

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JUNE 6, 2011**

**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, Attorney Cooley and
Operations Manager Broecker

Absent: Hill

PLEDGE OF ALLEGIANCE:

Supervisor Mathis led the pledge of allegiance to the flag.

APPROVAL OF AGENDA:

Trustee Brown asked to have an Executive Session added to the end of the agenda to discuss the potential purchase of real property. Motion to approve the 6/6/11 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 5/16/11 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$289,436.33 for payment as presented.

Motion by: Tucker

Seconded: Brown

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

Nays: None

Absent: Hill

Motion carried.

PUBLIC HEARINGS:

None

REPORTS:

None

COMMUNICATIONS:

Genesee County Community Development Program – Extension of Cooperative Agreement

Supervisor Mathis reviewed a letter from Genesee County Community Development regarding an extension of the current cooperative agreement. If Fenton Township wishes to continue in the CDBG program for the years 2012-2014, the Township Clerk needs to send a letter to that effect to the county. The board briefly discussed the CDBG program and concluded that continued participation would be in the best interest of the Township. Clerk Krug will forward the required letter.

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ADOPTION OF ORDINANCES:

Proposed Planning Commission Ordinance/1st Reading

Supervisor Mathis reviewed a proposed ordinance to re-establish the Township's planning commission under the Michigan Planning Enabling Act. This act was signed into law in 2008, and gives municipalities until July 1, 2011 to be in full compliance. This ordinance is the final step in the compliance process.

There was no public comment. The second reading of the proposed ordinance will be conducted at the 6/20/11 meeting.

UNFINISHED BUSINESS:

Schedule Workshop Meeting

Supervisor Mathis stated that she would like to schedule a workshop meeting to discuss various issues, including a proposal to utilize an alternate provider of natural gas. After a brief discussion the board agreed to schedule the meeting for Monday 6/27/11 at 7:30 p.m.

NEW BUSINESS:

Proposed Sewer Maintenance Agreement – Waldorf & Sons Excavating, Inc.

Proposed Sewer Maintenance Agreement – Cook Excavating, Inc.

Supervisor Mathis reminded the board that sewer maintenance contracts were awarded to Waldorf & Sons Excavating and Cook Excavating earlier this year. Formal agreements were delayed while the contractors re-evaluated the sewer system and developed a more cost-effective maintenance program. The agreements have now been drafted and are presented this evening for board consideration. Both agreements are for a term of 3 years, effective May 1, 2011.

Treasurer Tucker stated that the proposed agreements are significantly improved from previous contracts. The scope of work is more clearly defined and the Township has the ability to terminate the contracts for any reason. He did suggest two minor revisions to the agreements, removing language relating to time frames for performance corrective action and adding language regarding insurance coverage.

Motion to approve the Sewer Maintenance Agreement with Waldorf & Sons Excavating, Inc., as revised.

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

Motion carried.

Motion to approve the Sewer Maintenance Agreement with Cook Excavating, Inc., as revised.

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

Motion carried.

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BOARD COMMENT:

Supervisor Mathis reported that Trustee Goupil, recently retired from the Genesee County Sheriff Department, has been hired for the summer to supervise the Marine Patrol.

Supervisor Mathis stated that she has received several telephone calls from unhappy residents of Silver and Marl Lakes. Earlier this year the board agreed to provide a letter of support for the Silver-Marl Association for them to participate in the DNR Canada Goose Nest & Egg Destruction Program. Then, on May 23rd, Supervisor Mathis received an e-mail from the association requesting another letter of support, this time for a goose roundup. She contacted all the Township Board members and had planned to place the issue on tonight's agenda. When she contacted the DNR, however, she discovered that the deadline for approval of roundup activities is May 20th, and that deadline is firm. Therefore she notified the association that a letter of support would not be provided due to the missed deadline. Some residents seem to be under the impression that the Township was refusing to help them, when in fact it was the association that missed the deadline.

Trustee Kesler announced that the Lake Fenton track team qualified for two events in the State Championships. Danny Brodie competed in the high jump event, and also set a new school record this year. The 4x100 relay team of Kyle Frank, Robby Kesler, Matt Homer and Austin Gotrick finished 8th in the state championships, setting a new school & conference record, and earning all-state honors. The board congratulated the young athletes for their achievements.

