

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JUNE 2, 2003**

**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.

APPROVAL OF AGENDA:

Motion to approve the 6/2/03 Fenton Township Board Meeting agenda as amended.

Motion by: Krug

Seconded: Brancheau

Ayes: All

Nays: None

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes of the 5/19/03 regular meeting stand approved as presented.

EXPENDITURES:

Treasurer Garfield questioned invoices from both Consumers Energy and Rouse Electric for electrical services related to the installation of sewer flow meters. Supervisor Gabrielson clarified that Consumers Energy will only bring the electricity to the location. Another contractor, in this case Rouse Electric, must still connect the equipment and complete any necessary onsite electrical work. Since Rouse is a sub-contractor of Bostwick Excavating, it was suggested that the Township obtain qualifications and hourly rates from qualified electrical contractors and select one to be the Township's designated contractor. Treasurer Garfield also questioned the invoice from Mid-Michigan Manufacturing & Maintenance. The semi-monthly invoice amount seems to fluctuate significantly as compared to previous years when a flat amount was invoiced twice per month. Supervisor Gabrielson responded that the current contract with Mid-Michigan requires the contractor to itemize their services in more detail. Some of those itemized components are based on actual occurrences; therefore the amounts will vary from month to month. Treasurer Garfield also asked if Drain Commissioner Wright might be able to attend a future meeting to clarify the hydraulic model information. Supervisor Gabrielson will contact Mr. Wright. Trustee Mathis questioned costs attributed to "meetings" on the invoice from Lawrence Engineering. Trustee McKenna noted that part of Mr. Lawrence's responsibility was to be at construction sites at various times to meet with contractors and review progress. Motion to approve expenditures as presented.

Motion by: Mueller

Seconded: McKenna

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

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Nays: None
Motion carried.

PUBLIC HEARINGS:

None

REPORTS:

None

COMMUNICATIONS:

None

UNFINISHED BUSINESS-ADOPTION OF ORDINANCES:

Proposed Amendments to Fenton Township Zoning Ordinance/1st Reading

Trustee McKenna reviewed an extensive group of amendments to the Fenton Township Zoning Ordinance. Most of the amendments are minor in nature and represent an accumulation of notes and ideas from Planning Commissioners, ZBA members, Township Board members and staff since the Zoning Ordinance was adopted in 2002. One of the amendments will reduce the maximum density in the R-6 and R-M zoning districts and the entire group of amendments, in general, will bring the Zoning Ordinance more in line with the Township's Future Land Use Plan. Trustee Mathis submitted a fence ordinance from Grosse Isle Township. She asked that Fenton Township's Zoning Ordinance be amended to reflect some of the provisions in this ordinance. Trustee McKenna stated that another Planning Commission workshop meeting had already been scheduled to consider additional zoning amendments. He will add the fence provisions to the agenda. Clerk Mueller asked if it would be appropriate to amend the Zoning Ordinance to include provisions for the placement of docks. This will be researched further. There was no public comment. The second reading of the proposed amendatory ordinance will be conducted at the 6/16/03 meeting.

UNFINISHED BUSINESS-OTHER:

None

NEW BUSINESS:

Request for Lot Width-to-Depth Ratio Variance – Parcel 06-12-300-005

David Goldstein of Tremaine Real Estate, representing the applicant, stated that parcel in question has a width-to-depth ratio of approximately 23:1. A large wetland makes the rear portion of the property inaccessible. The proposed land division would result in two parcels with width-to-depth ratios of approximately 16:1 and 7:1, respectively. The back portion would be sold to the owner of unit 20 in the Fentonwood Condominium development. Unit 20 would be used as a driveway and a home would be constructed on the newly created parcel. The Fentonwood Condominium Association has indicated support for the request, provided that the home be subject to the requirements of the Fentonwood Master Deed. It was also noted that the ZBA has granted a variance to create a parcel with no road frontage.

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Motion to grant a width-to-depth variance for the proposed division of parcel 06-12-300-005, as presented.

Motion by: Mueller

Seconded: Mathis

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

Nays: None

Motion carried.

Resolution No. 2003-08, Isle of Bordeaux Street Lighting Special Assessment

It was reported that the owner of the Isle of Bordeaux condominium development has petitioned for a street lighting special assessment district. Clerk Mueller presented the following resolution:

RESOLUTION NO. 2003-08

WHEREAS, the Fenton Township Board has accepted a petition from the record owners of properties within the Isle of Bordeaux condominium development to establish a special assessment district for street lighting within the development, and

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

WHEREAS, plans and estimated costs for the foregoing street lighting 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 have street lights installed in the Isle of Bordeaux condominium development, 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 1-6 of the Isle of Bordeaux 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 Monday June 16, 2003 at the Fenton Township Civic Community Center, beginning at 7:30 p.m.

Motion to adopt Resolution No. 2003-08 as presented.

Motion by: Mueller

Seconded: McKenna

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

Nays: None

Motion carried. Resolution declared adopted.

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Proposed Donation of Property – Pioneer Memorial Association of Fenton & Mundy Townships

Supervisor Gabrielson reviewed a request from the Pioneer Memorial Association of Fenton and Mundy Townships. Wayne Butts, representing the association, asked the Township Board to consider taking over ownership of their property. The association's membership has dwindled in recent years and they want to ensure that the property, including the museum and the cemetery, will continue to be maintained. Treasurer Garfield expressed some concern regarding the costs associated with accepting the property. The board agreed that information should be gathered and reviewed before making a decision. The potential issues included: insurance, grounds maintenance, condition of the building, ownership of contents and uses of the facility. Trustee Krug stated that the proposed language places some significant requirements on the Township and should be reviewed and revised before approval. Clerk Mueller suggested that any agreement be reviewed by the Township attorney before approval. Additional information will be gathered and reviewed and the issue will be placed on the agenda at a future meeting.

