

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JUNE 19, 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, Mathis, McKenna,
Office Manager Broecker and Attorney Cooley.

Absent: None

PLEDGE OF ALLEGIANCE:

Supervisor Gabrielson led the pledge of allegiance to the flag.

APPROVAL OF AGENDA:

Motion to approve the 6/19/00 Fenton Township Board Meeting agenda as presented.

Motion by: Mueller

Seconded: Garfield

Ayes: All

Nays: None

Motion carried. The agenda is approved.

PRESENTATION:

Genesee County Sheriff Department

Captain Mike Compeau provided the board with information on COPS grant program that would allow the hiring of an employee to assist with paperwork, equipment, etc. for the deputies assigned to our township. The grant period would be for three years, with the government funding 75% of the employee costs. The township would be obligated to retain the employee for one year after the end of the grant period. Trustee Ketchmark stated that the Police Committee is not recommending application for the grant at this time. If the township creates their own traffic bureau, as has been discussed, a clerical employee may be a good idea.

MEETING MINUTES:

The minutes of the 6/5/00 regular meeting and 6/12/00 special workshop meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices for payment as presented.

Motion by: Garfield

Seconded: Mathis

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

Nays: None

Motion carried.

PUBLIC HEARINGS:

Linden Crossings Street Lighting Special Assessment District/2nd Hearing

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JUNE 19, 2000**

Supervisor Gabrielson reviewed the proposed special assessment district for street lights in the Linden Crossings condominium development. It was noted that the number of lights had been increased from 14 to 15 and the assessment roll revised to reflect that change. There was no public comment. Clerk Mueller presented the following resolution:

RESOLUTION NO. 2000-20

WHEREAS, the township board of the Charter Township of Fenton, Genesee County, Michigan, after due and legal notice, has conducted a public hearing upon a proposed assessment roll prepared by the supervisor and assessing officer of the Township for the purpose of defraying the costs of the improvement project proposed to be initiated within the Linden Crossings Street Lighting Special Assessment District as shown on the plans and specification for such project;

AND WHEREAS, such public hearing was preceded by proper notice in a newspaper of general circulation in the Township, and by First Class Mail notice to each property owner of record within said district and upon said assessment roll;

AND WHEREAS, all present at said public hearing were given the opportunity to be heard in the matter;

AND WHEREAS, no written objections were received to said roll and levy;

AND WHEREAS, additional information received indicated the reasonableness of the following amendments to said assessment roll:

Due to the increase in the number of lights from 14 to 15, the per parcel assessment shall be \$45.00 in 2000 and \$34.50 in 2001 and beyond.

AND WHEREAS, the Township Board has duly inspected the proposed assessment roll and considered all comments and proposed amendments thereto and has found the proposed assessment roll, as amended, to be correct, just and reasonable;

THEREFORE BE IT RESOLVED, that the assessment roll submitted by the supervisor and assessing officer of the Township shall hereafter be designated as the Fenton Township Special Assessment Roll No. 2000-4 and shall hereby be confirmed as the assessment roll for the Linden Crossings Street Lighting Special Assessment District.

BE IT FURTHER RESOLVED, that the assessments in said Fenton Township Special Assessment Roll No. 2000-4 shall be paid in annual installments with the first installment to be due and payable on December 1, 2000 and the following installments to be due and payable on the first day of December of each year thereafter. The amount of each payment may be adjusted on an annual basis, relative to changes in the actual cost of street light operation and maintenance.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JUNE 19, 2000**

BE IT FURTHER RESOLVED, if any installment of a special assessment is not paid when due, then the installment shall be considered to be delinquent and there shall be collected, in addition to interest as provided by this section, a penalty at the rate of 1% for each month, or fraction of a month, that the installment remains unpaid before being reported to the Township Board for reassessment upon the Township tax roll, in accordance with Michigan Public Act 188 of 1954, as amended.

