

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF AUGUST 20, 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, Krug, Mathis, McKenna, Rowe, Office
Manager Broecker and Attorney Cooley

Absent: None

PLEDGE OF ALLEGIANCE:

Supervisor Gabrielson led the pledge of allegiance to the flag.

APPROVAL OF AGENDA:

Supervisor Gabrielson reported that the item pertaining to the proposed Barnum Lake Special Assessment should be removed from the agenda. Treasurer Garfield and Trustee Rowe asked that the following items be added to the agenda:

*Fire Station 1 Driveway
Fire Department Computer*

Motion to approve the 8/20/01 Fenton Township Board Meeting agenda as amended.

Motion by: Mueller

Seconded: McKenna

Ayes: All

Nays: None

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes of the 8/6/01 regular meeting stand approved as presented.

EXPENDITURES:

Treasurer Garfield and Trustee Mathis questioned the invoice from Ted Hu Associates for architectural services on the proposed building renovation project. Trustee Mathis stated that the contract with Ted Hu Associates was never formally presented to the board. Clerk Mueller stated that the board awarded the contract for architectural services at a township board meeting. Supervisor Gabrielson simply followed up on that approval by signing the contract with Mr. Hu's firm. The contract is based on a total project estimate of \$1.2 million, which was discussed at the January workshop meeting. The contract language is standard for architectural services and the fee of 6.25% is probably a bit lower than average. He also noted that the invoice included an additional fee for developing the alternate plan, as requested by the board.

Motion to approve invoices for payment as presented.

Motion by: Mueller

Seconded: McKenna

Ayes: Gabrielson, Mueller, Krug, McKenna, Rowe

Nays: Garfield, Mathis

Motion carried.

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PRESENTATION:

Jason Taylor of North Arrow Technologies LLC gave the board a brief update on the Geographic Information System (GIS) project. Mr. Taylor reported that the aerial photos taken in April should be delivered in digital form within the next month or so. Other projects completed include:

- ⇒ Road centerlines and names
- ⇒ Individual parcel cleanup and corrections
- ⇒ Voting precinct layer
- ⇒ Garbage collection day layer
- ⇒ Subdivisions and condominium developments

Other projects currently under way include:

- ⇒ FEMA floodplain map layer
- ⇒ Wetland map layer
- ⇒ Land use map layer
- ⇒ Street number blocks

Mr. Taylor circulated a book of maps created using the updated GIS information. He emphasized that the GIS development is a dynamic process that will be constantly changing and improving as additional layers and features are developed. The next update presented to the board should include the digital ortho-photos of the township.

PUBLIC HEARINGS:

Dollar Lake Improvement Special Assessment District/1st Hearing

Supervisor Gabrielson reviewed the proposed special assessment district for a six-year weed control project on Dollar Lake. This is, in effect, a renewal of a similar six-year assessment that expired after the 2000 tax roll.

Public Comment:

Walter Clausen, 1526 Triple Oak Drive

Mr. Clausen stated that there might be up to three properties not on the proposed assessment roll that should be. Office Manager Broecker responded that one, the platted park owned by the subdivision, is not currently taxed and is not proposed to be assessed. The other two will be researched and, if appropriate, added to the assessment roll before it is confirmed.

There was no further comment. Clerk Mueller presented the following resolution:

RESOLUTION NO. 2001-22

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 lake improvement project to schedule a public hearing upon the same for this date, and

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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 August, 2001 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 Dollar Lake Improvement 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 improvement of Dollar Lake through the control and/or eradication of aquatic weeds as prepared and presented, and the estimated costs thereof of \$5,390.00 per year for six years, 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 Dollar Lake Improvement Special Assessment District, within which the costs of such improvements shall be assessed, the following described area within said township:

***All properties abutting Dollar Lake and
All properties abutting the channel between Dollar Lake and Little Long Lake***

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 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. 2001-22 as presented.

Motion by: Mueller

Seconded: Garfield

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

Nays: None

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Motion carried. Resolution declared adopted.

Supervisor Gabrielson stated that, in anticipation of the adoption of the preceding resolution, a certified assessment roll has already been created and submitted to the Clerk's office. Clerk Mueller presented the following resolution:

RESOLUTION NO. 2001-23

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 \$6,108.56 for the year 2001 and \$5,931.10 per year for the years 2002 through 2006, covering all parcels of land within the Dollar Lake Improvement 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 September 4, 2001 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 Dollar Lake Improvement 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. 2001-23 as presented.

Motion by: Mueller

Seconded: Garfield

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

Nays: None

Motion carried. Resolution declared adopted.

REPORTS:

Sanitary Sewer Inventory Project Bids

Supervisor Gabrielson reported that bids for the sewer inventory project had been received and distributed to the board members. Due to the technical nature of the bids, he

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will seek assistance from the Genesee County WWS Division to review the bids and help the board make a meaningful comparison. This issue will be reviewed further at the next workshop meeting.

