

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF OCTOBER 19, 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 (arrived 7:35 p.m.), Goupil, Hill, Kesler, Recording
Secretary Penny Sharich and Attorney Cooley

Absent: Brown

PLEDGE OF ALLEGIANCE:

Supervisor Mathis led the pledge of allegiance to the flag.

APPROVAL OF AGENDA:

Supervisor Mathis reported that Fire Chief Moulton is unable to attend tonight's meeting. His report will be moved to the 11/2/09 agenda. Motion to approve the 10/19/09 Fenton Township Board Meeting agenda as amended.

Motion by: Hill

Seconded: Krug

Ayes: All Present

Nays: None

Absent: Tucker, Brown

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes for the 10/5/09 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$527,412.74 for payment as presented.

Motion by: Krug

Seconded: Hill

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

Nays: None

Absent: Brown

Motion carried.

PUBLIC HEARINGS:

Proposed 5-year Renewal - Squaw Lake Improvement Special Assessment

Supervisor Mathis opened a public hearing on the special assessment roll for a 5-year renewal of the Squaw Lake Improvement Special Assessment. The assessment per parcel will be \$67.66 in 2009 and \$64.45 per year for 2010 through 2013. It was noted that the per-year assessment for the previous 5-year period was \$64.17 per parcel. The public may 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.

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

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RESOLUTION NO. 2009-36

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 defraying the costs of the weed eradication/control project proposed to be continued within the Squaw Lake Improvement Special Assessment District as shown on the plans and specification for such project;

AND WHEREAS, such public hearing was preceded by proper notice in a newspaper of general circulation in the Township, and by First Class Mail notice to each property owner of record within said district and upon said assessment roll;

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

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

AND WHEREAS, a record of those present to protest, and of written protests submitted at or before the public hearing was made a part of the minutes of the hearing;

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 submitted, to be correct, just and reasonable;

THEREFORE BE IT RESOLVED, that the assessment roll submitted by the supervisor and assessing officer of the Township, shall hereafter be designated as Fenton Township Special Assessment Roll No. 2009-5 and shall hereby be confirmed as the assessment roll for the Squaw Lake Improvement Special Assessment District.

BE IT FURTHER RESOLVED, that the assessments in said Fenton Township Special Assessment Roll No. 2009-5 shall be divided into five annual installments with the first installment due on or before December 1, 2009 and the following installments to be due on or before the first day of December of each year thereafter indicated.

BE IT FURTHER RESOLVED, that future due installments of an assessment against any parcel of land may be paid to the Township Treasurer at any time in full. If any installment of a special assessment is not paid when due, then the installment shall be considered to be delinquent and there shall be collected 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 P.A. 188 of 1954, as amended.

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.

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BE IT FURTHER 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. 2009-36 as presented.

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

Motion carried. Resolution declared adopted.

REPORTS:

MTA Annual Appreciation Dinner

Clerk Krug announced that the Genesee County MTA Chapter will have their annual appreciation dinner at Forest Township on 11/6/09. Tickets are \$30 per person and can be obtained from Clerk Krug.

Law Enforcement Update

Supervisor Mathis reminded the public to keep their vehicles locked. There has been an increase in thefts recently. She also reported on a recent animal cruelty case. She emphasized that abuse of animals will be prosecuted.

Genesee County Metropolitan Alliance Technical Advisory Committee

Supervisor Mathis noted that Fenton Township has not been represented at recent Metro Alliance meetings. Trustee Hill stated that his summer schedule caused him to miss meetings but will begin attending them again.

Genesee County Paramedic Services

Supervisor Mathis reported that a Genesee County Sheriff Department Paramedic unit will now be based at the Fenton Township sub-station.

Ambulance Services

Supervisor Mathis reported that representatives from Patriot and Swartz ambulance services were scheduled to be at this meeting to discuss the proposed Genesee County Ambulance Ordinance and the pending lawsuit, however they were unable to attend and will try to reschedule.

Conrad Kern of Regional EMS ambulance service addressed the board briefly regarding concerns raised at a previous meeting by Trustee Brown. He distributed a copy of the timeline related to the emergency call that Mr. Brown reported. He emphasized that Regional EMS did not do anything wrong in relation to that incident.

The board also briefly discussed issues related to the 800 MHz radios and Automated Vehicle Locators and the Genesee County Ambulance Ordinance.

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

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Rezoning #R09-004, Cox/Phoenix LLC., parcel 06-03-100-068 (vacant land west of 11224 Phoenix Dr.); C-3 to M-2/1st Reading

Supervisor Mathis reviewed a proposed Zoning Ordinance amendment to rezone property off Thompson Road from C-3 to M-2. Treasurer Tucker stated that the applicant wishes to use the subject property for a storage facility. M-2 zoning is consistent with the Future Land Use Plan and the Thompson Road Corridor overlay plan. The Planning Commission has unanimously recommended adoption of the proposed rezoning ordinance.

There was no public comment. The second reading of the proposed ordinance will be conducted at the 11/2/09 meeting.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

2009 Property Tax Roll – Special Assessments and Levies

Treasurer Tucker reviewed the miscellaneous special assessments and levies for the 2009 property tax roll. The proposed trash collection and mosquito control assessments remain unchanged from 2008 at \$123.00 and \$24.00, respectively. The street lighting and private road maintenance special assessments are recalculated and adjusted annually to reflect actual expense. There was no further discussion.

Motion to approve 2009 special assessments and miscellaneous levies as presented.

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

Motion carried.

Schedule Public Needs Hearing – 2010 Community Development Block Grant Program

Supervisor Mathis reported that Fenton Township is scheduled to receive Community Development Block Grant funding in 2010. A public needs hearing is required to obtain citizen input regarding potential uses for CDBG funds. If the hearing is held at the 11/2/09 meeting that should provide enough time to submit one or more applications before the end of the year.

Motion to schedule a Community Development Block Grant public needs hearing for the November 2, 2009 Township Board meeting.

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

Motion carried.

BOARD COMMENT:

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Treasurer Tucker reported that the Township had received a letter from the Lake Fenton Property Owners Association expressing their concern over the closing of the beach at the Fenton Township Civic Community Center in late summer due to high levels of e-coli bacteria. It is believed that the problem was caused by waterfowl, primarily geese, that frequently congregate along the shoreline. The Township will continue to monitor the situation when testing begins again in the spring.

Treasurer Tucker also received information regarding the DEQ plans to redesign the Grove Park public access on Lake Fenton. The enhancements apparently include an increase of 21 parking spaces for boat trailers, which is of great concern to the Lake Fenton Property Owners Association. It is unclear whether or not the DEQ will have to seek site plan approval from the Township. This will be looked into further.

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

Dave Hawcroft, 3302 Ponemah Drive

With regard to the special assessment approved earlier this evening, Mr. Hawcroft stated that the information on the agenda was not sufficient to understand what the issue was all about. Clerk Krug noted that a detailed public notice was published in the local newspaper and all property owners in the assessment district received a letter and a copy of the public notice.

ADJOURN: Meeting adjourned at 8:25 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 10/23/09