

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF SEPTEMBER 21, 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, Goupil, Operations Manager Broecker and
Attorney Cooley

Absent: Hill, Kesler

PLEDGE OF ALLEGIANCE:

Supervisor Mathis led the pledge of allegiance to the flag.

APPROVAL OF AGENDA:

Motion to approve the 9/21/09 Fenton Township Board Meeting agenda as presented.

Motion by: Tucker

Seconded: Brown

Ayes: All Present

Nays: None

Absent: Hill, Kesler

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes for the 9/8/09 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$990,984.26 for payment as presented.

Motion by: Tucker

Seconded: Brown

Ayes: Mathis, Krug, Tucker, Brown, Goupil

Nays: None

Absent: Hill, Kesler

Motion carried.

PUBLIC HEARINGS:

**Fenton Township Fire Protection Special Assessment District / Hearing on 2009
Special Assessment Roll**

Supervisor Mathis opened the public hearing on the 2009 Fenton Township Fire Protection Special Assessment Roll. The annual assessment remains unchanged at \$65.00 per parcel. There was no public comment. Clerk Krug presented the following resolution:

RESOLUTION NO. 2009-31

WHEREAS, the township board of the Charter Township of Fenton, Genesee County, Michigan, after due and legal notice, has conducted a public hearing upon a proposed assessment roll prepared by the Supervisor and assessing officer of the Township for the purpose of raising money by special assessment for furnishing fire protection and purchasing and housing equipment, and for the operation of same, and

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WHEREAS, such public hearing was preceded by a notice published in a newspaper of general circulation in the Township, and

WHEREAS, no written objections were received to said roll and levy;

WHEREAS, all present at said public hearing were given the opportunity to be heard in the matter, and

WHEREAS, the Township Board has duly inspected the proposed assessment roll and considered all comments and proposed amendments thereto and has found the proposed assessment roll, as presented, to be correct, just and reasonable;

NOW, THEREFORE, BE IT RESOLVED, that the assessment roll submitted by the Supervisor and assessing officer of the Township shall hereafter be designated as the Fenton Township Special Assessment Roll No. 2009-3 and shall hereby be confirmed as the 2009 assessment roll for the Fenton Township Fire Protection Special Assessment District, and

BE IT FURTHER RESOLVED, that the assessments in said Fenton Township Special Assessment Roll No. 2009-3 shall be due and payable on December 1, 2009, and

BE IT FURTHER RESOLVED, if any special assessment is not paid when due, then the special assessment shall be considered to be delinquent and there shall be collected, in addition to interest as provided by this section, a penalty at the rate of 1% for each month, or fraction of a month, that the installment remains unpaid before being reported to the Township Board for reassessment upon the Township tax roll, in accordance with Michigan Public Act 188 of 1954, as amended, and

BE IT FURTHER RESOLVED, that the assessments made in said special assessment roll are hereby ordered and directed to be collected by the Township Treasurer, and the Township Clerk shall deliver said special assessment roll to said Treasurer with his warrant attached, commanding the Treasurer to collect such assessments in accordance with the direction of the Township Board and said P.A. 188 of 1954, and

BE IT FINALLY RESOLVED, that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Motion to adopt Resolution No. 2009-31 as presented.

Motion by: Krug

Seconded: Brown

Ayes: Mathis, Krug, Tucker, Brown, Goupil

Nays: None

Absent: Hill, Kesler

Motion carried. Resolution declared adopted.

REPORTS:

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Fire Chief Report

Fire Chief Moulton provided Fire Department statistics for the month of August: 52 total alarms (8 in Tyrone Township). Of those alarms there were 3 fires, 31 EMS calls, 4 hazardous condition, 7 service calls and 7 good intent calls.

Trustee Brown commended Chief Moulton for his response to a medical emergency at his home. The Chief was on site within a minute of being contacted by Mr. Brown. He is very concerned, however, about ambulance response times. The Regional EMS ambulance originally dispatched arrived approximately 30 minutes after the 911 call, and five minutes after the Swartz ambulance that was dispatched 15 minutes later.

