

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JUNE 18, 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, Krug, Carmody, Brown, Goupil, Tucker, Zimmer, Operations
Manager Broecker and Attorney Cooley

Absent: None

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:

Motion to approve the 6/18/07 Fenton Township Board Meeting agenda as presented.

Motion by: Tucker

Seconded: Brown

Ayes: All

Nays: None

Motion carried. The agenda is approved.

PRESENTATION:

City of Linden Fire Chief Brian Will

Supervisor Mathis introduced Linden Fire Chief Brian Will. Chief Will wanted to make a special effort to thank the communities that assisted in battling the devastating fire in downtown Linden on May 18th. The Fenton Township Fire Department played a significant role in fighting the fire. The teamwork and cooperation of the more than 30 fire departments that assisted in this emergency was most impressive. On behalf of the citizens, fire department and City Council of Linden, Chief Will thanked Fenton Township for their efforts.

MEETING MINUTES:

The minutes of the 6/4/07 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve expenditures as presented.

Motion by: Zimmer

Seconded: Carmody

Ayes: Mathis, Krug, Carmody, Brown, Goupil, Tucker, Zimmer

Nays: None

Motion carried.

PUBLIC HEARINGS:

Lake Christi Improvement Special Assessment District/Hearing of Necessity

Supervisor Mathis opened a public hearing for a proposed 5-year special assessment district for improvements to Lake Christi through the eradication and control of aquatic weeds. The total 5-year cost of the project is approximately \$28,125.00. The board will accept public comment regarding the following:

1. The creation of the special assessment district

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2. The proposed boundaries of the district
3. The necessity of the improvement
4. The plans for the improvement
5. The cost estimates for the improvement

Supervisor Mathis noted that Mitch Harris Building Company, owner of 7 site condo units and 10 attached condo units, had submitted a letter of opposition to the special assessment.

Public Comment:

Chris Brostek, 12084 Boldrey Drive

Mr. Brostek explained that the lake is already being treated for weeds and that this effort has been funded by voluntary contributions from the property owners for the past three years. Mitch Harris Building Company has not contributed to the cost, although the neighbors believe that those properties have also benefited from the weed control treatments. A special assessment would allocate the costs equally among all benefiting properties.

Carl Gabrielson, 12157 Princewood Drive

Mr. Gabrielson asked how the assessments would be divided among the properties in the special assessment district. Operations Manager Broecker confirmed that the proposed special assessment roll allocates the cost equally among all lakefront properties.

Andrew Opoka, 12041 Princewood Drive

Mr. Opoka asked who performs the lake treatments. Operations Manager Broecker explained that the special assessment is based on a 5-year proposal from Aquatic Nuisance Plant Control, solicited by the Lake Christi property owners. The Township would collect the assessments and pay invoices submitted by Aquatic Nuisance.

Mr. Opoka asked if any other options, such as buffer plant zones, have been considered. It was clarified that the special assessment district is based on the petition of the residents. Alternative or additional efforts would be up to the property owners to pursue.

Mary Ann Brostek, 12084 Boldrey Drive

Ms. Brostek explained that all lakefront property owners were invited to a meeting in February to discuss the lake treatments with a representative from Aquatic Nuisance. The result of that meeting was a consensus to continue with lake treatments to control the weeds and to petition for a special assessment district rather than continue to attempt to collect money manually from the neighbors. The special assessment district would be the most equitable solution.

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

RESOLUTION NO. 2007-18

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

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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

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 18th day of June 2007 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 Lake Christi 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 Lake Christi through the control and/or eradication of aquatic weeds as prepared and presented, and the estimated total cost of \$28,125.00 over five 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 Lake Christi Improvement Special Assessment District, within which the costs of such improvements shall be assessed, the following described area within said township:

All properties with legal access to Lake Christi

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. 2007-18 as presented.

Motion by: Krug

Seconded: Brown

Ayes: Mathis, Krug, Carmody, Brown, Goupil, Tucker, Zimmer

Nays: None

Motion carried. Resolution declared adopted.

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Supervisor Mathis stated that, in anticipation of the board adoption of the previous resolution, a special assessment roll has been created, certified and filed with the Township Clerk. Clerk Krug presented the following resolution:

RESOLUTION NO. 2007-19

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 \$28,809.70 for the years 2007 through 2011, covering all parcels of land within the Lake Christi Improvement Special Assessment District, and has affixed thereto her 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 July 9, 2007 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 Lake Christi 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. 2007-19 as presented.

Motion by: Krug

Seconded: Brown

Ayes: Mathis, Krug, Carmody, Brown, Goupil, Tucker, Zimmer

Nays: None

Motion carried. Resolution declared adopted.

REPORTS:

Loose Senior Citizen Center Update – Les Scott

Due to a scheduling conflict, Mr. Scott has asked to move his report to the 7/9/07 meeting.

Fenton Lakes Sportsman's Club Update

The board reviewed photos of the ongoing construction at the Fenton Lakes Sportsman's Club to install a bullet catcher on the 50-yard shooting range. It is anticipated that the project will be completed by the end of June, weather permitting.

