

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF MAY 21, 2007**

**FENTON TOWNSHIP CIVIC COMMUNITY CENTER  
12060 MANTAWAUKA DRIVE, FENTON, MICHIGAN**

Supervisor Mathis called the meeting to order at 7:30 p.m.

Present: Mathis, Carmody, Brown, Goupil, Zimmer, Operations Manager Broecker  
and Attorney Cooley

Absent: Krug, Tucker

**PLEDGE OF ALLEGIANCE:**

Supervisor Mathis led the pledge of allegiance to the flag.

Supervisor Mathis also advised the audience that this meeting was being recorded for telecast on local public access television.

**APPROVAL OF AGENDA:**

Trustee Zimmer asked to have the following item added to the New Business section of the agenda:

*Blight Ordinance Enforcement*

Motion to approve the 5/21/07 Fenton Township Board Meeting agenda as amended.

Motion by: Brown

Seconded: Carmody

Ayes: All Present

Nays: None

Absent: Krug, Tucker

Motion carried. The agenda is approved.

**MEETING MINUTES:**

The minutes of the 5/7/07 regular meeting and the 5/14/07 workshop meeting stand approved as presented.

**EXPENDITURES:**

Motion to approve expenditures as presented.

Motion by: Zimmer

Seconded: Carmody

Ayes: Mathis, Carmody, Brown, Goupil, Zimmer

Nays: None

Absent: Krug, Tucker

Motion carried.

**PUBLIC HEARINGS:**

**Lakeside Landing Drainage Improvements Special Assessment District/Hearing of Necessity**

Supervisor Mathis opened a public hearing on a proposed special assessment district to pay for the construction of drainage improvements to alleviate flooding problems in the Lakeside Landing area. The estimated total cost of the improvements is \$28,000.00. The proposed project will utilize a natural detention area and pump the water to Lake Fenton.

Public Comment:

Steven Iamarino, attorney representing the property owners, stated that the residents are satisfied with the proposed project and he has been very pleased with the

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willingness of the Township to work out a cost effective solution to the flooding problems being experienced by the Lakeside Landing residents.

Trustee Brown asked if the DEQ was preparing a report. It was clarified that the DEQ has already conducted a site visit and that the required permit is in progress.

Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft asked who would maintain the pump station for this project. It was clarified that the residents will be responsible for all maintenance, although they have the option of petitioning for another special assessment district to pay for such maintenance through the Township.

William Munro, 13254 Lakeside Landing

Mr. Munro repeated his earlier assertion that the current flooding problems didn't exist until Fenton Road was widened for the entrance to the McCully Lake Estates No. 2 development. While he does not object to the proposed special assessment, he still feels that those responsible for cutting off the previous drainage path should pay to fix the problem.

Julie Munro, 13254 Lakeside Landing

Ms. Munro agreed that the flooding problems began when Fenton Road was widened to add the bypass lane for McCully Lake Estates No. 2. The water used to drain under Fenton Road into a wetland area, which is now dry. She appreciates the efforts of her neighbors and the Township to find a resolution to the problem.

Supervisor Mathis stated that the specific cause of the flooding problems is somewhat of a mystery. The DEQ, Road Commission, Drain Commissioner's office and Township Engineer have all looked at the area and have not been able to specifically identify the cause of the problem. The proposed project will allow the problem to be corrected without identifying the cause.

There was no further discussion. Deputy Clerk Broecker presented the following resolution:

**RESOLUTION NO. 2007-15**

*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 drainage improvements project to schedule a public hearing upon the same for this date, and*

*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 21<sup>st</sup> day of May 2007 commencing at 7:30 p.m. and all persons given the opportunity to be heard in the matter, and*

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*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 Lakeside Landing Drainage Improvements 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 construction of drainage improvements in and around the area of Lakeside Landing, and the estimated costs thereof of \$28,000.00, 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 Lakeside Landing Drainage Improvements Special Assessment District, within which the costs of such improvements shall be assessed, the following parcel numbers within said township:*

<i>06-13-100-001</i>	<i>06-13-501-010</i>
<i>06-13-501-001</i>	<i>06-13-501-011</i>
<i>06-13-501-003</i>	<i>06-13-501-017</i>
<i>06-13-501-004</i>	<i>06-13-501-018</i>
<i>06-13-501-005</i>	<i>06-13-501-019</i>
<i>06-13-501-006</i>	<i>06-13-501-020</i>
<i>06-13-501-007</i>	<i>06-13-501-021</i>

*and*

*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 her certificate stating that it was made pursuant to this Resolution and that in making such assessment roll, she has, according to her best judgment, conformed in all respects to the directions contained in this Resolution and the applicable state statutes.*

Motion to adopt Resolution No. 2007-15 as presented.