COMMUNICATIONS:

Household Hazardous Waste & E-Waste Collection Day

Supervisor Mathis reported that the Fall Household Hazardous Waste Collection Day will be held at Carman-Ainsworth High School on Saturday 10/10/09 from 10:00 a.m. to 2:00 p.m. In addition to the items collected in past years, residents can now recycle their "e-waste" at this event (old computers, monitors, TV's, etc.).

ADOPTION OF ORDINANCES:

None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Resolution No. 2009-32, Schedule Public Hearing on New 5-year Assessment, Byram Lake Improvement Special Assessment District

Supervisor Mathis reported that Byram Lake property owners have requested a 5-year renewal of their special assessment for weed control. A special assessment roll has been prepared, certified and placed on file with the Township Clerk. A public hearing is required before taking formal action on the special assessment roll. Supervisor Mathis questioned the different assessment amounts contained in the roll.

Public Comment:

Brian Alexander, 15183 Restwood Drive

Mr. Alexander, Treasurer of the Byram Lake Association, clarified that the property owners in the Restwood Park subdivision each pay 1/71 of one share for their interest in Walnut Park. There is also a parcel on Lakeview Park Drive that is split 12 ways among 10 property owners.

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

RESOLUTION NO. 2009-32

WHEREAS, the Supervisor and assessing officer of Fenton Township has, in accordance with P.A. 188 of 1954, as amended, prepared a special assessment roll in the total amount of \$23,254.44 per year for the years 2009 through 2013 inclusive, covering all parcels of land within the Byram Lake Improvement Special Assessment District, and has affixed thereto her Certificate as required by said Public Act;

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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 October 5, 2009 at 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 Byram Lake 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. 2009-32 as presented.

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

Motion carried. Resolution declared adopted.

Building Inspection Services Agreement – D&G of Michigan, Inc.

Supervisor Mathis stated that the Township contracted with D&G of Michigan, Inc. earlier this year to provide building inspection services. That initial agreement expired on the same day as the union collective bargaining agreement. Dave Gibson has done an excellent job serving as our Building Inspector these past six months. Now that a new collective bargaining agreement is in place, she recommends that the agreement be extended through 2010. A new service contract has been drafted for board consideration. Treasurer Tucker asked if contracting inspection services has resulting in cost savings. Operations Manager Broecker confirmed that the Township has reduced expenses in this area significantly. Trustee Brown asked if the contractor is required to carry liability insurance. Operations Manager Broecker confirmed that D&G of Michigan has the appropriate insurance coverage and copies are on file with the Township.

Motion to approve the Building Inspection Services Agreement with D&G of Michigan, Inc. as presented.

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

Motion carried.

Appointment to Board of Review

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Supervisor Mathis reported that the Township recently advertised for qualified candidates to fill the vacancy on the Board of Review that was created when Joe Jenio stepped down. The only response received was from Beth Ryan, a local real estate agent, who has expressed a strong interest in the position. She has an extensive real estate background and is well qualified for the Board of Review.

Motion to appoint Beth Ryan to the Fenton Township Board of Review for the term ending December 31, 2010.

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

Motion carried.

BOARD COMMENT:

Trustee Goupil asked about the status of the channel dredging project for Lake Ponemah. Operations Manager Broecker reported that the engineering firm hired by the association has not followed through with the required work to secure the DEQ permit. The firm has been removed from the project and, according to the association representative, the dredging is now expected to be completed in the spring of 2010.

Treasurer Tucker, noting a recent MTA report about projected reductions in statutory and constitutional revenue sharing, asked how these projected cuts will impact Fenton Township. Operations Manager Broecker clarified that Fenton Township does currently receive statutory revenue sharing so the projected 20% cut will have no impact. The projected 5% reduction in constitutional revenue sharing will be incorporated into the 2010 budget.

Clerk Krug suggested that it may be time to review the ongoing ambulance problems. The board agreed that this issue needs to be reviewed.

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

Dave Hawcroft, 3302 Ponemah Drive
Mr. Hawcroft asked if there are any alternatives to Charter cable service. Supervisor Mathis stated that AT&T is offering television service in some parts of the Township.

ADJOURN: Meeting adjourned at 8:15 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 9/22/09