

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF NOVEMBER 7, 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, Brown, Goupil, Kesler, Lorraine, Attorney Cooley and Operations  
Manager Broecker

Absent: Tucker

**PLEDGE OF ALLEGIANCE:**

Supervisor Mathis led the pledge of allegiance to the flag.

**APPROVAL OF AGENDA:**

Supervisor Mathis asked to have the issue regarding the proposed sale of real estate moved to the open portion of the meeting and removing the Executive Session. Motion to approve the 11/7/11 Fenton Township Board Meeting agenda as amended.

Motion by: Krug

Seconded: Lorraine

Ayes: All Present

Nays: None

Absent: Tucker

Motion carried. The agenda is approved.

**MEETING MINUTES:**

The minutes for the 10/17/11 regular meeting and the 10/20/11 special meeting stand approved as presented.

**EXPENDITURES:**

Motion to approve invoices and expenditures for all funds totaling \$193,132.91 for payment as presented.

Motion by: Krug

Seconded: Brown

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

Nays: None

Absent: Tucker

Motion carried.

**PUBLIC HEARINGS:**

None

**REPORTS:**

Supervisor Mathis reported that the DNR has scheduled a public hearing on the Tupper Lake hunting issue for Thursday 12/15/11 at the Fenton Township Civic Community Center, beginning at 7:00 p.m. When the formal notice has been received it will be posted.

Supervisor Mathis also reported that Fire Chief John Moulton is gravely ill and asked everyone to keep him in their thoughts.

**COMMUNICATIONS:**

None

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF NOVEMBER 7, 2011**

**ADOPTION OF ORDINANCES:**

**Proposed Outdoor Wood-Fired Boilers, Stoves and Furnaces Ordinance/2nd Reading**

Supervisor Mathis reviewed a proposed ordinance to regulate the use of outdoor wood fired boilers, stoves and furnaces, which was introduced at the 10/3/11 meeting and discussed at the 10/17/11 meeting. Zoning Administrator Doug Piggott has issued a memo to clarify some of the issues raised at the last meeting. There was no further discussion.

Motion to adopt Ordinance No. 741, an ordinance to regulate the use of wood-fired boilers, stoves and furnaces, as presented.

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

Motion carried. Ordinance declared adopted.

**UNFINISHED BUSINESS:**

**Schedule Workshop Meeting**

Supervisor Mathis stated that she would like to schedule a workshop meeting to discuss several different issues. Committee appointments, police services and the Thompson Road Corridor are among the planned agenda items. After a brief discussion the board agreed to schedule the meeting for 12/5/11 at 6:00 p.m., prior to the regular board meeting.

**NEW BUSINESS:**

**Proposed Special Levies & Miscellaneous Special Assessments – 2011 Property Tax Roll**

Operations Manager Broecker presented the special assessments and miscellaneous levies for the 2011 property tax roll. Specific levy and special assessment amounts are as follows:

**Mosquito Control** \$ 24.00  
**Solid Waste Collection** 120.00

<b>Private Road Maintenance</b>		Minnetonka	29.00
Curtwood	120.00	Darts	53.00
Four Lakes	45.00	Enid	34.00
McFarlan	0.00	Log Cabin	68.00
Woodhull	60.00	Margaret	54.00
Latourette	50.00	Wenwood	39.00
Wenwood Pkwy	0.00	Windsor Beach	85.00
Malibu	0.00	Pomona	35.00
Darts	25.00	Horrell	43.00
Skyline	100.00	Crooked Lake	50.00
Wendell	15.00	Golden Shores	58.00
Hicks Haven	8.02	Hidden Ridge I	56.00
Woodhaven Drive	80.00	Fenton Creek	20.00
Crystal Cove Ct.	45.00	Eden Garden	45.00
Pinewood Trail	122.75	Isle of Bordeaux	93.00
Wenwood Drive	15.00	Pinnacle Shores II	26.00
Byram Lake Dr.	30.00	Fenton Orchards I	36.00
Lakeside Landing Drain	200.00	Cussewago	15.00
<b>Street Light Operation</b>		Malibu	38.00

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF NOVEMBER 7, 2011**

Silver Ridge	20.00	Loon Lake Highlands	44.00
Breeze Pointe	22.00	Golden Pond II	39.00
Torrey Grove	40.00	Lakeview Farms II	68.00
West Silver Villa	39.00	Golfview Pointe I	49.00
Scenic View Dr.	70.00	Loon Harbor Preserve	27.00
Linden Meadows	50.00	Golfview Pointe II	40.00
Wyndham Estates I	33.00	Linden Crossings	48.00
Wyndham Estates II	32.00	McCully Lake Estates I	42.00
Lakeview Farms I	49.00	Hidden Ridge III	49.00
Hidden Ridge II	41.00	Landings at Crane's Cove	38.00
Audubon Meadows	38.00	Marl/Farner/Cutler	33.00
Crystal Cove	51.00	Fenton Orchards II	48.00
Pinnacle Shores I	51.00	Pinnacle Shores III	38.00
River Oaks Hollow	37.00	Horizon Lakes Airpark I	0.00
Bryson Estates	31.00	Stony Brook I	42.00
Fentonwood Estates	34.00	Lake Ponemah Estates I	42.00
Pine Lake Forest	35.00	Springfield Hills	35.00
North Shore Estates	64.00	Lakeside Acres	68.00
Pavilion on Pine Lake	50.00		

Motion to approve 2011 special assessments and miscellaneous levies as presented.

