

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF DECEMBER 2, 2002**

**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, Brancheau, Krug, Mathis, McKenna,
Office Manager Broecker and Attorney Cooley

Absent: None

PLEDGE OF ALLEGIANCE:

Supervisor Gabrielson led the pledge of allegiance to the flag. All in attendance observed a moment of silence in memory of Fenton Township Building Inspector David Watson who passed away on November 30th.

APPROVAL OF AGENDA:

Supervisor Gabrielson asked to have an Executive Session added to the agenda to discuss pending litigation. Trustee Krug asked to have an item added to the Reports section regarding the presentation of commemorative coins for the newly renovated Township Hall.

Motion to approve the 12/2/02 Fenton Township Board Meeting agenda as amended.

Motion by: Krug

Seconded: Garfield

Ayes: All

Nays: None

Motion carried. The agenda is approved.

MEETING MINUTES:

Trustee McKenna noted that had reported two minor errors in the 11/18/02 minutes to Office Manager Broecker. Office Manager Broecker reported that the corrections were made prior to printing the official minutes. The minutes of the 11/18/02 regular meeting stand approved as corrected.

EXPENDITURES:

Motion to approve expenditures as presented.

Motion by: Mueller

Seconded: Garfield

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

Nays: None

Motion carried.

PUBLIC HEARINGS:

None

REPORTS:

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Genesee County WWS – Capacity Utilization Report

The board briefly reviewed the quarterly sewer capacity utilization report from Genesee County Water & Waste Services.

Fenton Township Civic Community Center Commemorative Coins

Trustee Krug distributed sets of coins to the board that have been created to commemorate the newly renovated Fenton Township Civic Community Center. Each set includes a 2002 quarter, dime, nickel and penny that have been stamped with an image of the building and founding dates. A large number of pennies have been produced to be handed out at the open house and other events. Trustee Krug introduced his father-in-law Ray Dillard, who is responsible for the design and the creation of the commemorative coins. He stated that he has done thousands of coins for various purposes and events and enjoyed creating this set for Fenton Township. The board thanked Trustee Krug and Mr. Dillard for their efforts.

COMMUNICATIONS:

Proposed Donation of Real Estate – Pioneer Memorial Association of Fenton & Mundy Townships

Supervisor Gabrielson reviewed a proposal from the Pioneer Memorial Association of Fenton & Mundy Townships. The proposal is to donate their property, including the Podunk House Museum, to Fenton Township. The Township would then be responsible for maintenance of the property. The board agreed to review the issue further before taking formal action on the proposal.

UNFINISHED BUSINESS-ADOPTION OF ORDINANCES:

Proposed Zoning Ordinance Amendment – Accessory Buildings/2nd Reading

Supervisor Gabrielson reviewed a proposed amendment to the Zoning Ordinance regarding allowable square footage for accessory buildings in residential districts. The proposed amendment increases the allowable accessory building area for parcels larger than 20,000 square feet and less than one acre. Trustee McKenna stated that he would like to see the language regarding lake lots that appears in Section 4.02 (A) also be included in Section 4.02 (B). This language will be revised accordingly and this will be considered a revised first reading. The second reading of the proposed amendment will be conducted at the 12/16/02 meeting.

Proposed Amendment to Land Division Ordinance/1st Reading

Supervisor Gabrielson reviewed a proposed amendment to the Land Division Ordinance. Office Manager Broecker explained that the amendment changes the allowable depth-to-width ratio for land divisions from 4:1 to 5:1. The recently adopted Zoning Ordinance already includes the 5:1 requirement. The amendment to the Land Division Ordinance will bring it into compliance with the Zoning Ordinance. There was no public comment. The second reading of the proposed amendatory ordinance will be conducted at the 12/16/02 meeting.

Rezoning #R02-006, Bernard Dzido, Parcel 06-17-200-003; R-3 to AG/1st Reading

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Supervisor Gabrielson reviewed the proposed rezoning ordinance. The property owner had rezoned the property to R-3 but now wishes to rezone back to AG. The Planning Commission has recommended approval of the rezoning, subject to the granting of a road frontage variance by the ZBA. The ZBA has granted a road frontage variance. There was no public comment. The second reading of the proposed rezoning ordinance will be conducted at the 12/16/02 meeting.

UNFINISHED BUSINESS-OTHER:

Sanitary Sewer Maintenance Contractor

Supervisor Gabrielson reviewed a summary of the bids received from Mid-Michigan Manufacturing & Maintenance and SOS Service Group for sanitary sewer maintenance. Mid-Michigan's total bid was \$194,170.44 and the SOS total was \$216,240.00. He recommends awarding a maintenance contract to Mid-Michigan Manufacturing & Maintenance Inc.

Motion to award a sanitary sewer maintenance contract to Mid-Michigan Manufacturing & Maintenance Inc. based on their total bid of 194,170.44, and to authorize the Township Supervisor and Township Clerk to execute the appropriate agreement on behalf of Fenton Township.

