

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF SEPTEMBER 8, 2009**

**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, Tucker, Brown, Hill, Kesler, Operations Manager Broecker
and Attorney Cooley

Absent: Goupil

PLEDGE OF ALLEGIANCE:

Supervisor Mathis led the pledge of allegiance to the flag.

APPROVAL OF AGENDA:

Supervisor Mathis reported that the Fire Chief Report will be moved to the 9/21/09 agenda. Clerk Krug asked to have an executive session and an action item added to the end of the agenda to review a proposed collective bargaining agreement with the Fenton Township Employees Union. Motion to approve the 9/8/09 Fenton Township Board Meeting agenda as amended.

Motion by: Brown

Seconded: Krug

Ayes: All Present

Nays: None

Absent: Goupil

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes for the 8/17/09 regular meeting stand approved as presented.

EXPENDITURES:

Trustee Brown questioned the invoice for Soaring Eagle Casino and Resort. Supervisor Mathis stated that Soaring Eagle is the site of the Michigan Association of Planning annual educational conference. Motion to approve invoices and expenditures for all funds totaling \$392,608.97 for payment as presented.

Motion by: Mathis

Seconded: Brown

Ayes: Mathis, Krug, Tucker, Brown, Hill, Kesler

Nays: None

Absent: Goupil

Motion carried.

PUBLIC HEARINGS:

None

REPORTS:

Genesee County MTA Chapter Meeting

Supervisor Mathis reminded the board that the Genesee County Chapter of the Michigan Townships Association will hold their monthly meeting on 9/17/09 at Davison Township.

Pioneer Day and Fall Festival

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Supervisor Mathis reported that the Pioneer Memorial Association of Fenton & Mundy Townships will hold their annual Pioneer Day and Fall Festival on Saturday 9/12/09 from 8:30 a.m. to 3:00 p.m. at the Podunk House and Pioneer Museum.

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

Dangerous Buildings Ordinance/2nd Reading

Supervisor Mathis reviewed a proposed Dangerous Buildings Ordinance, which was introduced at the 8/17/09 meeting. This ordinance deals with unsafe, dangerous structures and gives the Township leverage in resolving such issues.

Motion to adopt Ordinance No. 714, a Dangerous Buildings Ordinance, as presented.

Motion by: Tucker
Seconded: Brown
Ayes: Mathis, Krug, Tucker, Brown, Hill, Kesler
Nays: None
Absent: Goupil

Motion carried. Ordinance declared adopted.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Final Assessment - Wenwood/Wendell Road Improvement Special Assessment District

Supervisor Mathis reviewed a memo from Operations Manager Broecker regarding the special assessment that was established to pave Wenwood Drive and Wendell Drive in 1999. The bonds issued to finance the project have now been paid in full, however, due to cost increases that occurred during construction and the number of early special assessment payoffs, the account for this project is now in a deficit position. Therefore, per Public Act 188 of 1954, (the statute used to establish this special assessment), the Township Board may authorize one final assessment for all properties in the special assessment district. The amount necessary to eliminate the account deficit is \$11,270.40, so each parcel in the district would be assessed \$375.68. This amount would appear on the December 2009 property tax bill for each parcel.

Motion to approve additional assessments in the Wenwood Drive and Wendell Drive Road Improvement Special Assessment District, as presented.

Motion by: Tucker
Seconded: Hill
Ayes: Mathis, Krug, Tucker, Brown, Hill, Kesler
Nays: None
Absent: Goupil

Motion carried.

Local Road Improvement Project – Hogan Road Ditching

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Supervisor Mathis reported that, while reviewing potential uses for our remaining matching funds from the Genesee County Road Commission, it was suggested that ditching on Hogan Road should be a priority project. Included with the packet is a proposal from the Road Commission for approximately one mile of ditching for Hogan Road. In addition to the amounts shown on the proposal, the Township would also use its allocated ditching days toward this project.

Motion to approve the Hogan Road ditching project as presented.

Motion by: Tucker
Seconded: Brown
Ayes: Mathis, Krug, Tucker, Brown, Hill, Kesler
Nays: None
Absent: Goupil

Motion carried.

Proposed Amendments to Schedule of Fees

Supervisor Mathis reviewed a proposed revised schedule of fees for the Township. The only proposed change is the addition of an administrative fee that is required in the already adopted Tall Grass Ordinance.

Motion to approve the revised Fenton Township Schedule of Fees as presented.

Motion by: Tucker
Seconded: Krug
Ayes: Mathis, Krug, Tucker, Brown, Hill, Kesler
Nays: None
Absent: Goupil

Motion carried.

