

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JANUARY 18, 2010**

**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, Kesler, Operations Manager
Broecker and Attorney Cooley

Absent: Hill

PLEDGE OF ALLEGIANCE:

Supervisor Mathis led the pledge of allegiance to the flag.

APPROVAL OF AGENDA:

Supervisor Mathis asked to have the following items added to the agenda:

Lost Dog Announcement

Genesee County Road Commission Snow Removal Press Release

Motion to approve the 1/4/10 Fenton Township Board Meeting agenda as amended.

Motion by: Tucker

Seconded: Krug

Ayes: All Present

Nays: None

Absent: Hill

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes for the 1/4/10 regular meeting and the 1/11/10 workshop meeting stand approved as presented.

Lost Dog Announcement:

Supervisor Mathis introduced Angela Evans, a new resident of Fenton Township. Ms. Evans reported that their family pet, a 5-year old black Labrador retriever has been missing since 12/8/09. The dog got off its chain and ran away only a few days after the family moved into their new home on Lahring Road. She stated that a reward is being offered and anyone with information can call 810-577-6038.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$213,981.95 for payment as presented.

Motion by: Mathis

Seconded: Brown

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

Nays: None

Absent: Hill

Motion carried.

PUBLIC HEARINGS:

Lakeside Acres Street Lighting Special Assessment District/1st Hearing

Supervisor Mathis opened a public hearing for a proposed special assessment district for street lights in the Lakeside Acres subdivision. The cost of the project is approximately \$2,025.00 per year. The board will accept public comment regarding the following:

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1. The creation of the special assessment district
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

Public Comment:

The following individual spoke in opposition to the proposed street lighting project:

Scott Sparks, 4229 Neal Court
Phil Ruddy, 4189 Neal Court

Their comments/objections included:

- Street lights are not needed; landscape lighting is sufficient.
- No control over future cost of lighting.
- Don't want a light pole in their yard.

Clerk Krug reported that the Township also received letters of opposition from residents David Weber and Michael & Kathleen Hoedeman.

The following individuals spoke in favor of the proposed street lighting project:

Tom Turner, 4190 Neal Court
Randy Rockman, 4260 Neal Court
Brett DeWeese, 13521 Patrick Drive
Daniel Wilson, 13513 Patrick Drive

Their comments/reasons for support included:

- Street lights will improve safety (walkers, children walking to/from bus stop, etc.).
- Street lights are a deterrent to crime.
- The subdivision is already wired for street lights. The neighborhood looks "incomplete" without the lights.

Additional Comments:

Kelly Ruddy, 4189 Neal Court

Ms. Ruddy asked if an individual street light can be moved or if the number of lights can be reduced. Operations Manager Broecker stated that, since the wiring is already in place, installing the lights as designed is the best option. If a specific light would interfere with a driveway or other structure, that could be looked at for potential relocations. With regard to the number of lights, the project is designed to optimize lighting for the entire subdivision. Removing lights might reduce the efficiency of the overall lighting project. For example, the Loon Harbor Preserve street lighting project was revised several years ago, at the request of the residents, to remove five lights from the original design. This past year the residents requested that these lights be added back into the subdivision due to safety and security concerns.

Paul Kish, 13238 Wood Duck Court

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Mr. Kish agreed that the decision by Loon Harbor residents to reduce the number of street lights was a poor one, and he is pleased that the five lights are being added. He supports street lights for safety and security.

Noting that not all residents were approached with the petition because the owner of 31 vacant lots signed the petition, Treasurer Tucker stated that he would be more comfortable with the project if the Township could determine if a majority of the remaining 33 lot owners support the installation of street lights. Resident Tom Turner suggested that additional petition signature could be obtained and submitted to the Township to indicate majority opinion.

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

RESOLUTION NO. 2010-03

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 Special Assessment District for assessing the costs of the proposed street lighting 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 January 2010 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;

NOW, THEREFORE, BE IT RESOLVED, that the Fenton Township Board does hereby determine that the petitions for the Lakeside Acres Street Lighting 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 installation and maintenance of street lights in the Lakeside Acres subdivision as prepared and presented, and the estimated costs thereof of \$2,025.00 per year, 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 Lakeside Acres Street Lighting Special Assessment District, within which the costs of such improvements shall be assessed, the following described area within said township:

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Lots 1-64 of the Lakeside Acres Subdivision

BE IT FINALLY 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. 2010-03 as presented.

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

Motion carried. Resolution declared adopted.

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

RESOLUTION NO. 2010-04

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 \$2,025.00 per year, covering all parcels of land within the Lakeside Acres Street Lighting 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 February 1, 2010 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 Lakeside Acres Street Lighting 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.