Motion by: Zimmer

Seconded: Brown

Ayes: Mathis, Carmody, Brown, Goupil, Zimmer

Nays: None

Absent: Krug, Tucker

Motion carried. Resolution declared adopted.

The special assessment roll will be prepared after the project is complete. A second public hearing will then be scheduled to confirm the roll.

**REPORTS:**

**Patriot Ambulance Service Monthly Report**

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The board briefly reviewed the monthly report from Patriot Ambulance Service. Trustee Goupil noted that the run volume for Patriot was rather low due to the relocation of Regional EMS in the City of Fenton. Patriot is also looking to change their location to a more advantageous position. Trustee Brown pointed out that the competition between the ambulance companies has resulted in lower response times, which equates to improved service for Fenton Township and surrounding communities.

**Broadstreet Fire – City of Linden**

Trustee Brown reported that the coordination and cooperation of the many fire departments that responded to the Broadstreet fire in Linden Friday was most impressive. He commended all involved for their efforts.

**COMMUNICATIONS:**

**Fenton Lakes Sportsman’s Club Update**

Supervisor Mathis reviewed a letter from the Fenton Lakes Sportsman’s Club regarding the upgrades to their 50-yard shooting range. Plans are nearly completed and they are waiting for the soft ground conditions to improve before moving in the equipment necessary to construct the bullet catcher. Completion is expected during the month of June.

**ADOPTION OF ORDINANCES:**

**Rezoning #R07-003, Hartland Developers LLC., Parcel 06-27-100-021 (3472 W. Silver Lake Road); Amendment to Existing PUD Conditions & Conceptual Plan/2<sup>nd</sup> Reading**

Supervisor Mathis reviewed a proposed amendment to an existing PUD for property located at the south end of Lake Ponemah, which was introduced at the 5/7/07 meeting. It was noted the developers are proposing to change the type of development from attached to detached single family residential units. The total number of units would be reduced from 26 to 22, (which matches the 22 boat slips previously approved), with modifications to setback requirements and a revised conceptual plan.

Trustee Brown expressed concern with the proximity of some of the units to the railroad tracks. It was pointed out that this is a conceptual plan and that the Planning Commission can work with the developer to rearrange the layout, if appropriate, when the formal site plan is submitted.

Motion to adopt Ordinance No. 678, and amendment to PUD conditions and conceptual plan for parcel 06-27-100-021, as presented.

- Motion by: Carmody
- Seconded: Goupil
- Ayes: Mathis, Carmody, Goupil, Zimmer
- Nays: Brown
- Absent: Krug, Tucker

Motion carried. Ordinance declared adopted.

**Zoning Ordinance Amendment – Definitions/1<sup>st</sup> Reading**

Supervisor Mathis introduced a Zoning Ordinance amendment to revise the definition of *Sight Line* and add a definition for *Zoning Lot*, which was discussed at the board’s recent workshop meeting. The Planning Commission has conducted a public hearing on the proposed amendment and has recommended approval. There was no public comment.

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The second reading of the proposed amendatory ordinance will be conducted at the 6/4/07 meeting.

**Zoning Ordinance Amendment – Sight Line Provisions/1<sup>st</sup> Reading**

Supervisor Mathis introduced a Zoning Ordinance amendment to revise the provisions regarding Sight Line, which was discussed at the board's recent workshop meeting. The Planning Commission has conducted a public hearing on the proposed amendment and has recommended approval. There was no public comment. The second reading of the proposed amendatory ordinance will be conducted at the 6/4/07 meeting.

**Zoning Ordinance Amendment – Non-conforming Lots of Record/1<sup>st</sup> Reading**

Supervisor Mathis introduced a Zoning Ordinance amendment to revise the provisions regarding Non-conforming Lots of Record, which was discussed at the board's recent workshop meeting. The Planning Commission has conducted a public hearing on the proposed amendment and has recommended approval. There was no public comment. The second reading of the proposed amendatory ordinance will be conducted at the 6/4/07 meeting.

