

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF JUNE 18, 2001**

**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, Mathis, McKenna, Rowe, Office Manager  
Broecker and Attorney Cooley

Absent: Krug

**PLEDGE OF ALLEGIANCE:**

Supervisor Gabrielson led the pledge of allegiance to the flag.

**APPROVAL OF AGENDA:**

Motion to approve the 6/18/01 Fenton Township Board Meeting agenda as presented.

Motion by: Rowe

Seconded: McKenna

Ayes: All Present

Nays: None

Absent: Krug

Motion carried. The agenda is approved.

**MEETING MINUTES:**

Regarding the previous meeting's minutes, Treasurer Garfield stated that she did not say that her daughter's boat was docked at her residence, but that she should be able to do so without being cited for an ordinance violation. The minutes will be corrected. The minutes of the 6/4/01 regular meeting stand approved as corrected.

**EXPENDITURES:**

Motion to approve invoices for payment as presented.

Motion by: Garfield

Seconded: McKenna

Ayes: Gabrielson, Mueller, Garfield, Mathis, McKenna, Rowe

Nays: None

Absent: Krug

Motion carried.

**PUBLIC HEARINGS:**

None

**REPORTS:**

**Log Cabin Point Stone Pillars**

Supervisor Gabrielson read a letter from the Genesee County Road Commission regarding the removal of the old stone pillars at the intersection of Fenton Road and Log Cabin Point. The pillars were located in the right-of-way and were removed in response to a written complaint, which cited them as a safety hazard. After removal, the stones were transported to the residence of a Log Cabin Point property owner. The neighborhood will have the pillars re-built and placed outside the right-of-way.

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**COMMUNICATIONS:**

**Field Trip – Traditional Neighborhood Design (TND) Development**

Supervisor Gabrielson notified the board that members of the Planning Commission were going on a “field trip” to Oxford Township to see an example of a “Traditional Neighborhood Design” residential development. Members of the Township Board are also invited. A bus will leave the Fenton Township Civic Community Center at 10:00 a.m. on Tuesday June 19<sup>th</sup>.

**UNFINISHED BUSINESS-ADOPTION OF ORDINANCES:**

**Rezoning #350, Timothy M. Gordon, Parcel 06-12-100-013; AG to R-T/2<sup>nd</sup> Reading**

Supervisor Gabrielson reported that the applicant had requested postponement of the second reading of this ordinance, pending a decision by the Planning Commission regarding the possible designation of additional property on the Land Use Map to high density.

**UNFINISHED BUSINESS-OTHER:**

**Preliminary Plat Tentative Approval – Lakeside Acres**

Kevin Kleaver of Gould Engineering, representing the developer, presented a brief overview of the proposed plat that was reviewed at the 6/4/01 meeting. He stated that the language in the subdivision restrictions has been revised per the recommendation of the Township Attorney. The language specifically limits access to Pamella Park to the nine lots abutting the park. It also limits the use of any dock constructed to those same nine lots. Attorney Cooley confirmed that the language change was acceptable and he felt that the document was adequate. Mr. Kleaver added that the final site plan would include a barricade across Pamella Park to prevent unauthorized access. Trustee Mathis and Treasurer Garfield stated that they are still opposed to the site plan as presented. They feel that having a lakefront park will result in keyholing problems and that monitoring the park for unauthorized access will be impossible. Clerk Mueller stated that any unauthorized access would have to be accomplished by trespassing. The owners of the nine lots will not let that happen.

Motion to grant tentative approval to the Preliminary Plat of Lakeside Acres, as presented.

Motion by: Mueller

Seconded: Rowe

Ayes: Gabrielson, Mueller, McKenna, Rowe

Nays: Garfield, Mathis

Absent: Krug

Motion carried.

**NEW BUSINESS:**

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**Amendment to Genesee County Patrol Boat Agreement**

County Commissioner Fred Shaltz presented to the board a proposed amendment to a contract for the use of a patrol boat used by the Genesee County Sheriff Department Marine Patrol. Two years ago, this boat was jointly purchased by Genesee County, Fenton Township, the Fenton Township Service Club and the Lake Fenton Marina. One of the stipulations of the original agreement was that the boat was to be used exclusively on Lake Fenton. Genesee County has recently purchased a brand new patrol boat to be used on Lake Fenton, for a total of three boats. Since only two boats are necessary it has been recommended that the jointly purchased boat be moved to Lake Ponemah. The agreement must be amended to allow this. The board agreed that this was a “win-win” situation and that the amendment made sense.

Motion to approve the *Amendment #1 to License for Use of County Boat by Fenton Township*, as presented.

Motion by: Gabrielson

Seconded: Garfield

Ayes: Gabrielson, Mueller, Garfield, Mathis, McKenna, Rowe

Nays: None

Absent: Krug

Motion carried.