Fire Station #1 Driveway

Treasurer Garfield reported that three bids had been obtained to replace the concrete driveway in front of Fire Station #1. The board discussed the possibility of amending the project to include correction of the drainage problem on the Bowles Street curve. Supervisor Gabrielson agreed to solicit bids for the drainage project. The board will delay action until both projects can be approved at the same time.

Fire Department Computer

Trustee Rowe reported that three bids had been obtained for a new computer for the Fire Department. The low bid was from BCL Computing Solutions and the Public Safety Committee recommended purchasing the unit from them. Board action to purchase the computer is not required since budget dollars are available. Trustee Rowe will follow up to have the computer delivered.

Fire Department Emergency Services

Trustee Mathis asked for a clarification of the uses for funds collected by the Fire Department under the Emergency Services Ordinance. Office Manager Broecker responded that those fees are processed as revenues in the Fire Fund and can be used for any valid expenditure in the Fire Fund. The board also discussed the procedures for billing the emergency services. This will be discussed further with Fire Chief Moulton.

COMMUNICATIONS:

None

UNFINISHED BUSINESS-ADOPTION OF ORDINANCES:

Rezoning #355, Bernard M. Dzido, Parcel 06-17-200-003; AG to R-1A/1st Reading

Supervisor Gabrielson reviewed the proposed rezoning. The applicant wishes to rezone the property to allow one division to build another home. Trustee McKenna reported that the Planning Commission recommended approval of the rezoning request. They felt it was appropriate and consistent with surrounding zoning. There was no public comment. The second reading of the proposed rezoning ordinance will be conducted at the 9/4/01 meeting.

Amendment to Zoning Ordinance-Special Use Designation for Schools/1st Reading

Supervisor Gabrielson reviewed the proposed amendatory ordinance, which would designate schools as a Use After Special Approval in all zoning districts. Trustee McKenna reported that this amendment is supported by the Planning Commission. Currently, property must be zoned residential to be used for a school. Rezoning a parcel to residential would open up many possible uses if the school is not ultimately constructed. Making schools a special use eliminates that potential problem, while still giving the Planning Commission enough control to ensure appropriate locations for any school. There was no public comment. The second reading of the proposed rezoning ordinance will be conducted at the 9/4/01 meeting.

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UNFINISHED BUSINESS-OTHER:

Workshop Meeting

Supervisor Gabrielson suggested that a workshop be scheduled to continue discussions regarding the proposed building renovation project and the sewer inventory project. The board agreed to set the meeting for Monday 9/10/01 at 7:00 p.m.

NEW BUSINESS:

Resolution No. 2001-24 / Pine Lake Improvement Special Assessment District

Supervisor Gabrielson reported that the residents of Pine Lake had submitted petitions to establish a new special assessment district for weed control. Their first assessment expired after the 2000 tax roll. Clerk Mueller presented the following resolution:

RESOLUTION NO. 2001-24

WHEREAS, the Fenton Township Board has accepted a petition from the record owners of properties abutting Pine Lake to establish a special assessment district for the purpose of improving the lake through the eradication and control of aquatic weeds, and

WHEREAS, it has been determined that the petition has been signed by the record property owners representing more than 50% of the land area in the proposed special assessment district, and

WHEREAS, plans and estimated costs for the foregoing lake improvement have been placed on file in the office of the Township Clerk,

THEREFORE BE IT RESOLVED, that the Fenton Township Board does hereby tentatively declare its intent to implement an aquatic weed eradication and control program for Pine Lake, and

BE IT FURTHER RESOLVED, that the Fenton Township Board does hereby tentatively establish the boundaries of the proposed special assessment district to include all properties abutting Pine Lake, and

BE IT FURTHER RESOLVED, that the Fenton Township Board will hold a public hearing on the establishment of the proposed special assessment district at its regular meeting to be held on Tuesday September 4, 2001 at the Fenton Township Civic Community Center, beginning at 7:30 p.m.

Motion to adopt Resolution No. 2001-24 as presented.

Motion by: Mueller

Seconded: Rowe

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

Nays: None

Motion carried. Resolution declared adopted.

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Resolution No. 2001-25/Crystal Cove Ct. Road Maint. Special Assessment District

Supervisor Gabrielson reported that the residents of Crystal Cove Court had submitted petitions to establish a new private road maintenance special assessment district. Clerk Mueller presented the following resolution:

RESOLUTION NO. 2001-25

WHEREAS, the Fenton Township Board has accepted a petition from the record owners of properties fronting on the private street known as Crystal Cove Court to establish a special assessment district for the purpose of maintaining the road through snow plowing and routine maintenance, and

WHEREAS, it has been determined that the petition has been signed by the record property owners representing more than 50% of the road frontage in the proposed special assessment district, and

WHEREAS, plans (if any) and estimated costs for the foregoing road maintenance have been placed on file in the office of the Township Clerk,

THEREFORE BE IT RESOLVED, that the Fenton Township Board does hereby tentatively declare its intent implement a road maintenance program for the private street known as Crystal Cove Court, and

BE IT FURTHER RESOLVED, that the Fenton Township Board does hereby tentatively establish the boundaries of the proposed special assessment district to include Units 32-46 of the Crystal Cove Condominium development, and

BE IT FURTHER RESOLVED, that the Fenton Township Board will hold a public hearing on the establishment of the proposed special assessment district at its regular meeting to be held on Tuesday September 4, 2001 at the Fenton Township Civic Community Center, beginning at 7:30 p.m.