Resolution No. 2009-28, Public Hearing for 2009 Fire Protection Special Assessment Roll

Supervisor Mathis reported that, In keeping with past practice and policy, the 2009 Fenton Township Fire Protection Special Assessment Roll has been prepared and the Township Board needs to schedule a public hearing on the proposed roll for the second meeting of September. The proposed roll maintains the assessment amount at \$65 per parcel. A resolution has been prepared to formally schedule the public hearing. Clerk Krug presenting the following resolution:

RESOLUTION NO. 2009-28

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 \$532,025.00, 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

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BE IT FURTHER RESOLVED, that the Fenton Township Board shall meet at 7:30 p.m. on September 21, 2009 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. 2009-28 as presented.

Motion by: Krug
Seconded: Brown
Ayes: Mathis, Krug, Tucker, Brown, Hill, Kesler
Nays: None
Absent: Goupil

Motion carried. Resolution declared adopted.

Resolution No. 2009-29, Request to Establish Drain District – Pine Lake

Supervisor Mathis stated that, as a result of meetings and ongoing communications with Pine Lake residents, the Township has been asked to consider petitioning the Genesee County Drain Commissioner for a drainage district to address lake level and drainage issues. A petition would start the process, which would include a hearing of necessity conducted by the Drain Commissioner's office. Trustee Brown expressed concern regarding a potential drainage district that would assess costs to hundreds of properties for problems that may only affect a small number of properties. He suggested delaying action on a petition until the issue can be researched further.

Motion to postpone action regarding the petitioning for a drainage district for the Pine Lake area.

Motion by: Mathis
Seconded: Tucker
Ayes: Mathis, Krug, Tucker, Brown, Hill, Kesler
Nays: None
Absent: Goupil

Resolution No. 2009-30, GCRC Permit for LFHS Homecoming Parade

Supervisor Mathis reported that Lake Fenton High School has again requested permission to hold their annual Homecoming Parade along Torrey Road between North Long Lake Road and Lahring Road. The date of the parade is Friday September 25th. The Genesee County Road Commission requires the Township Board to authorize the appropriate application. A resolution has been prepared for that authorization. Clerk Krug presented the following resolution:

RESOLUTION NO. 2009-30

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WHEREAS, Lake Fenton High School wishes to make application to the Genesee County Board of Road Commissioners for a permit to hold a Homecoming Parade within the road right-of-way of Torrey Road, and

WHEREAS, approval of the local unit of government, by resolution, is required to obtain said permit;

NOW, THEREFORE, BE IT RESOLVED, that Lake Fenton High School is hereby authorized to make application to the Genesee County Road Commission on behalf of the Charter Township of Fenton in the county of Genesee, Michigan for the necessary permit(s) to:

Hold a Homecoming Parade on Friday September 25, 2009, between the hours of 4:00 p.m. and 6:00 p.m.

within the right-of-way of **Torrey Road, between North Long Lake Road and Lahring Road**, as requested.

Motion to adopt Resolution No. 2009-30 as presented.

Motion by: Krug
Seconded: Tucker
Ayes: Mathis, Krug, Tucker, Brown, Hill, Kesler
Nays: None
Absent: Goupil

Motion carried. Resolution declared adopted.

County Commissioner Pat Lockwood

County Commissioner Pat Lockwood addressed the board on several issues. The County continues to struggle with budget issues, primarily due to the reduction in property tax revenues. The 2009-10 fiscal budget currently has a \$15-16 million shortfall, which must be addressed before formally adopting the budget. Public hearings regarding the budget are ongoing. She also commended the board for working with the Pine Lake residents in an attempt to address their drainage issues. She thanked the board for the opportunity to speak at tonight's meeting.

BOARD COMMENT:

None

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

None

EXECUTIVE SESSION:

Motion to recess the open meeting for the purpose of convening an executive session to review a proposed collective bargaining agreement with the Fenton Township Employees Union.

Motion by: Krug
Seconded: Tucker
Ayes: Mathis, Krug, Tucker, Brown, Hill, Kesler
Nays: None
Absent: Goupil

Motion carried.

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The open meeting was recessed at 8:30 p.m.

The meeting was reconvened at 8:45 p.m.

NEW BUSINESS:

Proposed Collective Bargaining Agreement – Fenton Township Employees Union

Motion to approve the Collective Bargaining Agreement with the Fenton Township Employees Union as presented.

Motion by: Krug

Seconded: Tucker

Ayes: Mathis, Krug, Tucker, Kesler

Nays: Brown, Hill

Absent: Goupil

Motion carried.

ADJOURN: Meeting adjourned at 8:48 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 9/9/09