

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, SEPTEMBER 21, 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. Trustee Cunningham arrived at 7:04 p.m.

Members Absent:

Others Present: Manager Richard Watkins, Planning Director Mark Graham, Parks & Recreation Director Dick Benkert, Lt. Jeff Warder, Chief Vic Hilbert, and Executive Secretary Kathy Ernst.

IV. PRESENTATIONS AND PROCLAMATIONS

1. **Joseph Sessions Retirement** – Part-time Firefighter and 19 year employee
2. **Gary Beem Retirement** – Part-time Firefighter and 19 year employee

Fire Chief Hilbert said it was with great honor to present Joe Sessions and Gary Beem to the Board this evening. He noted that these two gentlemen had served the fire department for 19 years with great distinction.

Supervisor Fletcher said Joe Sessions started his career as a part-time firefighter on September 17, 1990 and was promoted through the firefighter ranks. He said the Township Board was very grateful to Joe and wished to recognize Joe's outstanding service to the residents of Delta Township and the years he had dedicated to public safety.

Whereas, Joe Sessions, has faithfully served the Charter Township of Delta for more than nineteen years in the Fire department, and

Whereas, Joe Sessions served as a part-time captain, and

Whereas, Joe Sessions has a rich history of sharing with others as demonstrated by his devotion to his family and co-workers,

Now, Therefore, be it resolved that the Township Board of Delta Township is indeed grateful to Joe Sessions and wishes to recognize his outstanding service to the residents of Delta township through his position within our local government.

Mr. Sessions said it had been an honor to work with the fire department and to serve the citizens of Delta Township.

Supervisor Fletcher said Gary Beem started his career as a part-time firefighter on May 5, 1990 and noted that the Township Board was grateful to Gary and wished to recognize his outstanding service to the residents of the Township.

Whereas, Gary Beem, has faithfully served the Charter Township of Delta for more than nineteen years in the Fire Department, and

Whereas, Gary Beem served as a part-time Firefighter, and

Whereas, Gary Beem has a rich history of sharing with others as demonstrated by his devotion to his family and co-workers,

Now, Therefore, be it resolved that the Township Board of Delta Township is indeed grateful to Gary Beem and wishes to recognize his outstanding service to the residents of Delta Township through his position within our local government.

Mr. Beem thanked Chief Hilbert for allowing him to serve on the fire department and that it had been a privilege to work with the Township and its citizens.

V. SET/ADJUST AGENDA

TRUSTEE HICKS MOVED THAT THE AGENDA BE APPROVED AS PRESENTED.

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

VI. PUBLIC HEARINGS - None

VII. COMMUNICATIONS – None

VIII. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

Beverly Granger, 2708 Granger Drive, said she was present this evening to appeal having to abandon her private well when she connected to the Township's water system. Ms. Granger said she used her private well to water her livestock and that it would be difficult for her to carry water from her house to the barn. Ms. Granger said she was requesting a variance to be able to continue using her private well for another three to four years.

Supervisor Fletcher indicated that the Utilities Committee reviewed this matter and had determined that Ms. Granger's private well be capped.

Trustee Hicks indicated that connecting to the public water system was optional and that residents could continue to use their wells. However, he said when the residents connected to the water system; they were required to cap their wells.

Clerk Vedder said having served on the Utilities Committee for several years, she was aware of the concerns with water contamination issues. She also noted that she didn't want to set a precedence, however, she had visited Ms. Granger's property and recognized the difficulties Ms. Granger would have getting water to her barn. Ms. Vedder felt it should be recognized that there were residents in the Township who had livestock that still used their private well for watering purposes, but who also wanted to take advantage of the Township's public water system. She felt situations similar to Ms. Granger could be monitored for compliance. She noted that when it came to livestock and existing situations, she would like to see the Board consider an amendment to the ordinance to facilitate these types of situations.

Trustee Hicks said he understood Ms. Vedder's view on this matter, but when the Utility Committee reviewed Ms. Granger's request, they were faced with a similar request at the same meeting. Mr. Hicks noted that he had always strived to apply the same rules across the board regardless and if the Township wanted to create a separate class for residents who had livestock, he felt the ordinance needed to be amended. He was certain that Ms. Granger's intentions were good, but the problem was after Ms. Granger no longer owned the property, the Township would have no idea about the future property owners.

Supervisor Fletcher said the Board didn't have the authority to make an exception to the ordinance and that the ordinance would have to be amended.

