

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF MARCH 20, 2000**

**FENTON TOWNSHIP CIVIC COMMUNITY CENTER
12060 MANTAWAUKA DRIVE, FENTON, MICHIGAN**

Supervisor Gabrielson called the meeting to order at 7:30 p.m.

Present: Gabrielson, Mueller, Garfield, Ketchmark, Lambert, McKenna
Office Manager Broecker and Attorney Cooley.

Absent: Mathis

PLEDGE OF ALLEGIANCE:

Supervisor Gabrielson led the pledge of allegiance to the flag.

APPROVAL OF AGENDA:

Motion to approve the 3/20/00 Fenton Township Board Meeting agenda as presented.

Motion by: McKenna

Seconded: Ketchmark

Ayes: All Present

Nays: None

Absent: Mathis

Motion carried. The agenda is approved.

PRESENTATION:

Genesee County Sheriff Department Update

Lieutenant Lau provided the board with a monthly update from the Genesee County Sheriff Department.

MEETING MINUTES:

The minutes of the 3/4/00 workshop meeting and the 3/6/00 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices for payment as presented.

Motion by: McKenna

Seconded: Lambert

Ayes: Gabrielson, Mueller, Garfield, Ketchmark, Lambert, McKenna

Nays: None

Absent: Mathis

Motion carried.

PUBLIC HEARINGS:

Golfview Pointe Phase II Street Lighting Special Assessment District/1st Hearing

Supervisor Gabrielson reviewed the proposed street lighting special assessment for the second phase of the Golfview Pointe development. There was no public comment. Clerk Mueller presented the following resolution:

RESOLUTION NO. 2000-09

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WHEREAS, the Fenton Township Board has received petitions signed by more than 50% of the total land area of the proposed Special Assessment District described hereinafter, and accordingly, determined to proceed under the provisions of 1954 PA 188, as amended, to secure plans and estimates of cost together with a proposed Special Assessment District for assessing the costs of the proposed street lighting project to schedule a public hearing upon the same for this date, and

WHEREAS, the plans, estimates of cost and proposed Special Assessment District were filed with the Township Clerk for public examination and notice of the hearing upon same was published and mailed in accordance with law and statute provided as shown by affidavits pertaining thereto on file with the Township Clerk, and

WHEREAS, in accordance with the aforesaid notices, a hearing was scheduled this 20th day of March, 2000 commencing at 7:30 p.m. and all persons given the opportunity to be heard in the matter, and

WHEREAS, as a result of the foregoing, the Township Board believes the project to be in the best interests of the Township and of the district proposed to be established therefor;

THEREFORE BE IT RESOLVED, that the Fenton Township Board does hereby determine that the petitions for the Golfview Pointe Phase II Street Lighting Special Assessment District were properly signed by the record owners of land whose land area constitutes more than 50% of the total land area upon the proposed improvement, and

BE IT FURTHER RESOLVED, that the Fenton Township Board does hereby approve the plans for the maintenance of street lights in Phase II of the Golfview Pointe condominium development as prepared and presented, and the estimated costs thereof of \$900.00 per year, and

BE IT FURTHER RESOLVED, that the Fenton Township Board does hereby create, determine and define as a Special Assessment District to be known as the Golfview Pointe Phase II Street Lighting Special Assessment District, within which the costs of such improvements shall be assessed, the following described area within said township:

Units 20-50 of the Golfview Pointe condominium development

BE IT FURTHER RESOLVED, that on the basis of the foregoing, the Fenton Township Board does hereby direct the Supervisor and assessing officer to make a special assessment roll in which shall be entered and described all the parcels of land to be assessed with the names of the respective owners thereof if known, and a total amount to be assessed against each parcel of land in the Special Assessment District. When the same has been completed, the Supervisor and assessing officer shall affix thereto his/her certificate stating that it was made pursuant to this Resolution and that in making such

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assessment roll, he has, according to his best judgement, conformed in all respects to the directions contained in this Resolution and the applicable state statutes.

Motion to adopt Resolution No. 2000-09 as presented.

Motion by: Mueller

Seconded: Garfield

Ayes: Gabrielson, Mueller, Garfield, Ketchmark, Lambert, McKenna

Nays: None

Absent: Mathis

Motion carried. Resolution declared adopted.