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Motion to adopt Resolution No. 2010-04 as presented.

Motion by: Krug

Seconded: Tucker

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

Nays: None

Absent: Hill

Motion carried. Resolution declared adopted.

2010 Local Road Improvement Projects

Supervisor Mathis opened a public hearing to gather citizen input regarding potential local road improvement projects in 2010.

Public Comment:

The following individuals provided input on potential road projects:

Paul Kish, 13238 Wood Duck Court

Scott Sparks, 4229 Neal Court

Phil Ruddy, 4189 Neal Court

The following roads were suggested for improvements:

Jennings Road from Lahring Road to Thompson Road

Ripley Road from Rolston Road to Lahring Road

There was no additional public comment.

Board discussion:

Trustee Brown agreed that Jennings Road between Lahring and Thompson is in dire need of improvement. The condition of the road, combined with the fact that so many students drive this road, makes it a priority. Treasurer Tucker agreed, adding that he would like to see this section of Jennings turned into a "complete street", which would include a bike/walking lane.

Supervisor Mathis stated that the information obtained at this meeting will be combined with input from the Genesee County Road Commission to come up with a list of recommended projects for 2010, which will be brought back to the board for approval at a future meeting.

REPORTS:

Ordinance Enforcement Quarterly Report

The board briefly reviewed the 4th quarter report from Ordinance Enforcement Officer Bob Atkinson. It was also noted that a new law has been passed giving local governments the authority to inspect mobile homes, provided that the municipality has adopted an ordinance regarding rental housing inspections, (not just mobile homes).

Volunteer Snow Shoveling

Supervisor Mathis stated that she has been contacted by a number of people seeking snow removal help for senior citizens. Anyone interested in volunteering to provide this assistance can contact her at the Township office.

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Genesee County Road Commission Snow Removal Press Release

Supervisor Mathis read from a press release issued by the Genesee County Road Commission. Residents should be aware that it can take up to five days to plow snow from all county-maintained roads. Residential streets are last on the priority list so residents must be patient. The county also urged motorists to refrain from “crowding the plow”. Driving too closely to snow plowing equipment results in a number of accidents every year.

COMMUNICATIONS:

Public Listening Sessions – Genesee County Freight & Connectivity Study

Supervisor Mathis reviewed a press release from the Genesee County Metropolitan Planning Commission, who is beginning a study of freight movement and its effects on economic development. To initiate the study properly three public listening sessions will be held at three different locations in Genesee County. One of these sessions will be held at the Fenton Township Hall on Thursday January 21, 2010. The meeting will focus on possible improvements to the transportation system to promote economic development. The meeting will last from 6:30 to 8:30 p.m. with a formal presentation beginning at 6:45 p.m. Public input is a very important component to this study so attendance is strongly encouraged.

ADOPTION OF ORDINANCES:

None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Award of Contract, 2010-2013 Mosquito Control Services

Operations Manager Broecker reviewed the two proposals received for township-wide mosquito control services. The initial review showed that the proposal from Rose Pest Solutions (RPS) was approximately \$7,400 lower per year than the proposal from Advanced Pest Management (APM). Further analysis of the proposals, however, revealed a discrepancy in the number of miles for truck-mounted spraying. RPS had estimated the mileage at 100 miles, while APM’s proposal was based on 137 miles. Adjusting the RPS proposal for the additional miles makes their annual cost approximately \$6,000 higher than APM. All other components of the proposal were based on the same criteria.

Motion to award the 2010-2013 contract for mosquito control services to Advanced Pest Management as presented.

Motion by: Brown

Seconded: Tucker

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

Nays: None

Absent: Hill

Motion carried.

**Resolution No. 2010-05, Schedule Public Hearing for Crane Road Improvement
Special Assessment District**

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Supervisor Mathis reported that the Township received petitions from Crane Road residents in 2009 to establish a special assessment district to repave their road. An informational meeting was held in August of last year to present options to the property owners. The Township is now prepared to move forward with the special assessment proceedings. The first step in the process is to adopt a resolution to schedule the first public hearing. Clerk Krug presented the following resolution:

RESOLUTION NO. 2010-05

WHEREAS, the Fenton Township Board has accepted a petition from the record owners of properties abutting Crane Road to establish a special assessment district for the purpose of resurfacing Crane Road, and

WHEREAS, it has been determined that the petition has been signed by the record property owners representing more than 50% of the road frontage of the proposed improvement, and

WHEREAS, preliminary plans and estimated costs for the foregoing road improvement have been placed on file in the office of the Township Clerk,