IX. INTRODUCTION OF ORDINANCES – None

X. PASSAGE OF ORDINANCES

3. **Amendment to Section 11-88, Article IV of Chapter 11 (Noise Ordinance)-**
The Planning Department recommends the Township Board adopt an

amendment to Section 11-88 of Article IV (Noise Control) of Chapter 11 (Nuisances) of the Code of Ordinances.

Supervisor Fletcher said the Board held a public hearing on this issue which would amend the Township's Noise Ordinance to permit a 90 decibel limit from mechanical equipment.

TRUSTEE POMA MOVED THAT THAT TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA AMEND PARAGRAPH 19 OF SECTION 11-88 OF ARTICLE IV (NOISE CONTROL) OF CHAPTER ELEVEN (NUISANCES) OF THE DELTA TOWNSHIP CODE OF ORDINANCES TO PROVIDE AN EXCEPTION FOR GENERATORS, AIR CONDITIONERS, POOL PUMPS, AND SIMILAR EQUIPMENT SUCH THAT NOISE FROM THESE SOURCES DOES NOT EXCEED 90 DECIBELS. FURTHER, THE TOWNSHIP CLERK IS HEREBY DIRECTED TO PUBLISH A NOTICE OF ADOPTION OF THE AMENDMENT IN LOCAL NEWSPAPERS, AND THE AMENDMENTS SHALL BECOME EFFECTIVE UPON PUBLICATION.

CLERK VEDDER SUPPORTED THE MOTION.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

MOTION PASSED 7 TO 0.

XI. CONSENT AGENDA

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

TRUSTEE SPAGNUOLO 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.

4. **Minutes** – September 8, 2009 Regular Meeting

TREASURER PIZZO MOVED THAT THE MINUTES OF THE SEPTEMBER 8, 2009 REGULAR BOARD MEETING BE APPROVED.

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

5. **Bills and Financial Transactions - \$4,913,874.87**

TREASURER PIZZO MOVED THAT THE BILLS AND FINANCIAL TRANSACTIONS IN THE AMOUNT OF \$4,913,874.87 BE APPROVED.

TRUSTEE SPAGNUOLO 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

6.

7.

XIV. ITEMS OF BUSINESS

8. **LIAA Sustainable Communities Grant** – The Planning Department recommends the Township Board pass the Resolution of Support for the Tri-County Regional Urban/Rural Service District/Boundary Committee Grant.

Supervisor Fletcher said at the September 8th meeting, the Board discussed passing a resolution of support for the Tri-County Regional Urban/Rural Service District/Boundary Committee.

TREASURER PIZZO MOVED THAT THE DELTA TOWNSHIP BOARD PASS THE RESOLUTION OF SUPPORT FOR THE TRI-COUNTY REGIONAL URBAN/RURAL SERVICE DISTRICT/BOUNDARY COMMITTEE AND THE PURSUIT OF THE 2009 LIAA PARTNERSHIPS FOR CHANGE: SUSTAINABLE COMMUNITIES GRANT AS DRAFTED BY THE TRI-COUNTY REGIONAL PLANNING COMMISSION STAFF. FURTHER, THE

DELTA TOWNSHIP SUPERVISOR IS AUTHORIZED TO SIGN SAID RESOLUTION ON BEHALF OF THE TOWNSHIP BOARD.

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

9. **Special Meeting to Discuss the Proposed 2010 Budget** – The Clerk’s office recommends the Township Board set a Special Meeting for the purpose of discussing the proposed 2010 Budget for the Charter Township of Delta for Monday, September 28, 2009 at 6:00 p.m.

TREASURER PIZZO MOVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA SET A SPECIAL MEETING FOR MONDAY, SEPTEMBER 28, 2009 FOR THE PURPOSE OF DISCUSSING THE PROPOSED 2010 BUDGET FOR THE CHARTER TOWNSHIP OF DELTA.

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

10. **Proposed Increase of Cemetery Rates** – The Parks, Recreation, and Cemeteries Department recommends the Township Board approve the proposed increase of cemetery rates.

TRUSTEE SPAGNUOLO MOVED THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA APPROVE THE PROPOSED INCREASED CEMETERY RATES AS FOLLOWS:

RESIDENT PLOT RATE	\$600	NON RESIDENT PLOT RATE
		\$900
OPENING/CLOSING	\$950	SATURDAY OPENING/CLOSING
		\$1,100
FOUNDATION FEES FOR MARKERS		\$.35/SQ. INCH,

AND FURTHER, THAT THESE INCREASED RATES BE EFFECTIVE NOVEMBER 1, 2009.