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

**Request for Extension of Preliminary Plat Approval – Byram Ridge**

Supervisor Mathis reported that the Township has received a request from the developers of the Byram Ridge subdivision for an extension of their Preliminary Plat approval. An extension is needed in order for them to proceed through the platting process.

Motion to grant a one year extension for the final approval of the Preliminary Plat of Byram Ridge, as presented.

Motion by: Carmody

Seconded: Goupil

Ayes: Mathis, Carmody, Brown, Goupil, Zimmer

Nays: None

Absent: Krug, Tucker

Motion carried.

**2007 Dust Control Agreement – Genesee County Road Commission**

Supervisor Mathis reviewed information regarding the Genesee County Road Commission's dust control program for 2007. The proposed agreement includes two applications of liquid calcium chloride on unpaved roads this year, with the Township and Road Commission each paying for one application. Based on the mileage of unpaved roads in Fenton Township, the Township's cost would be approximately \$16,200.00.

Trustee Brown asked if the County pays for one or two chloride applications. Operations Manager Broecker explained that the Road Commission pays for the first application, which will be done in May. The Township can pay for up to two additional applications, one in June and one in August. The current budget is for one application so the August time frame would be the most beneficial.

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Motion to approve the 2007 Genesee County Road Commission Dust Control Program, including one application of liquid calcium chloride at the Township's expense, as presented.

Motion by: Carmody  
Seconded: Brown  
Ayes: Mathis, Carmody, Brown, Goupil, Zimmer  
Nays: None  
Absent: Krug, Tucker

Motion carried.

**Resolution No. 2007-16, Authorizing Issuance of Sewer Bonds**

Operations Manager Broecker reviewed a resolution authorizing the issuance of up to \$16 million in capital improvement bonds for the Township's sewer rehabilitation project. The "up to" amount of \$16 million is based on the following:

1. \$4 million to repay the bond anticipation note issued in 2006.
2. \$4 million to provide funds to continue the various components of the repair and rehabilitation project for the sewer system.
3. \$8 million was the preliminary cost estimate for the Torrey Road sewer project. Because of current economic conditions it is anticipated that this cost will be significantly lower, more likely in the \$5-6 million range.

The final size of the bond issue is very likely to be less than \$16 million, possibly as low as \$10-12 million; that number will be determined by the end of this month.

Deputy Clerk Broecker presented the following resolution:

**RESOLUTION NO. 2007-16**

*WHEREAS, the Township Board of the Township (the "Board") has determined that the Township should sell general obligation capital improvement bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), in an amount not to exceed Sixteen Million Dollars (\$16,000,000) for the purpose of paying the cost of improvements to the sewer system in the Township and related sites, equipment, structures, attachments and appurtenances thereto (the "Project"); and*

*WHEREAS, the Township Clerk of the Township (the "Clerk") directed the publication of a notice of intent to issue the bonds in Tri-County Times, a newspaper of general circulation in the Township, on September 10, 2006 (the "Notice of Intent"); and*

*WHEREAS, the Notice of Intent was in due form and the manner of the publication of the Notice of Intent was the method best calculated to give notice to the Township's taxpayers and electors of the Board's intent to issue the bonds, the purpose and security for the bonds, and the right of referendum relating thereto; and*

*WHEREAS, at least 45 days have elapsed since the date of publication of the Notice of Intent without the filing of a petition for referendum on the question of the sale and issuance of the bonds described in the Notice of Intent; and*

*WHEREAS, the aggregate outstanding balance of municipal securities issued under Section 517 of Act 34 by the Township shall not exceed 5% of the state equalized valuation of the property assessed in the Township, and the outstanding balance of all*

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*municipal securities issued under Section 517 of Act 34 by the Township will not exceed this limit after the issuance of the bonds.*

*NOW, THEREFORE, BE IT RESOLVED THAT:*

1. *Authorization of Bonds; Bond Terms.* *Bonds of the Township designated 2007 GENERAL OBLIGATION LIMITED TAX CAPITAL IMPROVEMENT BONDS (the "Bonds") are authorized to be issued in the aggregate principal sum of not to exceed Sixteen Million Dollars (\$16,000,000) for the purpose of paying the cost of the Project, including the costs incidental to the issuance, sale and delivery of the Bonds. The issue shall consist of bonds in fully-registered form of the denomination of \$5,000, or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, numbered consecutively in order of registration, dated as of July 1, 2007. The Bonds shall bear interest, mature and be payable at the times and in the manner set forth in Sections 6 and 7 hereof.*