**Resolution No. 2001-17, Hearing on Revised Silver Ridge Wall Assessment Roll**

Office Manager Broecker reported that a public hearing is necessary to confirm a revised assessment roll for the Silver Ridge Subdivision Wall Special Assessment District. The original roll was based on estimates plus contingencies. The revised roll reflects actual costs. Clerk Mueller presented the following resolution:

**RESOLUTION NO. 2001-17**

*WHEREAS, the Supervisor and assessing officer of Fenton Township has, in accordance with the laws and statutes pertinent thereto, prepared a revised special assessment roll in the total amount of \$29,640.15 covering all parcels of land within the Silver Ridge Subdivision Wall Special Assessment District, and has affixed thereto his Certificate as required by said laws and statutes;*

*THEREFORE BE IT RESOLVED, that said revised 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 July 2, 2001 at the Fenton Township Civic Community Center located at 12060 Mantawauka Drive, within the Township, to review such revised special assessment roll and hear any objections thereto, and*

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*BE IT FURTHER RESOLVED, that the Township Clerk shall cause notice of such hearing and the filing of such revised 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 Silver Ridge Subdivision Wall 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. 2001-17 as presented.

Motion by: Mueller

Seconded: Garfield

Ayes: Gabrielson, Mueller, Garfield, Mathis, McKenna, Rowe

Nays: None

Absent: Krug

Motion carried. Resolution declared adopted.

**Street Name Change – Pinnacle Shores No. 1**

Office Manager Broecker reviewed a request from Cornerstone Surveying & Engineering regarding a street name change in Pinnacle Shores. When the first phase of the Pinnacle Shores Subdivision was platted, two streets were labeled with the same name (Oak Tree Trail). When the error was discovered, one was corrected to “Oak Tree Court”. This correction was made with the township, the Post Office and the Genesee County Road Commission. The State Plat Board, however, requires a resolution from the township to correct the official plat. Clerk Mueller presented the following resolution:

**RESOLUTION NO. 2001-18**

*WHEREAS, the plat of Pinnacle Shores No. 1 (Liber 74, Pages 24-28) was recorded with two streets labeled “Oak Tree Trail”, and*

*WHEREAS, the Genesee County Road Commission and the United States Post Office have changed their records to reflect the name of the street running between Lots 43 and 24 of Pinnacle Shores No. 1 as “Oak Tree Court”, and*

*WHEREAS, it is in the best interests of the Charter Township of Fenton not to have two separate streets with the same street name, and*

*WHEREAS, Michigan law requires such street name changes in recorded plats to be approved by resolution of the governing body of the municipality;*

*NOW, THEREFORE BE IT RESOLVED, that the Charter Township of Fenton Board of Trustees hereby changes the name of the street which runs between Lots 43 and 24 of the plat of Pinnacle Shores No. 1 from Oak Tree Trail to **Oak Tree Court**, and*

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*BE IT FINALLY RESOLVED, that a certified copy of this Resolution shall be recorded with the Genesee County Register of Deeds and a copy of the recorded Resolution sent to the State Treasurer.*

Motion to adopt Resolution No. 2001-18 as presented.

Motion by: Mueller

Seconded: Garfield

Ayes: Gabrielson, Mueller, Garfield, Mathis, McKenna, Rowe

Nays: None

Absent: Krug

Motion carried. Resolution declared adopted.

**OTHER ISSUES-TOWNSHIP BOARD:**

None

**PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:**

David Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft inquired as to the status of sewer spills and pollution going into Lake Ponemah through the Egyptian Drain. Supervisor Gabrielson responded that the City of Fenton sanitary sewer pump station has been modified to prevent any discharge into the drain. The other issues regarding the Egyptian Drain are still being investigated through the Genesee County Drain Commissioner's Office.

Mr. Hawcroft also asked how a speed limit can be set for Lake Ponemah. Supervisor Gabrielson responded that the speed limit is set by ordinance. The speed limit, and the entire ordinance, must be approved by the DNR after a public hearing. The township staff will investigate further and obtain the complete procedure for setting lake speed limits.

Mr. Hawcroft also noted that the In-Between Campground appears to be exceeding their 17 campsite limit on the weekends. Supervisor Gabrielson asked that he be called if such a violation is observed so appropriate action can be taken.

The meeting was recessed at 8:30 p.m.

The meeting was re-convened at 8:40 p.m.

**RECESS:**

Motion to recess the regular meeting to convene an executive session for the purpose of discussing pending litigation and the proposed collective bargaining agreement for the Fenton Township Employees Union.

Motion by: Mueller

Seconded: Garfield

Ayes: All Present

Nays: None

Absent: Krug

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Motion carried. The meeting was recessed at 8:41 p.m.

**RECONVENE:**

The meeting was reconvened at 9:47 p.m.

Motion to approve the Collective Bargaining Agreement with the Fenton Township Employees' Union as presented.

Motion by: Mueller

Seconded: Garfield

Ayes: Gabrielson, Mueller, Garfield, Mathis, McKenna, Rowe

Nays: None

Absent: Krug

Motion carried.

**ADJOURN:** Meeting adjourned at 9:50 p.m.

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Carl Gabrielson, Supervisor

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Charles Mueller, Clerk

**Minutes Posted 6/19/01**