

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF NOVEMBER 21, 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 (arrived 8:00 p.m.), Tucker, Brown (arrived 8:00 p.m.),
Goupil, Kesler, Attorney Cooley and Operations Manager Broecker

Absent: Lorraine

PLEDGE OF ALLEGIANCE:

Supervisor Mathis led the pledge of allegiance to the flag.

APPROVAL OF AGENDA:

Motion to approve the 11/21/11 Fenton Township Board Meeting agenda as presented.

Motion by: Goupil

Seconded: Tucker

Ayes: All Present

Nays: None

Absent: Krug, Brown, Lorraine

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes for the 11/7/11 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$303,353.16 for payment as presented.

Motion by: Tucker

Seconded: Kesler

Ayes: Mathis, Tucker, Goupil, Kesler

Nays: None

Absent: Krug, Brown, Lorraine

Motion carried.

PUBLIC HEARINGS:

Application for Industrial Facilities Exemption Certificate - Paragon Manufacturing Corporation

Supervisor Mathis opened a public hearing regarding the application of Paragon Manufacturing Corporation for an Industrial Facilities Exemption Certificate (tax abatement) for new equipment at their existing facility on Thompson Road. The total cost of the new equipment is \$134,862.00 and it is anticipated that the new equipment will allow Paragon to retain two existing jobs at their facility. There was no public comment. Operations Manager Broecker reviewed the specifics of the application. The recommended term for the abatement is six years.

Trustee Goupil inquired as to the financial impact of the tax abatement. Operations Manager Broecker stated that the exemption would effectively reduce the personal property taxes on the new equipment by half for the term of the abatement, except for the State Education Tax, which is not reduced. The abatement would reduce Fenton Township's tax revenues by approximately \$50 per year. The total tax reduction per year for all taxing units would be approximately \$1,850 per year.

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There was no public comment. Supervisor Mathis closed the public hearing.

Treasurer Tucker stated that the owner of Paragon Manufacturing is his brother-in-law and he would prefer to abstain from voting due to a possible or perceived conflict of interest. Since that would only leave three voting members the issue was tabled until later in the meeting, when Clerk Krug and Trustee Brown are expected to be present.

REPORTS:

None

COMMUNICATIONS:

DNR Public Hearing on Hunting Control for Tupper Lake - 12/15/11

Supervisor Mathis reported that the DNR has officially scheduled the public hearing to consider hunting controls on Tupper Lake. The hearing is scheduled for Thursday 12/15/11 at the Fenton Township Civic Community Center, beginning at 7:00 p.m.

ADOPTION OF ORDINANCES:

None

UNFINISHED BUSINESS:

Workshop Meeting Reminder - 12/5/11

Supervisor Mathis reminded the board that a workshop meeting is scheduled for Monday 12/5/11 at 6:00 p.m., prior to the regular board meeting.

NEW BUSINESS:

Resolution No. 2011-22, Proposed Liquor License Transfer - Raymo's LLC

Supervisor Mathis reviewed information from Raymo's LLC, a proposed restaurant for the commercial center at Owen and Jennings Road. They have applied to transfer an existing Class C liquor license from Flint Township to Fenton Township and for a new Dance-Entertainment permit.

Kelly Allen, representing the applicant, stated that the planned restaurant would create a unique dining experience for its patrons. The owner of the business will also be the primary chef for the restaurant and all employees will be trained in alcohol management. It was also clarified that the proposed Dance-Entertainment Permit will allow dancing by patrons and live entertainment, but not adult entertainment. The board asked a few more questions regarding the proposed use, which were answered by owner Marc Raymond and business partner Dennis Niec.

Operations Manager Broecker presented the following resolution:

RESOLUTION NO. 2011-22

*WHEREAS, **Raymo's LLC** has requested that the Charter Township of Fenton Board of Trustees recommend approval of the requested transfer of an escrowed Class C liquor license from Flint Township and the issuance of a new Dance-Entertainment Permit for a restaurant located at 4015 Owen Road;*

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*NOW, THEREFORE, BE IT RESOLVED, that the request to transfer ownership of an escrowed 2008 Class C licensed business, located at G-4339 Miller Road, Flint, MI 48507, Flint Township, Genesee County, from Moy Kong of Miller Road, Inc. to Raymo's LLC; transfer location governmental unit MCL 436.1531(1) to 4015 Owen Road, Fenton, MI 48430, Fenton Township, Genesee County; & New Dance-Entertainment Permit be considered for **Approval**.*

Motion to adopt Resolution No. 2011-22 as presented.

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

Motion carried. Resolution declared adopted.

It is the consensus of this legislative body that the application be RECOMMENDED for issuance.

Schedule Public Hearing on 2012 Fenton Township Budget

Supervisor Mathis noted that, as required by Michigan law, a draft version of the 2012 Fenton Township Budget was distributed to the members of the Township Board at the end of August. Included in this meeting packet is a revised 2012 budget draft. A public hearing on the budget is required before it can be adopted by the board. It is being recommended that the Township Board schedule a public hearing on the proposed 2012 budget for the 12/5/11 meeting.