*The Bonds shall be sold at public sale at a price not less than 99.0% of the principal amount thereof.*

*The Bonds shall be subject to redemption prior to maturity in the manner and at the times and prices set forth in Sections 6 and 7 hereof.*

*Interest shall be payable to the registered owner of record as of the 15<sup>th</sup> day of the month prior to the payment date for each interest payment. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the Township to conform to market practice in the future. Interest shall be payable to the registered owner of record as of the 15<sup>th</sup> day of the month preceding the payment date for each interest payment. The principal of the Bonds shall be payable at U.S. Bank National Association, Detroit, Michigan who is hereby selected to act as the transfer agent for the bonds (the "Transfer Agent").*

*The Bonds shall be issued in book-entry only form through The Depository Trust Company in New York, New York ("DTC") and the Supervisor of the Township (the "Supervisor"), Clerk and Treasurer of the Township (the "Treasurer") are each authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Bonds in book-entry only form and to make such changes in the Bond Form within the parameters of this Resolution as may be required to accomplish the foregoing.*

2. *Execution of Bonds.* *The Bonds of this issue shall be executed in the name of the Township with the facsimile signatures of the Supervisor and Clerk and shall have the seal of the Township, or a facsimile thereof, printed or impressed on the Bonds. No Bond shall be valid until authenticated by an authorized officer or representative of the Transfer Agent. The Bonds shall be delivered to the Transfer Agent for authentication and be delivered by the Transfer Agent to the purchaser or other person in accordance with instructions from the Supervisor, Treasurer or Clerk upon payment of the purchase price for the Bonds in accordance with the bid therefor when accepted.*

3. *Transfer of Bonds.* *The Transfer Agent shall keep the books of registration for this issue on behalf of the Township. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form*

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*approved by the Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the Township shall execute and the Transfer Agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.*

*Unless waived by any registered owner of Bonds to be redeemed, official notice of redemption shall be given by the Transfer Agent on behalf of the Township. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers (and in the case of partial redemption) the called amounts of each certificate; the place where the Bonds called for redemption are to be surrendered for payment; and that interest on the Bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.*

*In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.*

4. Limited Tax Pledge; Debt Retirement Fund; Defeasance of Bonds. *The Township hereby pledges its limited tax full faith and credit for the prompt payment of the Bonds. The Township shall, each year budget the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Bonds and shall advance as a first budget obligation from its general funds available therefor, or, if necessary, levy taxes upon all taxable property in the Township subject to applicable constitutional, statutory and charter tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year.*

*The Treasurer is authorized and directed to open a depository account with a bank or trust company designated by the Board, to be designated 2007 GENERAL OBLIGATION LIMITED TAX CAPITAL IMPROVEMENT BONDS DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature.*

*In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Bonds, shall be deposited in trust, this Resolution shall be defeased and the owners of the Bonds shall have no further rights under this Resolution except to receive payment of the principal of, premium, if any, and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.*

5. Construction Fund; Proceeds of Bond Sale. *The Treasurer is authorized and directed to open a separate depository account with a bank or trust company designated by the Board, to be designated 2007 GENERAL OBLIGATION LIMITED TAX CAPITAL IMPROVEMENT BONDS CONSTRUCTION FUND (the "Construction Fund") and deposit into said Construction Fund the proceeds of the Bonds less accrued interest and premium, if any, which shall be deposited into the Debt Retirement Fund. The moneys*

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*in the Construction Fund shall be used solely to pay the costs of the Project and the costs of issuance of the Bonds.*

6. Bond Form. *The Bonds shall be in substantially the following form:*

UNITED STATES OF AMERICA  
STATE OF MICHIGAN  
COUNTY OF GENESEE  
CHARTER TOWNSHIP OF FENTON  
2007 GENERAL OBLIGATION LIMITED TAX  
CAPITAL IMPROVEMENT BOND

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
	September 1, _____	_____, 2007	