Trustee Brown also received congratulations for the accomplishments of his son Alex, who was co-valedictorian of Lake Fenton High School's class of 2011.

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft questioned why the Township awarded two different sewer maintenance contracts. Treasurer Tucker clarified that having two contractors gives the Township more flexibility and allows us to utilize the strengths of each contractor. For the most part, each contract covers different responsibilities, although there is overlap in areas such as emergency response where having the combined manpower and expertise of both companies is a real advantage.

Mr. Hawcroft also questioned the 55mph speed limit on Lake Ponemah, when Lake Fenton has a 45mph limit. Trustee Goupil explained that the DNR does have a process by which a speed limit can be reduced, however it must be clearly shown that the existing speed limit constitutes a safety hazard.

Marilyn Daniels, 13293 Haddon Street

Ms. Daniels, who has been researching more humane methods to control nuisances from geese and other birds, presented the Township with an eagle-shaped apparatus that, when suspended high in the air, acts as a repellent for geese and other birds. The board thanked Ms. Daniels for her generous donation and noted that the eagle will be flown over the Township's beach ASAP.

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Ms. Daniels also stated that she is working on scheduling a meeting with other lake associations to discuss the various options available to them for controlling the goose problem.

Michelle Allen, 6245 Ray Road

Ms. Allen stated that the Wild Oat Animal Rescue is once again sponsoring a low-cost vaccination clinic for cats and dogs. The even will be held on Saturday 6/25/11 from 10:00 a.m. to 6:00 p.m. at the Tractor Supply Company store on Owen Road. \$10 vaccinations will be offered all day for cats and dogs.

EXECUTIVE SESSION:

Motion to recess the open meeting for the purpose of convening an executive session to discuss the purchase of real property.

Motion by: Tucker

Seconded: Brown

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

Nays: None

Absent: Hill

Motion carried.

The regular meeting was recessed at 8:20 p.m.

RECONVENE:

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

NEW BUSINESS (continued):

Purchase of Real Property

Motion to approve the **Notice To Genesee County Treasurer Deborah L. Cherry, The Foreclosing Governmental Unit, Of Election To Purchase Foreclosed Property**, for the purchase of real property, as presented.

Motion by: Krug

Seconded: Tucker

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

Nays: None

Absent: Hill

Motion carried.

Clerk Krug presented the following resolution:

RESOLUTION NO. 2011-07

WHEREAS, MCL 211.78m directs that all parcels foreclosed by a County Treasurer's Office (foreclosing governmental unit) are available to be purchased by the State of Michigan, City, Village, Township or County in which they, are located, and

WHEREAS, such acquisition must be made prior to the foreclosed parcels being taken to public auction, and

WHEREAS, there is one such foreclosed parcel in located in the Charter Township of Fenton which can be used for a public purpose by Fenton Township, and

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NOW, THEREFORE, BE IT RESOLVED, that the Charter Township of Fenton intends to purchase property described as parcel 06-03-576-005, also known as Thompson Rd, which property is located in Fenton, Michigan, for a public purpose. The purchase price is \$5,471.13, which amount is the minimum bid as that term is defined in MCL 211.78m(11), and

BE IT FURTHER RESOLVED, that the Charter Township of Fenton agrees to indemnify, defend, save and hold harmless Genesee County and Deborah L. Cherry, individually and/or as Genesee County Treasurer and/or as Foreclosing Governmental Unit, from any and all claims, liabilities, damages, losses, suits, fines, penalties, demands and expenses, including costs of suit and attorney fees, which Genesee County and/or Deborah L. Cherry, individually and/or as Genesee County Treasurer and/or as Foreclosing Governmental Unit incurred because of or related to the election of the Township of Fenton to purchase the property above described, and

BE IT FINALLY RESOLVED, that a copy of this resolution shall be forwarded to the office of the Genesee County Treasurer.

Motion to adopt Resolution No. 2011-07 as presented.

Motion by: Krug

Seconded: Brown

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

Nays: None

Absent: Hill

Motion carried. Resolution declared adopted.

ADJOURN: Meeting adjourned at 8:50 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 6/7/11