Motion to schedule a public hearing on the 2012 Fenton Township Budget to be held at the December 5, 2011 Township Board meeting.

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

Motion carried.

Proposed 2012 Fenton Township Meeting Schedule

Operations Manager Broecker reviewed a proposed meeting schedule for 2012. It was noted that the Planning Commission has proposed to move their meetings from the second Tuesday to the second Thursday of each month. Township Board meetings remain on the first and third Mondays, except for January and September where they have been moved due to holidays.

Motion to adopt the 2012 Fenton Township Meeting Schedule as presented.

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

Motion carried.

Resolution No. 2011-23, Memorial Resolution for Fire Chief John Moulton

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Supervisor Mathis stated that, as most everyone knows, Fenton Township's long-time Fire Chief John Moulton recently passed away. A memorial resolution has been prepared to honor his service to Fenton Township. Clerk Krug presented the following resolution:

RESOLUTION NO. 2011-23

WHEREAS, Fenton Township Fire Chief John R. Moulton passed away on November 9, 2011, and

WHEREAS, Mr. Moulton was a life-long resident of Fenton Township, during which time he contributed greatly to the progress and welfare of the community, most notably as the Chief of the Fenton Township Fire Department, and

WHEREAS, Mr. Moulton served loyally and faithfully as a fire fighter on the Fenton Township Fire Department from 1985 to 1993, and served as Fire Chief from 1993 until his passing, managing and overseeing the development of the fire department into one of the finest in Genesee County, while consistently exhibiting the qualities of vision, leadership and dedication;

NOW, THEREFORE, BE IT RESOLVED, that the Fenton Township Board of Trustees hereby honors John R. Moulton for his valuable contributions to our community, conveys sincere appreciation and gratitude for his dedicated service to the government and citizens of Fenton Township and expresses profound sadness at his passing, and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the minutes of this meeting and a copy given to Mr. Moulton's family.

Motion to adopt Resolution No. 2011-23 as presented.

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

Motion carried. Resolution declared adopted.

Application for Industrial Facilities Exemption Certificate - Paragon Manufacturing Corporation (continued)

Supervisor Mathis briefly reviewed the discussion from the public hearing, including Treasurer Tuckers request to abstain from voting on the resolution.

Motion to allow Treasurer Tucker to abstain from voting on the IFT application for Paragon Manufacturing Corporation due to a possible or perceived conflict of interest.

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

Motion carried.

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Clerk Krug presented the following resolution:

RESOLUTION NO. 2011-21

WHEREAS, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on October 7, 1996, this Township Board by resolution established Industrial Development District No. 10; and

WHEREAS, Paragon Manufacturing Corporation has filed an application for an Industrial Facilities Exemption Certificate with regard to new equipment installed at their facility located within Industrial Development District No. 10; and

WHEREAS, before acting on said application, the Charter Township of Fenton held a public hearing on November 21, 2011 at the Fenton Township Civic Community Center in Fenton, Michigan at 7:30 p.m., at which hearing the applicant, the Assessor and representatives of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, the approval of the certificate will have the reasonable likelihood to retain, create, or prevent the loss of employment in the Charter Township of Fenton; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the Charter Township of Fenton, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the Township Board of the Charter Township of Fenton that:

- 1. The Township Board finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No 198 of the Public Acts of 1974 and Act No. 255 of the Public Acts of 1978, shall not have the effect of substantially impeding the operation of the Charter Township of Fenton, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the Charter Township of Fenton.*
- 2. The application of Paragon Manufacturing Corporation for an Industrial Facilities Exemption Certificate with respect to personal property acquired and installed on the following described parcel of real property situated within the Industrial Development District No. 10, to wit:*

Part of the NE 1/4 of Section 2, T5N R6E, Township of Fenton, County of Genesee, Michigan, more particularly described as: beginning at the E 1/4 corner of said section; thence S 87° 39' W 660.54 feet; thence north 1349.94'; thence S 89° 49' 50" E 660.0 feet; thence S 1321.03 feet to a point of beginning, subject to the Southerly 50.0 feet, used as Thompson Road, so-called.

be and the same is hereby approved.

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3. *The Industrial Facilities Exemption Certificate when issued shall be and remain in force and effect for a period of 6 years.*

Motion to adopt Resolution No. 2011-21 as presented:

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

Motion carried. Resolution declared adopted.

BOARD COMMENT:

None

PUBLIC COMMENT - AGENDA OR NON-AGENDA ITEMS:

Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft asked if the Township is in a position to respond to significant power outages and/or large rain events. Treasurer Tucker reported that the Township's sewer maintenance contractor has indicated that the number of permanently installed generators plus the number of portable generators is adequate for most emergency situations.

ADJOURN: Meeting adjourned at 8:30 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 11/22/11