*Registered Owner:*

*Principal Amount:* \_\_\_\_\_ *Dollars*

*The Charter Township of Fenton, County of Genesee, State of Michigan (the "Issuer"), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon (computed on the basis of a 360 day year consisting of twelve 30-day months) from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on March 1, 2008 and semiannually thereafter. Principal of this bond is payable at the designated corporate trust office of U.S. Bank National Association, Detroit, Michigan, or such other transfer agent as the Issuer may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the fifteenth (15<sup>th</sup>) day of the month preceding the interest payment date as shown on the registration books of the Issuer kept by the Transfer Agent by check or draft mailed to the registered owner of record at the registered address. For prompt payment of this bond, both principal and interest, the full faith, credit and resources of the Issuer are hereby irrevocably pledged.*

*This bond is one of a series of bonds aggregating the principal sum of \$\_\_\_\_\_, issued for the purpose of paying part of the cost of capital improvements for the Issuer. This bond is issued under the provisions of Act 34, Public Acts of Michigan, 2001, as amended, and a duly adopted resolution of the Issuer.*

*Bonds of this issue maturing in the years 2008 to 2016, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds of this issue in multiples of \$5,000 maturing in the year 2017 and thereafter shall be subject to redemption prior to maturity, at the option of the Issuer, in any order of maturity and by lot within any maturity, on any date on or after September 1, 2016, at par and accrued interest to the date fixed for redemption.*

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*In case less than the full amount of an outstanding bond is called for redemption, the Transfer Agent, upon presentation of the bond called in part for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption.*

*Notice of redemption shall be given to the registered owner of any bond or portion thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record. A bond or portion thereof so called for redemption shall not bear interest after the date fixed for redemption provided funds are on hand with the Transfer Agent to redeem said bond or portion thereof.*

*[Insert Term Bond Provisions if applicable]*

*This bond is transferable only upon the registration books of the Issuer kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.*

*This bond, including the interest thereon, is payable as a first budget obligation from the general funds of the Issuer, and the Issuer is required, if necessary, to levy ad valorem taxes on all taxable property in the Issuer for the payment thereof, subject to applicable constitutional, statutory and charter tax rate limitations.*

*It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the Issuer, including this bond, does not exceed any constitutional, statutory or charter debt limitation.*

*This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.*

*IN WITNESS WHEREOF, the Charter Township of Fenton, by its Township Board, has caused this bond to be signed in the name of the Issuer by the facsimile signatures of its Supervisor and Clerk and a facsimile of its corporate seal to be printed hereon, all as of the Date of Original Issue.*

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County of Genesee  
State of Michigan

By: \_\_\_\_\_ [facsimile]  
Its: Supervisor

(SEAL)

By: \_\_\_\_\_ [facsimile]

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Its: Clerk

(Form of Transfer Agent's Certificate of Authentication)

DATE OF AUTHENTICATION:

**CERTIFICATE OF AUTHENTICATION**

*This bond is one of the bonds described in the within-mentioned resolution.*

U.S. Bank National Association  
Detroit, Michigan  
Transfer Agent

By: \_\_\_\_\_  
Authorized Signatory

[Bond printer to insert form of assignment]

7. Notice of Sale. The Clerk is authorized to fix a date of sale for the Bonds and to publish a notice of sale of the Bonds in **The Bond Buyer**, New York, New York, which notice of sale shall be in substantially the form attached hereto as Exhibit A, with such changes as may be advised by bond counsel or the Township's financial advisor.

8. Useful Life of Project. The estimated period of usefulness of the Project are hereby declared to be not less than twenty-five (25) years.

9. Preliminary and Final Official Statements. The Supervisor, Treasurer and Clerk are each hereby authorized to approve circulation of a Preliminary Official Statement describing the Bonds to deem such Preliminary Official Statement "near final" for purposes of compliance with Rule 15c2-12 of the U.S. Securities and Exchange Commission ("Rule 15c2-12" or the "Rule"), and thereafter to approve circulation of a final Official Statement with respect to the Bonds.

10. Continuing Disclosure. In accordance with the requirements of Rule 15c2-12, the Township shall enter into an undertaking for the benefit of the holders and beneficial owners of the Bonds (the "Undertaking") in form and substance necessary to comply with the requirements of the Rule. The Supervisor, Treasurer and Clerk are each hereby authorized to execute and deliver the Undertaking upon completion.

11. Tax Covenant. The Township shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended, including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditures and investment of Bond proceeds and moneys deemed to be Bond proceeds.