BE IT FURTHER RESOLVED, that the assessments made in said special assessment roll are hereby ordered and directed to be collected by the Township Treasurer, and the Township Clerk shall deliver said special assessment roll to said Treasurer with his warrant attached, commanding the Treasurer to collect such assessments in accordance with the direction of the Township Board and said P.A. 188 of 1954.

BE IT FURTHER RESOLVED, that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Motion to adopt Resolution No. 2000-20 as presented.

Motion by: Mueller

Seconded: Ketchmark

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

Nays: None

Motion carried. Resolution declared adopted.

REPORTS:

Fire Department Update

Treasurer Garfield reported that the Fire Department has hired two new fire fighters. She also reported that the new computer programs are being installed.

Treasurer Garfield reported that the Fire Department still has breathing equipment that is now obsolete. It is our understanding that many small fire departments in the northern parts of Michigan are in need of breathing equipment, even if it is older. Since the old equipment has little or no resale value, she recommends authorizing Fire Chief Moulton to donate the equipment to one or more "needy" fire departments.

Motion to authorize Fire Chief Moulton to donate, at his discretion, used breathing equipment to one or more fire departments as appropriate.

Motion by: Garfield

Seconded: Mathis

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

Nays: None

Motion carried.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JUNE 19, 2000**

Resolution No. 2000-23 / Township Participation in GCRC Special Assessments

Supervisor Gabrielson asked to move this item to an earlier portion of the agenda. Clerk Mueller noted that the board had discussed the issue of township participation in special assessments for public streets at past meetings. Since the township has committed a significant amount of dollars to local road improvements this year, he believes it is time to revisit the issue. In the past the township has contributed 25% of the cost of residential street improvements completed under county special assessment. These contributions have accumulated to the point that we are paying \$75,000.00 this year for our "at-large" share of existing special assessments. If we discontinue our participation it will make more funds available for local road improvements, which benefit many more residents than the improvements to subdivision streets. Clerk Mueller presented the following resolution:

RESOLUTION NO. 2000-23

WHEREAS, street improvements for public subdivision streets within the Charter Township of Fenton are generally funded by a special assessment district established by the Genesee County Road Commission under the provisions of PA 246 of 1931, as amended, and

WHEREAS, the past practice of the Charter Township of Fenton was to be included in such special assessment districts and contribute 25% of the total cost of said road improvements, and

WHEREAS, the Charter Township of Fenton has steadily increased the funds appropriated each year for the construction and improvement of public roads within Fenton Township, and

WHEREAS, the discontinuation of the township's participation in subdivision street special assessment districts would make additional funds available for other uses which would benefit all of Fenton Township;

NOW, THEREFORE, BE IT RESOLVED, that, effective immediately, the Charter Township of Fenton shall no longer be included in the cost allocation for road improvements constructed by the Genesee County Road Commission under PA 246 of 1931, as amended, or any other special assessment process.

Motion to adopt Resolution No. 2000-23 as presented.

Motion by: Mueller

Seconded: Garfield

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

Nays: None

Motion carried. Resolution declared adopted.

COMMUNICATIONS:

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JUNE 19, 2000**

Supervisor Gabrielson reported that the Genesee County Road Commission has scheduled a hearing of necessity for a proposed special assessment district to re-pave Silver Crest Drive. The hearing will be held at the Fenton Township Civic Community Center on June 28, 2000 beginning at 7:00 p.m.

UNFINISHED BUSINESS-ADOPTION OF ORDINANCES:

Rezoning #338, John D. Groves, part of parcel 06-30-100-016; R-1B to OS/1st Reading

Supervisor Gabrielson reviewed the rezoning ordinance. Trustee McKenna noted that the Planning Commission had recommended denial of the request. They believe that the proposed rezoning would not be appropriate for the area, which is primarily residential. There was no public comment. The second reading of the rezoning ordinance will be conducted at the 7/10/00 meeting.