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

11. **Acknowledgement of the 2010-2015 Capital Improvements Program** – The Planning Commission recommends the Township Board acknowledge receipt of the 2010-2015 Capital Improvements Program as prepared and adopted by the Delta Township Planning Commission.

Mr. Graham said the CIP was used by the Manager’s office in preparing the Township’s annual budget. He noted that the CIP identified major public works projects that were needed to meet the basic service demands of the

Township's residents. He noted that the Township was mandated to prepare a CIP by the Michigan Planning Enabling act, Public Act 33 of 2008. He said the three operational funds contained in the CIP were the General Fund and the Water and Sewer Funds. Mr. Graham noted that projects in the CIP were prioritized and that the Priority A projects were essentially the projects funded.

CLERK VEDDER MOVED THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA ACKNOWLEDGE RECEIPT OF THE 2010-2015 CAPITAL IMPROVEMENTS PROGRAM AS PREPARED AND ADOPTED BY THE DELTA TOWNSHIP PLANNING COMMISSION.

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

12. **Resolution Requesting Traffic Study, Broadbent/M-43** – The Planning Department recommends the Township Board adopt a resolution requesting the Michigan Department of Transportation initiate a traffic study for the Broadbent/M-43 intersection.

Toni Townsel, 8611 Carlsbad, said she came before the Board at their September 8th meeting to discuss the traffic congestion at the Saginaw/Broadbent Road intersection. Ms. Townsel said she understood that MDOT would be the agency who ultimately approved a traffic signal at this location, but the citizens were interested in having a traffic study prepared.

TRUSTEE POMA MOVED THAT:

WHEREAS, THE DELTA TOWNSHIP OFFICIALS HAVE RECEIVED A NUMBER OF CITIZEN REQUESTS FOR A TRAFFIC SIGNAL AT THE BROADBENT/M-43 INTERSECTION, AND

WHEREAS, A TRAFFIC STUDY IS REQUIRED AS A PREREQUISITE TO JUSTIFY THE NEED FOR A TRAFFIC SIGNAL AT THE INTERSECTION, AND

WHEREAS, A TRAFFIC STUDY HASN'T BEEN CONDUCTED FOR THE INTERSECTION FOR FIFTEEN YEARS, AND

WHEREAS, A SIGNIFICANT AMOUNT OF GROWTH HAS OCCURRED IN THE GENERAL VICINITY OF THE BROADBENT/M-43 INTERSECTION IN THE PAST DECADE, AND

WHEREAS, ON SEPTEMBER 3, 2009 THE DELTA TOWNSHIP TRANSPORTATION COMMITTEE RECOMMENDED THAT THE TRAFFIC STUDY BE CONDUCTED.

NOW THEREFORE, BE IT RESOLVED THAT:

THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA HEREBY REQUESTS THAT THE MICHIGAN DEPARTMENT OF TRANSPORTATION INITIATE A TRAFFIC STUDY FOR THE BROADBENT/M-43 INTERSECTION TO DETERMINE WHETHER EXISTING CONDITIONS WARRANT A TRAFFIC SIGNAL. FURTHER, THE PLANNING DIRECTOR SHALL BE RESPONSIBLE FOR TRANSMITTING COPIES OF THIS RESOLUTION TO MDOT AND ECRC OFFICIALS.

TRUSTEE CUNNINGHAM SECONDED THE MOTION. MOTION PASSED 7-0.

- 13. Set Public Hearing for Brownfield Plan #2** – The Economic Development Corporation of Delta Township recommends the Township Board set a public hearing for Monday, October 5, 2009, to consider approval of the Brownfield Plan #2.

Supervisor Fletcher said at their September 17, 2009 meeting, The Delta Township Economic Development Corporation reviewed and approved the proposed Brownfield Plan #2 on property located on the east side of Creyts Road, immediately south of I-496, recently purchased by Auto-Owners Insurance Company.

TREASURER PIZZO MOVED THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA SET A PUBLIC HEARING ON MONDAY, OCTOBER 5, 2009, AT 7:00 P.M. TO CONSIDER THE PROPOSED BROWNFIELD PLAN #2 AND TO PROVIDE AN OPPORTUNITY FOR INTERESTED PERSONS TO BE HEARD, AND FURTHER, THE TOWNSHIP CLERK SHALL ADVERTISE SAID PUBLIC HEARING.