Supervisor Gabrielson reported that, in anticipation of the foregoing resolution, a special assessment roll has been prepared, certified and submitted to the Township Clerk. Clerk Mueller presented the following resolution:

RESOLUTION NO. 2000-10

WHEREAS, the Supervisor and assessing officer of Fenton Township has, in accordance with the Resolution of the Fenton Township Board and the laws and statutes pertinent thereto, prepared a special assessment roll in the total amount of \$899.00 per year, (\$1,406.16 in the first year), covering all parcels of land within the Golfview Pointe Phase II Street Lighting Special Assessment District, and has affixed thereto his Certificate as required by said Resolution;

THEREFORE BE IT RESOLVED, that said special assessment roll shall be filed with the Township Clerk and shall be available for public examination during regular business hours of regular business days from the present date until the public hearing upon the same and shall further be examined at such public hearing, and

BE IT FURTHER RESOLVED, that the Fenton Township Board shall meet at 7:30 p.m. on April 3, 2000 at the Fenton Township Civic Community Center located at 12060 Mantawauka Drive, within the Township, to review such special assessment roll and hear any objections thereto, and

BE IT FURTHER RESOLVED, that the Township Clerk shall cause notice of such hearing and the filing of such assessment roll to be published twice in a newspaper of local circulation prior to the date of the hearing, with the first publication being not less than ten (10) days prior to the hearing and shall further cause notice of such hearing to be mailed by First Class Mail to all owners of or persons having an ownership interest in property within the Golfview Pointe Phase II Street Lighting Special Assessment District as shown on the current assessment roll of the Township also at least ten (10) days prior to said hearing, all in accordance with the law and statute provided.

Motion to adopt Resolution No. 2000-10 as presented.

Motion by: Mueller

Seconded: McKenna

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Ayes: Gabrielson, Mueller, Garfield, Ketchmark, Lambert, McKenna
Nays: None
Absent: Mathis

Motion carried. Resolution declared adopted.

REPORTS:

None

COMMUNICATIONS:

None

UNFINISHED BUSINESS-ADOPTION OF ORDINANCES:

Amendment to Zoning Ordinance Schedule of Regulations/1st Reading

Supervisor Gabrielson reviewed the proposed amendment to the Zoning Ordinance schedule of regulations. The amendment would change the required road frontage in the R-1E zoning district from 200 to 150 feet, and establish a required road frontage of 66 feet for the C-1, C-2, C-3, M-1, M-2 and OS zoning districts. There was no public comment. The second reading of the proposed amendatory ordinance will be conducted at the 4/3/00 meeting.

UNFINISHED BUSINESS-OTHER:

None

NEW BUSINESS:

Resolution No. 2000-11, Rawcar Group L.L.C. Project Plan

Philip Stair of the Genesee County Economic Development Corporation provided an overview of the project plan for Contour Fabricators. Contour Fabricators has purchased the former Lucas building on Fenton Road and plans to relocate their operation from Grand Blanc Township. Their primary business is the manufacturing of medical accessories. In order to be eligible for tax-exempt financing, the project plan must be formally approved by the Fenton Township Board. Clerk Mueller presented the following resolution:

RESOLUTION NO. 2000-11

WHEREAS, pursuant to The Economic Development Corporations Act, Public Act No. 338 of the Michigan Public Acts of 1974, as amended (the "Act"), the Charter Township of Fenton Board of Trustees has reviewed the Project Plan presented to this meeting, relative to the Rawcar Group L.L.C. Project (the "Project") of The Economic Development Corporation of the County of Genesee (the "Issuer"), and

WHEREAS the Charter Township of Fenton Board of Trustees desires to express its approval of said Project Plan and the Project described therein, and requests the Issuer to proceed with the Project and the financing thereof;

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NOW, THEREFORE, BE IT RESOLVED, by the Charter Township of Fenton Board of Trustees as follows:

- 1. It is hereby determined that the Project Plan for the Project as presented constitutes a public purpose within the meaning of the Act and said Project Plan is hereby approved in its entirety based on the following considerations:
 - a. The Project Plan meets the requirements set forth in Section 8 of the Act.*
 - b. The persons who will be active in the management of the Project for not less than one year after the approval of the Project Plan have sufficient ability and experience to manage the Project Plan properly.*
 - c. The proposed method of financing the Project is feasible and the Issuer has the ability to arrange the financing.*
 - d. The Project is reasonable and necessary to carry out the purposes of the Act.**
- 2. The Economic Development Corporation of the County of Genesee is hereby requested to proceed with the Project and the financing thereof.*
- 3. It is hereby recommended that the Genesee County Board of Commissioners, following a public hearing in accordance with the Act, approve the Project Plan.*
- 4. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.*
- 5. The Township Clerk is hereby directed to provide three certified copies of this resolution to the Secretary of the Issuer.*

Motion to adopt Resolution No. 2000-11 as presented.

Motion by: Mueller

Seconded: Ketchmark

Ayes: Gabrielson, Mueller, Garfield, Ketchmark, Lambert, McKenna

Nays: None

Absent: Mathis

Motion carried. Resolution declared adopted.

