

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF SEPTEMBER 2, 2008**

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

Clerk Krug called the meeting to order at 7:30 p.m.

Present: Krug, Brown, Goupil, Ketchmark, Attorney Cooley and Operations  
Manager Broecker

Absent: Mathis, Tucker, Zimmer

**PLEDGE OF ALLEGIANCE:**

Clerk Krug led the pledge of allegiance to the flag.

**APPOINTMENT OF TEMPORARY CHAIRPERSON:**

Due to the absence of the Township Supervisor, a temporary chairperson needs to be appointed for tonight's meeting.

Motion to appoint Clerk Krug as chairman pro-tem.

Motion by: Brown

Seconded: Goupil

Ayes: All Present

Nays: None

Absent: Mathis, Tucker, Zimmer

Motion carried.

Chairman Krug advised the audience that this meeting was being recorded for telecast on local public access television.

**APPROVAL OF AGENDA:**

Motion to approve the 9/2/08 Fenton Township Board Meeting agenda as presented.

Motion by: Goupil

Seconded: Ketchmark

Ayes: All Present

Nays: None

Absent: Mathis, Tucker, Zimmer

Motion carried. The agenda is approved.

**MEETING MINUTES:**

The minutes for the 8/18/08 regular meeting stand approved as presented.

**EXPENDITURES:**

Trustee Brown questioned an invoice for a Kodak camera. Operations Manager Broecker responded that the camera replaces an old model used by the Ordinance Enforcement Officer that is being held together with duct tape. Motion to approve expenditures for payment as presented.

Motion by: Brown

Seconded: Goupil

Ayes: Krug, Brown, Goupil, Ketchmark

Nays: None

Absent: Mathis, Tucker, Zimmer

Motion carried.

**PUBLIC HEARINGS:**

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**Loon Lake Improvement Special Assessment District – Hearing on New Assessment Roll**

Chairman Krug opened a public hearing on the assessment roll for a 3-year renewal of the Loon Lake Improvement special assessment. The proposed assessment is approximately \$254 per year for three years, an increase of approximately \$120 from prior years. The board will accept comment on the following:

1. An individual's assessment in relation to benefit received.
2. The total cost of the project.
3. The validity of the proceedings to date.

Public Comment:

Mike Vincent, 13227 Harborview Drive

Mr. Vincent lives on a channel to Loon Lake, which has become increasingly difficult to navigate by boat due to weeds, dead trees and shallow water. He also asked what part of the lake will have the weeds harvested. Derek Brookshire of Aquatic Nuisance Plant Control stated that the channel needs to be dredged out to improve lake access. Harvesting is done in areas determined to be problem areas. Trustee Ketchmark asked if Aquatic Nuisance can access the shallow areas on foot. Mr. Brookshire stated that they can, but are restricted by the limitations of their DEQ permit.

Terry Page, 4053 Minnetonka Drive

Mr. Page stated that the lake has always had weed problems due to the overall shallow depth of the lake. He isn't convinced that more money and more treatments will help significantly.

Kathleen Page, 4065 Minnetonka Drive

Ms. Page agreed that many of the lake's problems are caused by the shallow depth. She would like to see the lake level raised by relocating the existing culverts that drain into Squaw Lake.

David Franz, 3345 Breeze Pointe Court

Mr. Franz noted that the weed harvesting done this year was paid from leftover funds collected by the lake association. The new proposal includes harvesting, but only if needed. The cost increase is due to the demand for more treatment. One of the reasons for the weeds getting worse in recent years is that there wasn't enough money budgeted. This new proposal should produce better results. He also noted that the new assessment is more in line with other lakes with similar treatments. He also agreed that a higher water level would be helpful.

Don Bolen, 4127 Minnetonka Drive

Mr. Bolen stated that the current lake level was established in the mid-1990's. He is not sure who has jurisdiction over the water level, (DEQ, Drain Commissioner).

Linda Fritz, 3460 Loon Lake Court

Ms. Fritz stated that the water level in Loon Lake is significantly lower than just three years ago. She also believes that the weed treatments have been effective this year.

William Carmack, 4149 Minnetonka Drive

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Mr. Carmack agreed that the lake level needs to be raised. Crane Lake maintains their level, but Loon Lake does not.

Jim Bolella, 4133 Minnetonka Drive

Mr. Bolella asked about the increase in proposed costs. Mr. Brookshire responded that the proposal was based on extra treatments, the need to treat some native plants and weed harvesting. Mr. Bolella stated that he is concerned about the accountability for the money spent.

Pam Benard, 3465 Breeze Pointe Court

Ms. Benard stated that the purpose of the weed harvesting this year was to clear a path for boats. The areas that were harvested are still clear. She also supports raising the lake level.

Chairman Krug clarified that the lake level is not the issue before the board and that neither the board nor Mr. Brookshire have any authority over water levels. He will, however, contact the Genesee County Drain Commissioner's office to find out how the residents can pursue that issue.

Trustee Ketchmark expressed concern that the properties on the channel may not benefit from the weed control if they are unable to access the lake. She would like this to be addressed before the assessment roll is confirmed.

After a brief discussion the board agreed to postpone action on the assessment roll until the 9/15/08 meeting.

**REPORTS:**

**Fire Chief Report**

Fire Chief John Moulton reported that the Fire Department responded to a total of 62 alarms in August. The breakdown of calls was as follows: 6 fires, 37 medical runs, 1 hazardous conditions, 7 service calls, 2 good intention calls, 1 severe weather and 8 false alarms.

