unmoved for two weeks. Roadways maybe able to handle the heavy truck and bus vehicle weight on a regular basis, but the sidewalks cannot handle that same weight. Sidewalks are not constructed for that purpose.

**XVII. ADJOURNMENT**

Supervisor Fletcher adjourned the meeting at 9:07 p.m.

**CHARTER TOWNSHIP OF DELTA**

JANICE VEDDER, TOWNSHIP CLERK

KENNETH FLETCHER, TOWNSHIP SUPERVISOR