

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF AUGUST 29, 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, Hill (arrived 7:55 p.m.), Kesler,
Attorney Cooley and Operations Manager Broecker

Absent: None

PLEDGE OF ALLEGIANCE:

Supervisor Mathis led the pledge of allegiance to the flag.

APPROVAL OF AGENDA:

Operations Manager Broecker reported that some technical issues had been brought to light just today regarding the proposed payment processing agreement with JetPay Solutions. He requested that this issue be moved to the 9/19/11 agenda. Motion to approve the 8/29/11 Fenton Township Board Meeting agenda as amended.

Motion by: Brown

Seconded: Tucker

Ayes: All Present

Nays: None

Absent: Hill

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes for the 8/1/11 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$636,988.35 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:

None

ADOPTION OF ORDINANCES:

Proposed Zoning Ordinance Amendment – Public Utility Buildings & Uses/1st

Reading

Supervisor Mathis introduced a proposed Zoning Ordinance amendment to revise provisions regarding public utility buildings and uses. Treasurer Tucker explained that

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the current language does not address the issue of outdoor storage. The proposed amendment designates the use, both with and without outdoor storage, as a permitted use or special use permit in the various zoning districts.

There was no public comment. The second reading of the proposed ordinance will be conducted at the 9/19/11 meeting.

Proposed Amendment to Open Burning Regulation Ordinance/1st Reading

Supervisor Mathis introduced a proposed amendment to the Open Burning Regulation Ordinance. The proposed revisions are relatively minor and simply clarify the existing ordinance.

There was no public comment. The second reading of the proposed ordinance will be conducted at the 9/19/11 meeting.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Resolution No. 2011-08, Public Hearing on New Pine Lake Improvement Special Assessment Roll

Supervisor Mathis stated that a 5-year renewal of Pine Lake's weed control special assessment has been requested by the Pine Lake Association. A new special assessment roll, which is based on the proposal included in the meeting packet, has been created, certified and filed with the Township Clerk. A resolution is required to schedule a public hearing on the special assessment roll. Clerk Krug presented the following resolution:

RESOLUTION NO. 2011-08

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 \$57,941.30 for the five year period of 2011 through 2015, covering all parcels of land within the Pine Lake Improvement Special Assessment District, and has affixed thereto her Certificate as required by said Public Act;

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 September 19, 2011 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

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property within the Pine 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. 2011-08 as presented.

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

Motion carried. Resolution declared adopted.

Resolution No. 2011-09, Public Hearing on New Loon Lake Improvement Special Assessment Roll

Supervisor Mathis reported that the Loon Lake Association has requested a 3-year renewal of their weed control special assessment. A new special assessment roll, which is based on the proposal included in the meeting packet, has been created, certified and filed with the Township Clerk. A resolution is required to schedule a public hearing on the special assessment roll. Clerk Krug presented the following resolution:

RESOLUTION NO. 2011-09

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 \$85,802.08 spread over the years 2011 through 2013, covering all parcels of land within the Loon Lake Improvement Special Assessment District, and has affixed thereto her Certificate as required by said Public Act;

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 September 19, 2011 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 Loon 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. 2011-09 as presented.

Motion by: Krug
Seconded: Brown
Ayes: Mathis, Krug, Tucker, Brown, Goupil, Kesler

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Nays: None
Absent: Hill

Motion carried. Resolution declared adopted.

Resolution No. 2011-10, Public Hearing for 2011 Fire Protection Special Assessment Roll

Supervisor Mathis reported that, in keeping with past practice and policy, a public hearing needs to be scheduled for the 9/19/11 meeting for the 2011 Fenton Township Fire Protection Special Assessment Roll. The proposed roll maintains the assessment amount at \$65 per parcel. A resolution has been prepared to formally schedule the public hearing. Clerk Krug presented the following resolution:

RESOLUTION NO. 2011-10

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 \$532,545.00, covering all parcels of land within the Fenton Township Fire Protection 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 September 19, 2011 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 in a newspaper of local circulation not less than five (5) days prior to the hearing, in accordance with the law and statute provided.

Motion to adopt Resolution No. 2011-10 as presented.

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

Motion carried. Resolution declared adopted.

[Trustee Hill arrived at 7:55 p.m.)

Letter of Resignation - Trustee Ken Hill

Trustee Hill stated that he has submitted a letter of resignation from the Township Board. He has found that his family commitments are requiring more of his time and made it

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more difficult to find time to devote to his responsibilities as a Trustee. Mr. Hill stated that he has enjoyed his years of public service, wished the board well and commended them for their outstanding leadership. Several board members expressed regret that Mr. Hill is stepping down, but also understanding his reasons.

Motion to accept, with regret, the resignation of Trustee Kenneth Hill, effective as of the end of the 8/29/11 Township Board meeting.

Motion by: Krug
Seconded: Mathis
Ayes: Mathis, Krug, Tucker, Goupil, Hill, Kesler
Nays: Brown

Motion carried.

Supervisor Mathis stated that any individuals interested in being appointed to the Township Board should submit a resume to her attention no later than 9/23/11.

BOARD COMMENT:

Clerk Krug announced that the Community Parent (an anti-addiction task force) is having a fundraiser on Saturday 9/10/11. Uncle Ray's Dairyland will be providing ice cream and miniature golf from 10:00 a.m. to 6:00 p.m. and there will be a pizza buffet with salad and soft drinks, plus live music at Luigi's restaurant from 6:00 p.m. to 9:00 p.m. The expected cost is \$10 per person or \$30 per family.

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft asked for an update on Marine Patrol activities. Trustee Goupil reported that Labor Day weekend will be the final weekend for the Marine Patrol. Other than a very few incidents over the July 4th holiday, it has been a quiet summer with very few problems. The Marine Patrol did make several hundred stops over the summer to conduct safety inspections and to educate boaters on safety issues.

EXECUTIVE SESSION:

Motion to recess the open meeting for the purpose of convening an executive session to discuss pending litigation.

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

Motion carried.

The regular meeting was recessed at 8:02 p.m.

RECONVENE:

The regular meeting was reconvened at 8:15 p.m.

NEW BUSINESS (continued):

Pending Litigation Buntun vs. Fenton Township

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Motion to approve the Consent Judgment to settle the Bunton vs. Fenton Township lawsuit, as presented, and to authorize the Township Supervisor and Township Clerk to execute said Consent Judgment on behalf of Fenton Township.

Motion by: Brown

Seconded: Tucker

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

Nays: None

Motion carried.

ADJOURN: Meeting adjourned at 8:20 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 8/30/11