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

- 14. Proposed 2010 Holiday Schedule** – The Administrative/Personnel Committee recommends the Township Board approve the proposed 2010 Holiday Schedule

Supervisor Fletcher said the employees of the Township received 11 paid holidays in a year, two of which were referred to as the Independence Day and Christmas day extension. He noted that if a holiday fell on a Thursday, the employee was given the next day off as a paid holiday and the same applied if a holiday fell on a Tuesday, the employee would be given the Monday before as a paid holiday. He noted that after completing an informal survey of employees, the consensus of the employees was that Christmas Eve be set as a paid holiday rather than a Christmas day extension. Mr. Fletcher said he

also surveyed the employees regarding New Year's Eve as a set paid holiday rather than Independence Day and the consensus of employees was to keep the 4th of July as an extended holiday. Mr. Fletcher said instead of the Committee deliberating the holiday schedule every year, it would become a new policy that Christmas Eve would become a paid holiday and that no changes be made to the Independence Day extension.

CLERK VEDDER MOVED THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA APPROVE THE CHANGE OF THE CHRISTMAS DAY EXTENDED HOLIDAY TO BE SET AS CHRISTMAS EVE THENCEFORTH; AND FURTHER, THAT THE 2010 HOLIDAY SCHEDULE BE APPROVED AS PROPOSED: AND FURTHER, THAT THE JULY 4TH HOLIDAY EXTENSION MAY BE USED AT THE EMPLOYEE'S DISCRETION WITH THE DEPARTMENT DIRECTOR'S APPROVAL AS LONG AS IT IS USED WITHIN THE CALENDAR YEAR.

TRUSTEE POMA SECONDED THE MOTION. MOTION PASSED 7-0.

15. **Amendment to the Police Protection Services Agreement** – The Public Safety Committee recommends the Township Board approve an amendment to the Police Protection Services Agreement between Delta Township and Eaton County.

Supervisor Fletcher noted that the contract would be changed to reflect the Township's share to be based on the SEV rather than taxable value. This would result in the Township's share going from 61% to 65% or an additional \$162,668.

TRUSTEE POMA MOVED THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA APPROVE THE AMENDMENT TO THE POLICE PROTECTION SERVICES AGREEMENT DATED SEPTEMBER 278, 2004, AS FOLLOWS:

2. CONTRACT PRICE

2.1 FOR THE PERIOD OCTOBER 1, 2004 THROUGH SEPTEMBER 30, 2014, THE METHOD OF COMPUTATION FOR THE AMOUNT TO BE PAID BY THE TOWNSHIP TO THE COUNTY IS DETAILED IN SCHEDULE A. **FOR THE FISCAL YEAR OCTOBER 1, 2009 THROUGH SEPTEMBER 30, 2010 THE AMENDED SCHEDULE A-1 WILL BE UTILIZED.** THE AMOUNTS DUE UNDER THIS AGREEMENT MAY INCREASE OR DECREASE IN THE EVENT CHANGES ARE MADE AS PROVIDED IN SECTION 3.2 BELOW. THE PARTIES WILL MEET TO DISCUSS THE IMPLEMENTATION OF THE USE OF TAXABLE VALUE IN THE

FORMULA RATHER THAN STATE EQUALIZED VALUE, BEGINNING IN
THE CONTRACT YEAR **2010**;

AND FURTHER THAT SCHEDULE A OF THE POLICE PROTECTION
SERVICES AGREEMENT BE AMENDED AS FOLLOWS:

SCHEDULE A-1 (FOR OCTOBER 1, 2009 THROUGH SEPTEMBER 30, 2010)
METHOD OF COMPUTATION OF COSTS
CHARTER TOWNSHIP OF DELTA
POLICE PROTECTION SERVICES AGREEMENT