UNFINISHED BUSINESS-OTHER:

Revision to Assessor's Employment Agreement

Office Manager Broecker reviewed a proposed amendment to the recently approved employment agreement for Assessor Linda Klein. The amendment is due to a miscommunication that resulted in the wrong salary figures being included in the agreement that was approved. The amendment calls for a 5% salary increase from the previous salary, and 3.5% increases in 2001 and 2002.

Motion to approve the amendment to the Employment Agreement between the Charter Township of Fenton and Linda K. Klein as presented.

Motion by: Mueller

Seconded: McKenna

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

Nays: None

Motion carried.

Retirement Letter / Health Insurance Eligibility – DuWayne Stratman

Supervisor Gabrielson reported that former Assistant Fire Chief DuWayne Stratman had delivered a letter of resignation/retirement, as discussed by the board at the last meeting. Supervisor Gabrielson, Clerk Mueller and Treasurer Garfield are in favor of accepting this letter and declaring Mr. Stratman retired. Trustees Ketchmark and Mathis do not support acceptance of the letter because, without the signed separation agreement, the township is not protected from further legal action. Trustee Ketchmark also pointed out that Mr. Stratman's letter states "I wish to notify the township of my retirement". She is concerned that this wording is not specific enough. Labor attorney Hiram Grossman stated that, in his opinion, accepting the letter is the best course of action at this point. If the board declares Mr. Stratman retired and eligible for retiree health insurance benefits, the likelihood of any further legal action would be greatly reduced.

Clerk Mueller made the following motion, which was seconded by Treasurer Garfield:

"Motion to accept the letter of retirement dated June 12, 2000 from DuWayne Stratman."

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JUNE 19, 2000**

Trustee McKenna asked the board to consider amending the motion to simply accept Mr. Stratman's request for retirement, as stated in his letter, rather than accepting the entire letter.

Motion to amend the previous motion as follows:

"Motion to accept the request for retirement from DuWayne Stratman per his letter dated June 12, 2000."

Motion by: Mueller

Seconded: Garfield

Ayes: All

Nays: None

Motion carried. The motion is amended.

Trustee Ketchmark expressed concern that the letter from Mr. Stratman did not include an effective date for his retirement. The board agreed that an effective date is required.

Motion to further amend the previous motion as follows:

"Motion to accept the request for retirement, effective May 3, 2000, from DuWayne Stratman per his letter dated June 12, 2000."

Motion by: Mueller

Seconded: Garfield

Ayes: All

Nays: None

Motion carried. The motion is amended.

Motion to accept the request for retirement, effective May 3, 2000, from DuWayne Stratman per his letter dated June 12, 2000.

Motion by: Mueller

Seconded: Garfield

Ayes: Gabrielson, Mueller, Garfield, Lambert, McKenna

Nays: Ketchmark, Mathis

Motion carried.

Motion to reconsider the Fenton Township Board's action of May 3, 2000, in which the employment agreement between the Charter Township of Fenton and DuWayne Stratman was terminated.

Motion by: Mueller

Seconded: McKenna

Ayes: Gabrielson, Mueller, Garfield, Lambert, McKenna

Nays: Ketchmark, Mathis

Motion carried.

Motion to rescind the Fenton Township Board's action of May 3, 2000, (motion by Mueller, seconded by Ketchmark), in which the employment agreement between the Charter Township of Fenton and DuWayne Stratman was terminated.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JUNE 19, 2000**

Motion by: Mueller
Seconded: Garfield
Ayes: Gabrielson, Mueller, Garfield, Lambert, McKenna
Nays: Ketchmark, Mathis
Motion carried.

Motion to approve eligibility of DuWayne Stratman for single coverage health insurance benefits under the township's retiree segment for health insurance, up to a maximum monthly premium of \$350.00.