FACT Consortium/Channel 19 Update

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Trustee Zimmer reported that the 6/4/07 Township Board meeting has not yet been shown on Channel 19 due to equipment problems with the server. The problems have apparently been fixed but there is now a message on Channel 19 that there will be no new programming added for the next two weeks due to the vacation of the Fenton City employee that performs that work. Trustee Zimmer feels that this situation is unacceptable and is concerned about the Township's ability to have meetings and other time-sensitive information telecast on Channel 19 in a timely manner.

Treasurer Carmody stated that the Township should explore options to improve the efficiency of the Channel 19 operation. Clerk Krug suggested that the server could be relocated to Fenton Township if that would help the situation.

MTA Update

Trustee Zimmer reported that she attended an informational meeting conducted by the Michigan Townships Association regarding proposed legislation that would strip tax collection, assessing and election authority from townships. While this legislation has not moved out of committee, there is concern that this is just the first attempt at a larger movement to try to eliminate townships. Board members should stay up to date on these issues.

COMMUNICATIONS:

Public Safety Committee Meeting/Lake Activities – 6/20/07

Trustee Goupil reported that the meeting with the Genesee County Sheriff Department to discuss Marine Patrol and other lake-related issues has been rescheduled for Wednesday 6/20/07 at the Fenton Township Civic Community Center, beginning at 6:30 p.m.

ADOPTION OF ORDINANCES:

None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Planning Commission Appointment

Supervisor Mathis reported that Sandra Carlson's term on the Planning Commission is expiring and she has expressed a strong interest in continuing as a Planning Commissioner. Supervisor Mathis stated that Ms. Carlson has been a valuable member of the Planning Commission and she recommends her re-appointment. Trustee Tucker and Clerk Krug supported Supervisor Mathis' recommendation. Ms. Carlson is a real asset to the Township.

Motion to re-appoint Sandra Carlson to the Fenton Township Planning Commission for the term ending May 31, 2010

Motion by: Tucker

Seconded: Krug

Ayes: Mathis, Krug, Carmody, Brown, Goupil, Tucker, Zimmer

Nays: None

Motion carried.

Proposed Purchase of 2 Fire Department Rescue Squad Trucks

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Supervisor Mathis reviewed a memo from Fire Chief Moulton regarding the proposals received for the purchase of two rescue squad trucks, which was briefly discussed at the last board meeting. Although the proposal for Pierce trucks was slightly higher than the lowest bid, Chief Moulton is recommending purchasing Pierce vehicles because of our past experiences with this company and compatibility with existing equipment. Also included in the packet are formal proposals for the trucks from Pierce Manufacturing. These proposals are approximately \$10,000 higher than the original quoted figures. This is due to additional equipment requested by the Fire Department that was not included in the original bid specifications. If one of the other proposals was to be selected, this additional equipment would also have to be added. Treasurer Carmody stated that Pierce has an outstanding reputation for quality in the fire apparatus industry and he supports the Fire Chief's recommendation. Trustee Goupil also supported the recommendation. The Pierce equipment will be more compatible with our existing trucks and reduce training and equipment costs.

Motion to approve the purchase of two Pierce fire department rescue squad trucks from Halt Fire at a cost of \$345,744.00, as presented.

Motion by: Goupil

Seconded: Brown

Ayes: Mathis, Krug, Carmody, Brown, Goupil, Tucker, Zimmer

Nays: None

Motion carried.

Schedule Personnel Committee Meeting

Supervisor Mathis reported that the Public Safety Committee has recommended approval of a one year extension to the Fire Chief's employment agreement. The Personnel Committee must now meet to review this issue before bringing it to the board for approval. After a brief discussion a meeting was scheduled for 10:00 a.m. on Friday 6/22/07.

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft questioned the Planning Commission's recent decision to approve an outdoor deck for the Fireplace Lounge. He believes this will result in noise problems. Trustee Tucker explained that the Special Use Permit granted by the Planning Commission has several conditions attached, including:

- No outdoor music
- Exterior doors to remain closed
- Outdoor deck must close by 10:00 p.m.
- Paved parking lot with single access point from North Long Lake Road
- Storm drainage improvements.

Trustee Tucker stated that these conditions, combined with the fact that the Planning Commission has the option to review and revoke the permit after one year, (if deemed appropriate), should adequately address the concerns of the neighboring property owners and gives the Township adequate leverage to control the use.

Mr. Hawcroft also asked about the status if marine patrols for this summer. Trustee Goupil suggested that Mr. Hawcroft attend the 6/20/07 meeting discussed earlier this evening.

Andrew Opoka, 12041 Princewood Drive

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Mr. Opoka inquired about the fire protection special assessment. Operations Manager Broecker explained that the special assessment was initiated by the Township Board in 1997 to provide funding to upgrade and maintain the Township's fire department. Mr. Opoka stated that he would prefer to see a millage rather than a special assessment since special assessments are not tax deductible.

Randy Kinne, 14216 Landings Way

Mr. Kinne recalled that one of the conditions attached to the PUD rezoning for Mr. Lewenz's property on Lake Ponemah was to participate in the cost of dredging and cleaning the channel. Supervisor Mathis stated that there has been no development activity on the property due to the economy and the Township cannot hold the developer to that condition if the development does not move forward. After a brief discussion it was noted that a special assessment district could be used to complete the dredging/cleaning project, with the costs allocated equally to all benefiting properties, including the property owned by Mr. Lewenz.

ADJOURN: Meeting adjourned at 9:05 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 6/20/07