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12. Sale Order Delegation; Approval of Final Terms; Additional Actions. The Supervisor and Treasurer are each hereby authorized to execute and deliver a Sale Order awarding the sale of the Bonds and approving the final terms thereof. The Supervisor and Treasurer are further authorized to adjust the final bond details set forth herein to the extent necessary or convenient to complete the transactions authorized herein, and in pursuance of the foregoing are authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34, Public Acts of Michigan, 2001, as amended, including but not limited to determinations regarding interest rates, prices, discounts, maturities, principal amounts (including the reduction of the aggregate principal amount of the Bonds prior to sale), denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, designation of series, and other matters, provided that the aggregate principal amount of Bonds issued shall not exceed the principal amount authorized in this resolution, the interest rate per annum on the Bonds shall not exceed seven percent (7%) per annum, the purchase price for the Bonds shall not be less than 99.0%, and the Bonds shall mature in not more than twenty-five (25) years. The Supervisor and Treasurer each is authorized and directed to take all other actions necessary or advisable, including the purchase of a policy of municipal bond insurance, and to make such other filings with the Michigan Department of Treasury or with other parties, to enable the sale and delivery of the Bonds as contemplated herein.

13. Severability. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity of such paragraph, section, clause or provision shall not affect any of the other provisions of this Resolution. Section headings are inserted for convenience of reference only and shall not be considered to be a part of this Resolution.

14. Conflicting Actions. All resolutions, orders or parts thereof in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

15. Effective Date. This Resolution shall become effective immediately upon its adoption.

Motion to adopt Resolution No. 2007-16 as presented.

Motion by: Carmody

Seconded: Brown

Ayes: Mathis, Carmody, Brown, Goupil, Zimmer

Nays: None

Absent: Krug, Tucker

Motion carried. Resolution declared adopted.

**Blight Ordinance Enforcement**

Trustee Zimmer stated that it is her understanding that blight violations are enforced only if a signed complaint is received. She feels that the Township should consider proactively enforcing blight violations rather than pitting neighbor against neighbor by requiring a formal complaint. Supervisor Mathis responded that selective enforcement could create legal problems for the Township. Attorney Cooley agreed, stating that the current procedure has worked well. Trustee Brown noted that the incidence of blight and/or abandoned homes may increase as the number of foreclosures increases. Treasurer Carmody stated that board members could choose to initiate formal complaints if they feel they are warranted. Trustee Goupil added that the number of

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variables involved and the general subjectivity of blight make it difficult to enforce proactively. He supports the current procedure of requiring formal complaints.

**Miscellaneous Issues**

Treasurer Carmody reported that legislation was introduced in the Michigan House of Representatives last week that would strip tax collection, assessing and election administration duties from townships and assign them to the county. This is a blatant attempt to erode township authority and he urged the board members to strongly oppose this proposed legislation. Centralizing key functions at the county level would likely increase costs and lower the quality of service by taking it away from the officials most familiar with the community.

Supervisor Mathis reported that the Genesee County Board of Commissioners is considering a proposal to eliminate all outlying district court operations and centralize everything in Flint. She is opposed to this concept and will follow this issue very closely.

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

Paula Manzardo, 12159 Margaret Drive

Ms. Manzardo stated that the Margaret Drive neighborhood is experiencing severe flooding problems and would like the Township's assistance to resolve them. Supervisor Mathis will discuss the problems with the Township Engineer.

Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft asked about the status of Marine Patrol services on Memorial Day weekend. He is concerned about speed and safety issues. Trustee Brown reported that the Genesee County Sheriff Marine Patrol will utilize a "1 warning" procedure for all violations this year. After one warning, tickets will be issued.

Mr. Hawcroft also reported that the Egyptian Drain, which flows into Lake Ponemah appears to contain large amounts of oil, slime and trash. Supervisor Mathis will look into this issue.

Regarding the Cottage Cove development, Mr. Hawcroft is opposed to the number of boat slips for this development, which, in his mind, amounts to keyholing. Trustee Brown clarified that the board was simply approving a revision to an already approved PUD project.

Dave Franz, 3435 Breeze Pointe Court

Regarding the Cottage Cove development, Mr. Franz noted that the number of boat slips is lower than the number allowed under the existing marina permit for that property. Mr. Franz also stated that problems with illegal real estate signs are continuing. The board briefly discussed various sign issues and it was noted that the sign ordinance is in the process of being revised.

**ADJOURN:** Meeting adjourned at 9:20 p.m.

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Bonnie Mathis, Supervisor

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Thomas Broecker, Deputy Clerk

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**Minutes Posted 5/22/07**