Proposed Tax Abatement Policy

Office Manager Broecker reviewed a proposed policy guideline for property tax abatements. The Township Board had previously discussed the concept of developing a rating system to use for Industrial Facilities Exemption Certificate (tax abatement) applications. The proposed policy guideline includes such a rating system that is intended to weigh the impact of construction, capital investment and job creation in order to determine an appropriate length for the tax abatement. The guidelines are comparable to similar policies in place at Grand Blanc Township and the City of Burton. The board agreed with this approach to granting abatements.

Motion to adopt the policy guideline for Industrial Facilities Exemption Certificates, as presented.

Motion by: Mueller

Seconded: Garfield

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

Nays: None

Motion carried.

Schedule Public Hearing for Industrial Facilities Exemption Certificate – Webasto

Supervisor Gabrielson noted that the Fenton Township Board adopted a resolution in April to establish the Webasto property on North Road as an Industrial Development District. Webasto Product North America, Inc. has now applied for an Industrial Facilities Exemption Certificate for their new facility. A public hearing is required before the Township Board can act on the application.

Motion to schedule a public hearing for June 16, 2003 to consider the application of Webasto Product North America Inc. for an Industrial Facilities Exemption Certificate for their new facility located at 15083 North Road.

Motion by: Mueller

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Seconded: Brancheau
Ayes: Gabrielson, Mueller, Garfield, Brancheau, Krug, Mathis, McKenna
Nays: None
Motion carried.

Proposed Genesee County Road Commission Agreement – Metro Act

Office Manager Broecker noted that the Township Board adopted Resolution No. 2002-49 on December 16, 2002. This resolution confirmed that the Township would comply with the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act, PA 48 of 2002 (“Metro Act”). To promote uniformity in the enforcement of the Metro Act throughout Genesee County, the Genesee County Road Commission is proposing to serve as the enforcement agency for the provisions of the Act. A proposed agreement for that purpose has been provided by the Genesee County Road Commission. This agreement, if approved, would give the Genesee County Road Commission authority to review and approve applications and oversee the installation of telecommunications networks within the public rights-of-way. Fenton Township would still receive all appropriate fees under the Act from the State of Michigan.

Motion to approve the agreement between the Charter Township of Fenton and the Genesee County Road Commission to designate the Genesee County Road Commission as the enforcing agency with regard to the provisions of the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act, PA 48 of 2002, as presented.

Motion by: McKenna
Seconded: Mueller
Ayes: Gabrielson, Mueller, Garfield, Brancheau, Krug, Mathis, McKenna
Nays: None
Motion carried.

Proposed Genesee County Equalization Parcel Maintenance Agreement

Supervisor Gabrielson reviewed a proposed parcel maintenance agreement from the Genesee County Equalization Department. The agreement includes an increase in the annual parcel maintenance fee from \$.58 to \$.61 per parcel and the tax bill preparation fee increases from \$.20 to \$.21 per bill. Since this is the first fee increase since 1985, the agreement also includes annual increases plus inflationary adjustments for each year through 2007.

Motion to approve the Parcel Maintenance Agreement with the Genesee County Department of Equalization, as presented.

Motion by: McKenna
Seconded: Garfield
Ayes: Gabrielson, Mueller, Garfield, Brancheau, Krug, Mathis, McKenna
Nays: None
Motion carried.

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Proposed Revision to Insurance Policy

Supervisor Gabrielson reminded the board that our insurance company had requested a voluntary reduction in the Township's zoning coverage. The Township hired local insurance attorney Fred Schmoll to review the issue and he has recommended that the Township Board not approve the insurance company's request. Based on that recommendation, no action is necessary.

NON AGENDA ITEM:

Trustee Mathis inquired regarding the status of the proposed sewer construction on North Road. Supervisor Gabrielson noted that the line constructed for Grandma's Loft is not capable of handling additional connections. A new gravity line will be constructed on the east side of North Road and will service the Grandma's Loft building, Forum Motors, Webasto and any other construction along that section of North Road.

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

Patrick Carmody, 16245 Silver Shore Drive

Mr. Carmody asked if there was any update on the annexation case. Office Manager Broecker confirmed that the adjudicative session had been scheduled for June 19, 2003 in Okemos. Mr. Carmody also asked about the proposed North Road sewer line. He questioned why the original line is being abandoned. Supervisor Gabrielson clarified that the original line is a 2½" force main that was designated by Genesee County as a "lead". The line is not functioning properly and needs to be replaced. The Township expressed concern at the time the line was constructed, but it was approved by Genesee County and installed by the property owner at his own expense.

David Franz, 3435 Breezepointe

Mr. Franz asked what Webasto produces in their plant. Clerk Mueller responded that their primary products are large heaters for buses and semi trucks and auto sunroofs. Their facility is for assembly and warehousing only. Mr. Franz also questioned the community dock in the Loon Harbor Preserve development. It appears that there are many more boats docked there than should be. Supervisor Gabrielson will investigate.

ADJOURN: Meeting adjourned at 9:10 p.m.

Carl Gabrielson, Supervisor

Charles Mueller, Clerk

Minutes Posted 6/5/03