CDBG Interlocal Loan Agreement with Village of Otisville

Supervisor Gabrielson reported that the Village of Otisville has approached the township to enter into an agreement to lend \$12,000 in CDBG funds to them for a street improvement project. The funds would be repaid out of their CDBG allocations in the years 2001 and 2002. The board reviewed the proposed Interlocal Loan Agreement, which is required by Genesee County, and agreed that it would be a good use of our funds since we have difficulty finding eligible projects.

Motion to approve the Interlocal Loan Agreement between the Charter Township of Fenton and the Village of Otisville as presented.

Motion by: Mueller

Seconded: Ketchmark

Ayes: Gabrielson, Mueller, Garfield, Ketchmark, Lambert, McKenna

Nays: None

Absent: Mathis

Motion carried.

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Resolution No. 2000-12, CDBG Interlocal Loan Agreement

Supervisor Gabrielson noted that Genesee County Community Development requires a resolution authorizing the transfer of CDBG funds, as outlined in the Interlocal Loan Agreement that was just approved. Clerk Mueller presented the following resolution:

RESOLUTION NO. 2000-12

WHEREAS, the Village of Otisville is in need of additional Community Development Block Grant (CDBG) funds to complete a proposed street improvement project in their community, and

WHEREAS, the Charter Township of Fenton has unallocated CDBG funds available to lend to the Village of Otisville, and

WHEREAS, the Charter Township of Fenton has approved an Interlocal Loan Agreement for the lending of Community Development Block Grant Funds to the Village of Otisville, and

WHEREAS, the Charter Township of Fenton, per said Agreement, shall lend \$12,000.00 of its fiscal year 2000 CDBG allocation to the Village of Otisville, and

WHEREAS, the Village of Otisville will repay to the Charter Township of Fenton \$6,000.00 from its fiscal year 2001 CDBG allocation and \$6,000.00 from its fiscal year 2002 CDBG allocation;

THEREFORE BE IT RESOLVED, that the Fenton Township Board of Trustees hereby authorizes the transfer of \$12,000.00 of its 2000 CDBG funding to the Village of Otisville, subject to the provisions of the Interlocal Loan Agreement.

Motion to adopt Resolution No. 2000-12 as presented.

Motion by: Mueller

Seconded: Ketchmark

Ayes: Gabrielson, Mueller, Garfield, Ketchmark, Lambert, McKenna

Nays: None

Absent: Mathis

Motion carried. Resolution declared adopted.

Genesee County Road Commission Contract – 2000 Local Road Projects

Supervisor Gabrielson reviewed a proposed contract with the Genesee County Road Commission for projects to re-gravel Odell Road and re-pave Main Road and Grove Park Road. Due to the higher than anticipated costs, these projects will require a budget increase of \$150,000.00.

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Motion authorize the Township Supervisor and Township Clerk to enter into a contract with the Genesee County Road Commission for 2000 local road improvement projects as presented.

Motion by: Mueller
Seconded: McKenna
Ayes: Gabrielson, Mueller, Garfield, Ketchmark, Lambert, McKenna
Nays: None
Absent: Mathis

Motion carried.

2000 Fenton Township Budget Amendments

Office Manager Broecker reviewed the proposed first quarter budget amendments. The only changes since the proposed amendments were discussed at the 3/4/00 workshop meeting are the increases for local road projects and increase to the projected cost of the construction of an addition to Fire Station #1.

Motion to adopt the amendments to the 2000 Fenton Township Budgets as presented.

Motion by: Mueller
Seconded: Garfield
Ayes: Gabrielson, Mueller, Garfield, Ketchmark, Lambert, McKenna
Nays: None
Absent: Mathis

Motion carried.

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

Bill Walworth, 2127 Wiggins Road

Mr. Walworth asked if any CDBG funds had been allocated to the Loose Senior Citizen Center. Supervisor Gabrielson responded that, in addition to the 15% annual allocation for center operations, Fenton Township had allocated approximately \$24,000.00 for senior center repairs and improvements.

RECESS:

Motion to recess the regular meeting to convene an executive session for the purpose of discussing pending litigation issues:

Motion by: Mueller
Seconded: Gabrielson
Ayes: All Present
Nays: None
Absent: Mathis

Motion carried. The meeting was recessed at 8:00 p.m.

RECONVENE:

The meeting was reconvened at 8:42 p.m.

ADJOURN: Meeting adjourned at 8:43 p.m.

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Carl Gabrielson, Supervisor

Charles Mueller, Clerk

Minutes Posted 3/21/00