

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF AUGUST 16, 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, Kesler, Attorney Cooley and Operations
Manager Broecker

Absent: Goupil, Hill

PLEDGE OF ALLEGIANCE:

Supervisor Mathis led the pledge of allegiance to the flag.

APPROVAL OF AGENDA:

Motion to approve the 8/16/10 Fenton Township Board Meeting agenda as presented.

Motion by: Tucker

Seconded: Brown

Ayes: All Present

Nays: None

Absent: Goupil, Hill

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes for the 8/2/10 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$326,721.05 for payment as presented.

Motion by: Tucker

Seconded: Brown

Ayes: Mathis, Krug, Tucker, Brown, Kesler

Nays: None

Absent: Goupil, Hill

Motion carried.

PUBLIC HEARINGS:

None

REPORTS:

None

COMMUNICATIONS:

Genesee County Mobile Command Vehicle

Supervisor Mathis reviewed a letter from the Genesee County Commissioners regarding the county's Mobile Command Vehicle (MCV). Due to budget cutbacks the county will no longer be able to maintain this equipment and is asking communities if they are interested in taking over responsibility for the vehicle and the program. After a brief discussion the board agreed that Fenton Township would not pursue this issue.

Fenton Road Construction Project – 2011

Supervisor Mathis reviewed information from the Genesee County Road Commission regarding the project to widen Fenton Road. Construction is planned for 2011 to widen

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Fenton Road to three lanes between Butcher Road and the Fenton city limits. More information will be shared as it is received.

ADOPTION OF ORDINANCES:

Proposed Zoning Ordinance Amendment – Parking Spaces/1st Reading

Supervisor Mathis reviewed a proposed Zoning Ordinance amendment to revise the definition of parking space. The proposed definition change also requires a change to the language regarding submission of site plans in Article 8. Treasurer Tucker explained that the revised definition includes larger parking spaces intended for vehicles with attached trailers. The section regarding site plan requirements simply incorporates the expanded definition.

There was no public comment. The second reading of the proposed ordinance will be conducted at the 9/7/10 meeting.

UNFINISHED BUSINESS:

Revised Contract Cost – Jennings Road Reconstruction Project

Supervisor Mathis reported that bids were opened last week by the Genesee County Road Commission for the Jennings Road reconstruction project. Because the low bid was more than 10% above the preliminary cost estimate that was used for the agreement between the Township and the County, the additional cost must be approved by the Township. Our share of the projected cost is now \$793,847, which is still within the limits of our bond issue.

Motion to approve the proposed bid amount for the Jennings Road Rehabilitation Project as presented.

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

Motion carried.

NEW BUSINESS:

Resolution No. 2010-25, Drainage District for Lakeside Landing Area

Supervisor Mathis reported that the residents of Lakeside Landing have approached the Genesee County Drain Commissioner regarding drainage issues in their neighborhood. The simplest way to move forward with drainage improvements is for the Township to petition the Drain Commissioner directly. A resolution has been prepared to formally petition the Drain Commissioner to improve the drainage system in the Lakeside Landing area.

Public comment:

Terryl Masse, 13278 Lakeside Landing & Adrienne Macksood, 13286 Lakeside Landing
Mr. Masse and Ms. Macksood gave a brief history of drainage issues in the Lakeside Landing area, including flooding of roads and properties, standing water, trees dying, etc. They support the petition to the Drain Commissioner to create drainage improvements.

Clerk Krug presented the following resolution:

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RESOLUTION NO. 2010-25

BE IT RESOLVED, that Charter Township of Fenton make and cause to be filed a petition in form substantially as follows:

PETITION

TO THE DRAIN COMMISSIONER FOR THE
HEREINAFTER MENTIONED GENESEE
COUNTY, MICHIGAN DRAIN PROJECT

The undersigned public corporation hereby petitions for the CLEANING, WIDENING, DEEPENING, TILING & EXTENDING of Intra-County Drains to improve the Swartz Creek, Lakeside Landing Br of Drain #1690, the location and route of said drain project to be approximately as follows:

Located in Section 13 of T5N, R6E, Fenton Township, Genesee County Michigan. Beginning at a point in McCully Lake that is 413 feet North and 526.7 feet East of the Southeast corner of Lot 49, McCully Lake Estates #2 as recorded in Instrument # 200605110046123, Genesee County Records. Thence crossing through a wetland area N40°48'54"W, 256.4 feet; thence S52°30'15"W, 177 feet; thence S26°29'09"W, 68.9 feet; thence S07°45'55"E, 156.7 feet; thence S06°37'10"W, 99.6 feet; thence S33°07'12"W, 90.9 feet; thence S38°21'02"W, 165.8 feet; thence S56°43'30"W, 67.5 feet; thence S31°59'52"W, 72.56 feet; thence S89°40'51"W, 250.75 feet to the beginning of a pipe; thence under Fenton Road S73°01'43"W, 112.46 feet; thence S85°53'31"W, 126.75 feet to the point of ending.

Which drain project is necessary for the public health and is located within the limits of the Charter Township of Fenton.

This petition is filed pursuant to the provisions of Chapter 8 of Act No. 40 of the Public Acts of 1956, as amended.

It is understood that the cost of said project is to be assessed against the drainage district as determined by the Drain Commissioner.

A certified copy of the resolution of the governing body of the public corporation authorizing its execution is hereto attached.

BE IT FURTHER RESOLVED, That the Supervisor and Clerk be and are hereby authorized and directed to execute said petition for and on behalf of Charter Township of Fenton and to file same with the Drain Commissioner of the County of Genesee.

BE IT FINALLY RESOLVED, that Charter Township of Fenton hereby consents to this Intra-County drain project and to an assessment at large for a percentage of the total amount assessed for the cost of the proposed work.

Motion to adopt Resolution No. 2010-25 as presented.

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

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Absent: Goupil, Hill
Motion carried. Resolution declared adopted.

Proposed Ballot Language – Renewal of Trash Collection Special Levy

Operations Manager Broecker explained that the 2009 property tax roll was the final year of the trash collection special assessment approved by the voters in 2006. The funds collected from the 2009 assessment are being used to pay for the 2010 service year. In order to continue township-wide residential trash collection services, it will be necessary to place the issue on the ballot for the November 2, 2010 General Election. The Township has received and opened proposals for the 2011-2014 period and, although a contract has not yet been awarded, it has been determined that the “not to exceed” amount for the ballot proposal should be \$145 per unit per year. It was also noted that the actual amount assessed may be lower, depending on the terms of the final contract. The proposed ballot proposal language is as follows:

Trash Collection Assessment Renewal

Shall each parcel of real estate in the Township upon which there is located a detached single-family dwelling or two-family dwelling or attached single-family dwelling be assessed the sum of up to one hundred forty-five dollars (\$145.00) per year per dwelling unit commencing with the December 2010 property tax statements for a four year period to continue funding for Residential Trash Collection Services for the calendar years 2011, 2012, 2013 and 2014?

Motion to approve the ballot proposal language for the renewal of the trash collection assessment as presented, and to authorize the placement of said proposal on the ballot for the November 2, 2010 General Election.

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

Motion carried.

BOARD COMMENT:

None

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

David Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft asked if the Township has received any reports from Marine Patrol activities. Trustee Brown stated that the Township has not received any formal reports to date.

Mr. Hawcroft asked if there was any progress in the investigation of the boat & motor theft ring. Supervisor Mathis stated that the investigation is ongoing but the Township does not expect any formal reports or updates during the investigation.

Mr. Hawcroft stated that the noise level on parts of Lake Ponemah during the Ponetian Festival activities was unreasonably high, and asked if the Marine Patrol officers can

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enforce the Township's Noise Abatement Ordinance. Supervisor Mathis clarified that Marine Patrol officers cannot enforce Township ordinances.

Regarding the Jennings Road project, Mr. Hawcroft suggested that extra police patrols may be needed to keep speeds down once the project has been completed.

ADJOURN: Meeting adjourned at 8:05 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 8/17/10