- STEP 1:** EACH YEAR OF THE AGREEMENT COMPUTE THE PROPOSED
COST OF PERSONNEL (WAGES AND BENEFITS).
- STEP 2:** COMPUTE THE COST OF OPERATING AND CAPITAL ITEMS FOR
THAT YEAR, WHICH INCLUDES THE FOLLOWING:
- A. SUPPLIES.
 - B. OTHER SERVICES AND CHARGES.
 - C. CAPITAL OUTLAY.
- STEP 3:** FROM THE GRAND TOTAL OF PERSONNEL COSTS AND
MISCELLANEOUS ITEM COST, SUBTRACT THE FOLLOWING
FOR THE YEAR IN QUESTION:
- A. STATE OF MICHIGAN LIQUOR LICENSE REVENUES FOR
DELTA TOWNSHIP
 - B. PROCEEDS FROM THE SALE OF PATROL VEHICLES
PURCHASED FOR USE AT THE DELTA TOWNSHIP SUB-
STATION.
- STEP 4:** ONCE STEP #3 HAS BEEN COMPLETED, MULTIPLY THE
REMAINDER BY FIFTEEN PERCENT (15%) WHICH
REPRESENTS THE SUPPORTIVE SERVICE FEE.
- STEP 5:** WHEN STEP #4 HAS BEEN COMPLETED, ADD THE
SUPPORTIVE SERVICE FEE TO THE GRAND TOTAL OF
PERSONNEL COST AND MISCELLANEOUS ITEMS COST, MINUS
THE LIQUOR FUNDS AND VEHICLE FUNDS.
- STEP 6:** UPON COMPLETING STEP #5, MULTIPLY THIS AMOUNT THE
TOWNSHIP'S ACTUAL SEV AS A PERCENTAGE OF THE
COUNTY'S TOTAL SEV OF 35.04 (FOR 2009).

TRUSTEE SPAGNUOLO SUPPORTED THE MOTION.

Trustee Hicks said while it was a reluctant measure to have to renegotiate a
contract, the contract could be cancelled with a year's notice.

Trustee Cunningham felt it was important to point out that the contract was
being changed back to the original language.

MOTION PASSED. 7-0.

XV. ITEMS FOR DISCUSSION ONLY

- 16. Proposed Increase of Health Insurance Waiver –** The Administrative/Personnel Committee recommends the Township Board consider for approval the proposed increase of the health insurance waiver.

Supervisor Fletcher noted that when the Board approved the contract for the fire department, the Township offered \$2,500 to those firefighters who chose not to select health insurance the Township offered. He noted that Township employees currently received a \$1,500 waiver and that the proposed policy would increase that amount to \$2,500.

- 17. Proposed Meter Reading Contract with Lansing Board of Water & Light –** The Utility and Environmental Committee recommends the Township Board consider approving the proposed meter reading contract between Delta Township and the Lansing Board of Water & Light.

Trustee Spagnuolo noted that it was not viable for the Township to conduct their own meter reading at this time, but funds were being set aside for next year to go forward with the installation of an automatic meter reading system.

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

- 18. Draft – Utility and Environmental Committee Minutes – September 10, 2009**
19. Draft – Administrative/Personnel Committee Minutes – September 2, 2009
20. Draft – Administrative/Personnel Committee Minutes – September 17, 2009.

Manager Watkins said Department Directors attended a retreat today where guest speaker Dr. Lou Bender spoke about change in the work place to meet the new demands in today's economy. He noted that he had attended the ICMA conference where sessions were held on how to go green, cooperation and consolidation, and public safety issues. Mr. Watkins noted that Alicia Boler-Davis would be Randy Thayer's replacement at GM. He noted that GM was looking at adding another shift early next year and that Johnson Controls would be adding another 140 employees the first of the year in order to meet GM's needs. The Township's Library was awarded the Silver LEED (Leadership in Energy and Environmental Design) Certificate. He said the Township received a CFL Recycling/Informational grant in cooperation with East Lansing and Eaton County.

Supervisor Fletcher said the Administrative/Personnel Committee discussed the option of whether or not to require rental units to have furnace inspections and it was the consensus of the Committee that it would have been a significant cost to property owners and that they would not pursue this matter at this time. He said the Committee was also reviewing the employee manuals and looking at possible modifications. Mr. Fletcher announced that the Community Awards reception would be held on October 7th.

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

Lt. Jeff Warder thanked the Board for allowing the Sheriff's Department the opportunity to participate in the retreat today and he noted that Dr. Bender was an excellent speaker.

XVII. ADJOURNMENT

Supervisor Fletcher adjourned the meeting at 9:16 p.m.

CHARTER TOWNSHIP OF DELTA

JANICE VEDDER, TOWNSHIP CLERK

KENNETH FLETCHER, TOWNSHIP SUPERVISOR