NOW, THEREFORE, BE IT RESOLVED, that the Fenton Township Board does hereby tentatively declare its intent to resurface Crane Road, a public street in Fenton Township, and

BE IT FURTHER RESOLVED, that the Fenton Township Board does hereby tentatively establish the boundaries of the proposed special assessment district to include all properties with frontage on the following streets:

*Crane Road
Crane Ridge Drive
Crane Ridge Court
Crane Wood Drive
Lake Shore Drive
Golden Shores Drive
Golden Pond Court
Swans Cove*

and

BE IT FINALLY RESOLVED, that the Fenton Township Board will hold a public hearing on the establishment of the proposed special assessment district at its regular meeting to be held on Monday February 1, 2010 at the Fenton Township Civic Community Center, beginning at 7:30 p.m.

Motion to adopt Resolution No. 2010-05 as presented.

Motion by: Krug

Seconded: Brown

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

Nays: None

Absent: Hill

Motion carried. Resolution declared adopted.

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**Proposed Summer Tax Collection Agreements – Linden Community Schools,
Fenton Area Schools & Genesee Intermediate School District**

Supervisor Mathis reported that Fenton Township has received requests again this year to collect a portion of the local school district taxes in the summer property tax bills. Agreements have been prepared to formalize these arrangements with the Linden, Fenton and Genesee Intermediate school districts. The agreements are virtually identical to the agreements executed in 2009 and prior years. Treasurer Tucker questioned the different fee amounts contained in the three agreements. Operations Manager Broecker clarified that the purpose of the fees is to offset the loss of \$2.50 per parcel revenue from the State of Michigan that results when a taxing authority other than the County levies taxes in the summer bill. For the parcels in the Linden district, Linden Schools pays \$2.00 and GISD pays \$1.00. Because Fenton Schools only levies the non-homestead S.O. tax, GISD does not levy summer taxes in the Fenton School district. Therefore Fenton pays \$2.50 per parcel.

Motion to approve the Summer Tax Collection Agreement with Linden Community Schools as presented.

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

Motion carried.

Motion to approve the Summer Tax Collection Agreement with Fenton Area Schools as presented.

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

Motion carried.

Motion to approve the Summer Tax Collection Agreement with the Genesee Intermediate School District as presented.

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

Motion carried.

Proposed Revision to 2010 Fenton Township Meeting Schedule

When the 2010 board meeting schedule was adopted, the first April meeting was eliminated because of the Easter holiday. It was discussed at our recent workshop meeting and the board agreed that it would make more sense to simply move that meeting to March 29th. That would result in three meetings in March and only one in April, however we would no longer have a 5-week gap between meetings.

Motion to adopt a revised 2010 Fenton Township Meeting Schedule as presented.

Motion by: Brown

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

Motion carried.

Proposed Revised Salary Structure – Board of Review

Supervisor Mathis stated that, based on recommendation of the Township Assessor, the board reviewed Board of Review salaries as compared to similar communities. A compensation survey obtained from the Michigan Townships Association indicated that the Fenton Township Board of Review pay is among the lowest. As discussed at the 1/11/10 workshop meeting Supervisor Mathis would like to recommend increasing the Board of Review pay from \$66 to \$100 for a full day and from \$44 to \$66 for a half-day.

Motion to adopt the following salary structure for Board of Review members:

Full Day Pay	\$100.00
Half Day Pay	66.00

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

Motion carried.

BOARD COMMENT:

Regarding the mobile home inspection issue, Trustee Goupil asked if the Township has a rental housing inspection ordinance. Treasurer Tucker stated that such an ordinance is on the list of objectives for the Planning Commission.

Supervisor Mathis warned that the recent warmer weather has created many areas of open water on the partially frozen lakes and urged citizens to be very cautious.

Clerk Krug reported that the Argentine Township home of his daughter burned down on 1/8/10. Fortunately she escaped uninjured, however she lost all of her possessions. He thanked the members of the various fire departments that were on the scene for their efforts in battling the fire. He was very concerned, however, that two ambulance units were at the scene but personnel never left the vehicles to check on his daughter or the fire fighters. He is also very upset about the response he received when he asked why the Fenton Township Fire Department was not called sooner to provide additional water and manpower under the mutual aid agreement. According to the Assistant Fire Chief on the scene, "We don't like to share our fires.", which seemed to indicate that "protecting their turf" was more important than the health, safety and welfare of the community. These concerns will be pursued further.

On a related note, Treasurer Tucker suggested that homeowners should videotape their entire home, including contents at least once each year to provide more accurate records in the event of a fire or other catastrophic event.

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

None

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ADJOURN: Meeting adjourned at 9:00 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 1/19/10