Chief Moulton also reported that the Public Safety Committee has reviewed a proposed ordinance to require commercial buildings to install a key lockbox for emergency access. Trustee Goupil explained that a universal keybox system would allow emergency access to locked buildings without waiting for a keyholder to arrive or breaking down the door. The Public Safety Committee supports the proposed ordinance. Chairman Krug stated that the proposed ordinance will be placed on the 9/15/08 agenda.

**COMMUNICATIONS:**

None

**ADOPTION OF ORDINANCES:**

None

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

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**Resolution No. 2008-17, Public Hearing on 2008 Fire Protection Special Assessment Roll**

Operations Manager Broecker reported that the second board meeting of September has been designated, by board resolution, as the public hearing date each year for the Fire Protection Special Assessment roll. The 2008 roll has been prepared and certified by the Supervisor. The proposed assessment remains at \$65.00 per parcel. Operations Manager Broecker presented the following resolution:

**RESOLUTION NO. 2008-17**

*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 \$530,270.00, covering all parcels of land within the Fenton Township Fire Protection 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 September 15, 2008 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 in a newspaper of local circulation not less than five (5) days prior to the hearing, in accordance with the law and statute provided.*

Motion to adopt Resolution No. 2008-17 as presented.

Motion by: Brown

Seconded: Goupil

Ayes: Krug, Brown, Goupil, Ketchmark

Nays: None

Absent: Mathis, Tucker, Zimmer

Motion carried. Resolution declared adopted.

**Proposed Amendment to Solid Waste Collection Contract – Enhanced Recycling Program**

Operations Manager Broecker reviewed a proposed amendment to the solid waste collection contract with Allied Waste Services. This amendment, if approved, would implement an expanded and enhanced recycling program, which was reviewed at the 8/11/08 workshop meeting. Phone books, paperboard, #3 through #7 plastic containers and plastic grocery bags are among the items that could be recycled under the new program. The cost increase is less than \$5.00 per household per year. The total cost would still be under the \$130.00 approved by the voters.

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A motion was made by Trustee Ketchmark and seconded by Trustee Brown to approve the proposed contract amendment. After further discussion Trustee Brown suggested postponing action until the 2009 fuel surcharge has been determined to ensure the total cost is still within an acceptable range. The motion and second were withdrawn.

Motion to postpone until 9/15/08 the proposed amendment to the solid waste collection contract with Allied Waste Services to provide enhanced collection of recyclables.

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

Motion carried.

**Proposed Video Franchise Agreement – AT&T Michigan**

Operations Manager Broecker reported that, as discussed at the 8/11/08 workshop meeting, AT&T Michigan has submitted a *Uniform Video Service Local Franchise Agreement* to Fenton Township on 8/6/08. Local governments have a period of 15 days in which to determine if the franchise agreement is complete, and a total of 30 days from submission to approve or reject the franchise agreement. The Township has already confirmed to AT&T Michigan, within the required 15 days, that the proposed agreement is complete as defined in PA 480. Board approval of the agreement is now needed in order to complete the process. Included in the meeting packet for board consideration is the completed agreement for AT&T Michigan. The franchise fee and PEG fee will be the same as the fees in our existing franchise with Charter Communications, (5% and 2%, respectively).

Motion to approve the Uniform Video Service Local Franchise Agreement with AT&T Michigan as presented.

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

Motion carried.

**BOARD COMMENT:**

Trustee Ketchmark asked if there are lakes in Fenton Township with no-wake designations. Operations Manager Broecker stated that several lakes have DNR-approved watercraft control ordinances.

Trustee Ketchmark also asked if the Township has records pertaining to covenants and restrictions in platted subdivisions. Operations Manager Broecker stated that the Genesee County Register of Deeds would have such documents, although some may be on file at the Township office. The Township has no enforcement authority over these types of restrictions. Assessor Beth Redmond was in the audience and indicated that most of the subdivision documents are on file in the Assessor's Department.

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

Mike Vincent, 13227 Harborview Drive

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Mr. Vincent asked for clarification regarding the date that the Loon Lake issue would be on the agenda. Chairman Krug confirmed that the issue will be on the 9/15/08 agenda.

Ed Collins, 13056 Harbor Landings

Mr. Collins stated that he wants the Township to present more detailed information regarding the sewer system finances. Chairman Krug stated that a presentation will be made at an upcoming meeting. Mr. Collins also stated that he made a Freedom of Information Act request for information, which resulted in a meeting with five Township officials and consultants. He felt that the information he received was a “snow job” and was not satisfied that his request had been fulfilled. Chairman Krug and Trustee Goupil took exception to Mr. Collins’ statement that the Township tried to “snow” him, with Clerk Krug stating that Mr. Collins’ statements were asinine. Five individuals took time out of their day to meet with him to try to provide a better explanation of the project and the finances. Operations Manager Broecker also stated that Mr. Collins was welcome to provide a more specific request for information.

Robert Canning, 1381 Edgewater Drive

Mr. Canning stated that he recently met with Operations Manager Broecker to discuss sewer related issues and appreciated the information he received. He also stated that he did not realize that the Sewer Fund was carrying approximately \$32 million in debt. He encouraged the board to look at various options to lower the sewer user fees, such as:

- Discounted connection fees to encourage developers to obtain permits.
- Don’t issue any additional bonds and use the interest savings to help fund the needed system repairs.

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

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Robert Krug, Chairman Pro-Tem

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Thomas Broecker, Deputy Clerk

**Minutes Posted 9/3/08**