Motion to adopt Resolution No. 2001-25 as presented.

Motion by: Mueller

Seconded: Garfield

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

Nays: None

Motion carried. Resolution declared adopted.

Resolution No. 2001-27 / Loose Senior Citizen Center – Tyrone Township

Supervisor Gabrielson reviewed a proposed resolution to give voting rights to the Tyrone Township representative on the Loose Senior Citizen Center Executive Board. Currently the Tyrone representative is a non-voting member because Tyrone Township does not contribute CDBG funds to the center, nor did Tyrone Township pass the Southern Lakes Parks & Rec millage proposal. Several board members voiced concern that granting voting rights is not appropriate if Tyrone Township is not contributing financially to the center. Clerk Mueller presented the following resolution:

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RESOLUTION NO. 2001-27

WHEREAS, the Interlocal Agreement which established the Loose Senior Citizens Center, Inc was approved in 1996 by the City of Linden, the City of Fenton, the Township of Argentine, the Township of Fenton and the Township of Tyrone, and

WHEREAS, the Tyrone Township Board of Trustees, July 17, 2001 approved a motion to request the Interlocal Agreement be amended and grant Tyrone Township voting privileges because of Tyrone Township's consistent involvement in the Loose Senior Citizens Center for the recreational use of Tyrone Township's senior citizens, and

WHEREAS, any amendment to the Loose Senior Citizens Center Interlocal Agreement must have the approval of the above units of government; and

NOW, THEREFORE BE IT RESOLVED, that the Tyrone Township Board of Trustees be hereby granted principal status in the Loose Senior Citizens Center Interlocal Agreement.

Motion to adopt Resolution No. 2001-27 as presented.

Motion by: Mueller

Seconded: Garfield

Ayes: None

Nays: Gabrielson, Mueller, Garfield, Krug, Mathis, McKenna, Rowe

Motion failed. Resolution is not adopted.

Proposed Employment of Co-op Student for 2001-2002 School Year

Supervisor Gabrielson reviewed a memo from Office Manager Broecker requesting that the board consider hiring a co-op student for the Fall 2001 semester. The township has received a letter from Fenton High School senior Shelby Brayton, expressing an interest in working a co-op semester at the Fenton Township office. If approved, the student/employee would work 18-20 hours per week and rotate among various jobs in the office, work on special projects and be trained to provide backup to key positions.

Motion to approve the hiring of Shelby Brayton as a part-time co-op student for the Fall 2001 school semester, as presented.

Motion by: Mueller

Seconded: McKenna

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

Nays: None

Motion carried.

OTHER ISSUES-TOWNSHIP BOARD:

Case's Island Fire Drill

Trustee Mathis reported that the residents of Case's Island, with the assistance of the Fenton Township Fire Department, conducted a full-scale fire drill this past weekend.

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She was very impressed with the work of the fire department and the response of the residents.

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

David Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft, referencing the agenda item regarding the sanitary sewer inventory project, asked if the problems that previously resulted in sewage spills running into Lake Ponemah had been corrected. Supervisor Gabrielson responded that the problems were originating in the City of Fenton but there have been no reported incidents for several months. Mr. Hawcroft also asked for an update on the filling operations at the In Between Campground. Supervisor Gabrielson stated that we have still not received a response from the DEQ. Mr. Hawcroft asked if the township had received any Marine Patrol statistics for this year. Supervisor Gabrielson stated that we expect an annual report on Marine Patrol activities in the next month or two.

Ron Prime, 2292 Toledo Avenue

Mr. Prime, one of six taxpayers that participated in a review of the township building, asked what role the group would play in the 9/10 workshop meeting. Supervisor Gabrielson stated that the group would be invited to share any information or findings they felt were relevant at that meeting.

Walter Clausen, 1526 Triple Oak Drive

Mr. Clausen asked how a no-wake ordinance would be enforced on a small lake, such as Dollar Lake. Supervisor Gabrielson responded that he or the Ordinance Enforcement Officer could be called to go to the lake and witness such violations. If violations are indeed noted, warnings and/or tickets can be issued. Mr. Clausen also asked if the township could arrange for some additional gravel on Triple Oak Drive. Supervisor Gabrielson will investigate.

ADJOURN: Meeting adjourned at 9:30 p.m.

Carl Gabrielson, Supervisor

Charles Mueller, Clerk

Minutes Posted 8/21/01