Motion by: McKenna

Seconded: Brancheau

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

Nays: None

Motion carried.

NEW BUSINESS:

CDBG Interlocal Loan Agreement – Village of Otisville

As discussed at a previous meeting, the Village of Otisville has made the request to borrow \$65,000.00 in CDBG funds through an *Interlocal Loan Agreement* for a water project. Based on their normal allocation, the loan would be repaid over four funding cycles. Supervisor Gabrielson also clarified that the action taken at the 11/18/02 meeting to release Otisville from their obligation to repay a previous CDBG loan did not involve general fund money. Because it is difficult to identify eligible projects in Fenton Township for CDBG funding, the Township would be faced with the possibility of having unused funds revert back to HUD and possibly used in other areas of Michigan. Using the interlocal loan process keeps the funds in Genesee County.

Motion to approve the Community Development Block Grant Interlocal Loan Agreement in the amount of \$65,000.00 between Fenton Township and the Village of Otisville as presented.

Motion by: Mueller

Seconded: Mathis

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

Nays: None

Motion carried.

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Resolution No. 2002-46, CDBG Transfer

As discussed at the CDBG needs hearing, the board agreed to allocate CDBG funds to the Loose Senior Citizen Center for capital improvements. After allowing for the interlocal loan to the Village of Otisville, there is \$39,643.39 available to allocate for senior center improvements. A resolution is required to transfer the funds. Clerk Mueller presented the following resolution:

RESOLUTION NO. 2002-46

WHEREAS, the Charter Township of Fenton has supported and continues to support the operation of the Loose Senior Citizen Center through allocation of CDBG funds, and

WHEREAS, the Loose Senior Citizen Center is in need of various capital improvements, and

WHEREAS, the City of Linden has submitted a CDBG project application for said improvements;

THEREFORE BE IT RESOLVED, that the Fenton Township Board of Trustees hereby authorizes the transfer of \$39,643.39 from CDBG account #02-13 to the City of Linden project account for Loose Senior Citizen Center Improvements.

Motion to adopt Resolution No. 2002-46 as presented.

Motion by: Mueller

Seconded: Garfield

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

Nays: None

Motion carried. Resolution declared adopted.

Resolution No. 2002-47, Sewer Debt Obligations-2003

Office Manager Broecker reported that Genesee County Water & Waste Services has requested a resolution stating the source of funds for payment of sewer bond debt in 2003. Clerk Mueller presented the following resolution:

RESOLUTION NO. 2002-47

WHEREAS, the Charter Township of Fenton has a need to pay to the County of Genesee the sum of \$1,579,300.07 to meet the bond principal and interest requirements on all bond obligations for sewer facilities in 2003; and

WHEREAS, there are several means by which the funds can be secured to meet these payments; and

WHEREAS, all various means of securing these funds have been reviewed and considered;

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NOW THEREFORE BE IT RESOLVED, by the Charter Township of Fenton, that the monies to meet the principal and interest requirements on all bond obligations for sewer facilities in 2003 will be secured from the following funds.

<i>Funds Already Available</i>	\$ _____
<i>Tap-In Fees to be Collected</i>	\$ <u>675,000.00</u>
<i>Funds from Monthly Rates for Services</i>	\$ <u>553,971.07</u>
<i>General Fund</i>	\$ _____
<i>Ad-Valorem Levy</i>	\$ <u>350,329.00</u>
<i>Other</i>	\$ _____
Grand Total:	\$ <u>1,579,300.07</u>

BE IT FURTHER RESOLVED, that the Township Clerk is hereby directed to forward one (1) copy of this Resolution to the County Agency, and retain one (1) copy for the Fenton Township records.

Motion to adopt Resolution No. 2002-47 as presented.

Motion by: Mueller

Seconded: Garfield

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

Nays: None

Motion carried. Resolution declared adopted.

Request to Waive Property Transfer Affidavit Late Filing Fee

Supervisor Gabrielson reviewed a request from Stacey Bittinger to waive the late filing fee for her property transfer affidavit. Through a miscommunication she believed the proper forms had been filed and the oversight was not the fault of the property owner.

Motion to waive the property transfer affidavit late filing fee for parcel #06-11-503-007 as requested.

Motion by: McKenna

Seconded: Mueller

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

Nays: None

Motion carried.

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

None

EXECUTIVE SESSION:

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

Motion by: Mueller

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Seconded: Krug
Ayes: All
Nays: None

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

RECONVENE:

The regular meeting was reconvened at 9:28 p.m.

NON-AGENDA ITEMS:

Trustee Mathis asked about the status of Tyrone Township joining Sewer District No. 3. Does the Fenton Township Board have to vote on the issue. Supervisor Gabrielson stated that plans are still moving forward and that all three District 3 communities must vote to allow Tyrone Township to join the district.

ADJOURN: Meeting adjourned at 9:35 p.m.

Carl Gabrielson, Supervisor

Charles Mueller, Clerk

Minutes Posted 12/3/02