Motion by: Mueller
Seconded: McKenna
Ayes: Gabrielson, Mueller, Garfield, Lambert, McKenna
Nays: Ketchmark, Mathis
Motion carried.

NEW BUSINESS:

Resolution No. 2000-21/Michael DeFrain & Resolution No. 2000-22/Charles Burns

Treasurer Garfield reported that two township residents had recently rescued a person from a burning home. She believes the two gentlemen are deserving of special recognition for their actions. She presented the following resolutions:

RESOLUTION NO. 2000-21

WHEREAS, on May 3, 2000, a fire originated in one of the homes in the East Bay mobile home community in Fenton Township, and

WHEREAS, during the period of time preceding the arrival of the Fenton Township Fire Department, Michael DeFrain, a neighbor to the burning home, realized that the occupant of the home was still inside the burning structure, and

WHEREAS, ignoring the extreme risk of personal harm, Mr. DeFrain and another individual entered the burning home and transported the occupant to safety;

THEREFORE BE IT RESOLVED, that the Fenton Township Board of Trustees hereby honors Michael DeFrain for his selfless and courageous actions in the rescue of a person from a burning structure, and expresses its gratitude and appreciation for his heroic efforts, and

BE IT FINALLY RESOLVED, that a copy of this resolution be spread upon the minutes of this meeting and a copy presented to Mr. DeFrain.

Motion to adopt resolution No. 2000-21 as presented:

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

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JUNE 19, 2000**

Motion carried. Resolution declared adopted.

RESOLUTION NO. 2000-22

WHEREAS, on May 3, 2000, a fire originated in one of the homes in the East Bay mobile home community in Fenton Township, and

WHEREAS, during the period of time preceding the arrival of the Fenton Township Fire Department, Charles Burns, a neighbor to the burning home, realized that the occupant of the home was still inside the burning structure, and

WHEREAS, ignoring the extreme risk of personal harm, Mr. Burns and another individual entered the burning home and transported the occupant to safety;

THEREFORE BE IT RESOLVED, that the Fenton Township Board of Trustees hereby honors Charles Burns for his selfless and courageous actions in the rescue of a person from a burning structure, and expresses its gratitude and appreciation for his heroic efforts, and

BE IT FINALLY RESOLVED, that a copy of this resolution be spread upon the minutes of this meeting and a copy presented to Mr. Burns.

Motion to adopt resolution No. 2000-22 as presented:

Motion by: Garfield

Seconded: Ketchmark

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

Nays: None

Motion carried. Resolution declared adopted.

Liability Insurance – Loose Senior Citizen Center

Supervisor Gabrielson reviewed a letter from the Loose Senior Citizen Center regarding liability insurance for the center. The Interlocal Agreement requires liability insurance coverage in the amount of \$3 million. The only options were \$2 million or \$5 million so the higher coverage has been in place. If the member municipalities agree to lower the coverage to \$2 million, the center would realize an annual premium savings of approximately \$650.00. The board agreed that lowering the liability insurance coverage to \$2 million would not be a problem. An amendment to the Interlocal Agreement will be presented at a future township board meeting.

Letter of Resignation/Retirement – Tom Waldron

Supervisor Gabrielson read a letter from Ordinance Enforcement Officer Tom Waldron announcing that he is retiring as of July 7, 2000. Mr. Waldron thanked the board for the opportunity to serve the Fenton Township community.

Motion to accept the letter of resignation/retirement for Ordinance Enforcement Officer Tom V. Waldron, II, effective July 7, 2000.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JUNE 19, 2000**

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

Workshop Meeting

Supervisor Gabrielson noted that the next scheduled workshop meeting will be September 9, 2000. Trustee Ketchmark asked that the revision of the resolution establishing a retiree segment for health insurance be placed on the agenda for the next workshop.

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

None

ADJOURN: Meeting adjourned at 8:45 p.m.

Carl Gabrielson, Supervisor

Charles Mueller, Clerk

Minutes Posted 6/20/00