Motion by: Brown

Seconded: Goupil

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

Nays: None

Absent: Tucker

Motion carried.

**Appointments to Fenton Township Zoning Board of Appeals**

Supervisor Mathis reported that the terms of Zoning Board of Appeals members Michael Finch and Christine Reid will expire at the end of November. Both have done an excellent job on the ZBA and both have expressed a desire to be re-appointed. She recommends the re-appointment of both Mr. Finch and Ms. Reid to the ZBA.

Motion to re-appoint Michael D. Finch to the Fenton Township Zoning Board of Appeals for the term ending November 30, 2014.

Motion by: Brown

Seconded: Lorraine

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

Nays: None

Absent: Tucker

Motion carried.

Motion to re-appoint Christine M. Reid to the Fenton Township Zoning Board of Appeals for the term ending November 30, 2014.

Motion by: Krug

Seconded: Brown

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

Nays: None

Absent: Tucker

Motion carried.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF NOVEMBER 7, 2011**

**Resolution No. 2011-20, Sewer Bond Payment Obligations for 2012**

Supervisor Mathis stated that the Genesee County Drain Commissioner requires the Township to adopt a resolution each year designating the source of funds to meet debt service obligations in the next year for bonds issued through Genesee County. A resolution has been prepared for board adoption. Clerk Krug presented the following resolution:

**RESOLUTION NO. 2011-20**

*WHEREAS, the Charter Township of Fenton has a need to pay to the County of Genesee the sum of \$2,058,968.55 to meet the bond principal and interest requirements on all bond obligations for sewer facilities in 2012; and*

*WHEREAS, there are several means by which the funds can be secured to meet this payment requirement; and*

*WHEREAS, all various means of securing these funds have been reviewed and considered;*

*NOW, THEREFORE BE IT RESOLVED, by the Charter Township of Fenton, that the monies to meet the principal and interest requirements on all bond obligations for sewer facilities in 2012 will be secured from the following funds.*

<i>Funds Already Available</i>	\$ _____
<i>Tap-In Fees to be Collected</i>	\$ <u>45,000.00</u>
<i>Funds from Monthly Rates for Services</i>	\$ <u>2,013,968.55</u>
<i>General Fund</i>	\$ _____
<i>Ad-Valorem Levy</i>	\$ _____
<i>Other</i>	\$ _____
<b>Grand Total:</b>	<b>\$ <u>2,058,968.55</u></b>

*BE IT FURTHER RESOLVED, that the Township Clerk is hereby directed to forward one (1) copy of this Resolution to the County Agency, and retain one (1) copy for the Fenton Township records.*

Motion to adopt Resolution No. 2011-20 as presented.

Motion by: Krug

Seconded: Brown

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

Nays: None

Absent: Tucker

Motion carried. Resolution declared adopted.

**Schedule Public Hearing – Application for Industrial Facilities Exemption Certificate – Paragon Manufacturing Corporation**

Supervisor Mathis reported that Paragon Manufacturing has filed an application for an Industrial Facilities Exemption Certificate (property tax abatement) for new equipment at their Thompson Road facility. A public hearing is required before the Township Board can take action on their application.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF NOVEMBER 7, 2011**

Motion to schedule a public hearing for November 21, 2011 to consider the application of Paragon Manufacturing, Inc. for an Industrial Facilities Exemption Certificate for new equipment.

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

Motion carried.

**Proposed Sale of Real Estate**

Supervisor Mathis reported that the former owners of the Thompson Road property purchased by the Township after tax foreclosure earlier this year has expressed an interest in purchasing the property back. Scott Seymour, one of the previous owners, stated that the non-payment of the property taxes in 2008 was an oversight and is willing to buy back the property, plus donate a lot on Patrick Drive to the Township and give a credit to the Fenton Township Fire Department for oxygen tank refills from his business.

Trustee Brown asked Mr. Seymour what his plans were for the property. Mr. Seymour stated that he purchased the property as an investment but did not have any concrete development plans.

Attorney Cooley stated that, in his opinion, Mr. Seymour's proposal violates the spirit of the law that prohibits the Township from profiting on the resale of this property. Mr. Seymour's proposal, while well intentioned, is not something the Township can accept.

Clerk Krug expressed concern with the undertones in Mr. Seymour's letter. He felt that it could possibly be considered a bribe. He does not favor selling the property.

Ken Zender, Mr. Seymour's business partner, stated that they were never notified of the delinquent tax situation and they are simply trying to find a way to re-acquire the property.

The board will research the issue further before deciding if any action will be taken.

**BOARD COMMENT:**

None

**PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:**

Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft asked for clarification regarding the resolution adopted for sewer bonds. When will these bonds be paid off? Operations Manager Broecker clarified that the resolution simply designates the source of funds to meet bond payment obligations for 2012. The Township has several sewer bond issues outstanding that will be paid off over the next 18 years.

Gary Walker, 14111 Eastview Drive

Mr. Walker asked about the sewer use rates. He is concerned with the financial burden these high rates place on everyone. Operations Manager Broecker indicated that, without a significant increase in new connections, it would likely be another ten years before any consideration could be given to even a small rate reduction. Clerk Krug noted

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF NOVEMBER 7, 2011**

that residents do have the option of paying \$85.00 per month rather than paying the entire \$255.00 bill at one time.

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

---

Bonnie Mathis, Supervisor

---

Robert Krug, Clerk

**Minutes Posted 11/9/11**