

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF OCTOBER 7, 2013**

**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, Goupil, Kesler, Lorraine, Shumaker, Attorney
Cooley and Recording Secretary McDonald

Absent: None

PLEDGE OF ALLEGIANCE:

Supervisor Mathis led the pledge of allegiance to the flag.

APPROVAL OF AGENDA:

Supervisor Mathis asked to have the following item added to the New Business section of the agenda:

CDBG Contract Award – Demolition of Blighted Structure

Motion to approve the 10/7/13 Fenton Township Board Meeting agenda as amended.

Motion by: Tucker

Seconded: Lorraine

Ayes: All

Nays: None

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes for the 9/16/13 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$266,641.05 for payment as presented.

Motion by: Tucker

Seconded: Lorraine

Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker

Nays: None

Motion carried.

PUBLIC HEARINGS:

Little Long Lake Improvement Special Assessment District/Hearing on Special Assessment Roll

Supervisor Mathis opened a public hearing on the special assessment roll for a 5-year special assessment district for improvements to Little Long Lake through the eradication and control of aquatic weeds. The total 5-year cost of the project is approximately \$19,000.00. The assessment per parcel in the proposed special assessment roll is \$104.90 for 2013 and \$93.63 for 2014 through 2017. The board will accept public comment regarding the following:

1. An individual's assessment in relation to benefit received.
2. The total cost of the project.
3. The validity of the proceedings to date.

There was no public comment. Clerk Krug presented the following resolution:

RESOLUTION NO. 2013-20

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WHEREAS, the township board of the Charter Township of Fenton, Genesee County, Michigan, after due and legal notice, has conducted a public hearing upon a proposed assessment roll prepared by the supervisor and assessing officer of the Township for the purpose of defraying the costs of the weed eradication/control project proposed to be initiated within the Little Long Lake Improvement Special Assessment District as shown on the plans and specifications for such project, and

WHEREAS, such public hearing was preceded by proper notice in a newspaper of general circulation in the Township, and by First Class Mail notice to each property owner of record within said district and upon said assessment roll, and

WHEREAS, all present at said public hearing were given the opportunity to be heard in the matter, and

WHEREAS, no written objections were received to said roll and levy, and

WHEREAS, a record of those present to protest, and of written protests submitted at or before the public hearing was made a part of the minutes of the hearing, and

WHEREAS, the Township Board has duly inspected the proposed assessment roll and considered all comments and proposed amendments thereto and has found the proposed assessment roll, as submitted, to be correct, just and reasonable;

NOW, THEREFORE, BE IT RESOLVED, that the assessment roll submitted by the supervisor and assessing officer of the Township shall hereafter be designated as Fenton Township Special Assessment Roll No. 2013-2 and shall hereby be confirmed as the assessment roll for the Little Long Lake Improvement Special Assessment District, and

BE IT FURTHER RESOLVED, that the assessments in said Fenton Township Special Assessment Roll No. 2013-2 shall be divided into five annual installments with the first installment due on or before December 1, 2013 and the following installments to be due on or before the first day of December for each year thereafter indicated, and

BE IT FURTHER RESOLVED, that future due installments of an assessment against any parcel of land may be paid to the Township Treasurer at any time in full. If any installment of a special assessment is not paid when due, then the installment shall be considered to be delinquent and there shall be collected a penalty at the rate of 1% for each month, or fraction of a month, that the installment remains unpaid before being reported to the Township Board for reassessment upon the Township tax roll, in accordance with Michigan P.A. 188 of 1954, as amended, and

BE IT FURTHER RESOLVED, that the assessments made in said special assessment roll are hereby ordered and directed to be collected by the Township Treasurer, and the Township Clerk shall deliver said special assessment roll to said Treasurer with his warrant attached, commanding the Treasurer to collect such assessments in accordance with the direction of the Township Board and said P.A. 188 of 1954, and

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BE IT FINALLY RESOLVED, that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Motion to adopt Resolution No. 2013-20 as presented.

Motion by: Krug

Seconded: Lorraine

Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker

Nays: None

Motion carried. Resolution declared adopted.

Application for Industrial Facilities Exemption Certificate – Paragon Manufacturing Corporation

Supervisor Mathis opened a public hearing for the purpose of considering 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 \$526,000.00 and it is anticipated that the acquisition of the equipment will allow Paragon to create 5 new jobs and retain 3 existing jobs at their facility.

There was no public comment. Clerk Krug reviewed the rating sheet used by Fenton Township for determining the length of the abatement. Based on the type and amount of investment, and the number of new jobs, the recommended term is eight years.

Treasurer Tucker stated that he is related to the applicant and asked to abstain from voting on the issue due to a perceived conflict of interest.

Motion to allow Treasurer Tucker to abstain from voting on the proposed tax abatement due to a perceived conflict of interest.

Motion by: Krug

Seconded: Tucker

Ayes: Mathis, Tucker, Goupil, Kesler, Lorraine, Shumaker

Nays: Krug

Motion failed.

Clerk Krug presented the following resolution:

RESOLUTION NO. 2013-21

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 October 7, 2013 at the Fenton Township Civic Community Center in Fenton, Michigan at 7:30 p.m., at which hearing the applicant, the Assessor

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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.

- 3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force and effect for a period of 8 years.*

Motion to adopt Resolution No. 2013-21 as presented:

Motion by: Krug

Seconded: Shumaker

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

Nays: None

Not Voting: Tucker

Motion carried. Resolution declared adopted.

REPORTS:

Fire Chief Quarterly Report

Fire Chief Ryan Volz presented fire department statistics for the third quarter:

Total alarms 178 (22 in Tyrone Township)

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Fires	10
EMS	129
Hazardous conditions	8
Service calls	15
Good intent calls	6
False alarms	9
Severe Weather	1

The board thanked Chief Volz for his report.

COMMUNICATIONS:

Household Hazardous Waste Collection Day – October 26, 2013

Supervisor Mathis reviewed a flyer for the upcoming Household Hazardous Waste and E-Waste collection day on 10/26/13 from 10:00 a.m. to 2:00 p.m. The two collection sites are the Flint East Water Service Center on Court Street and Davison High School. These collection events are a great way to properly dispose of old batteries, pesticides, used oil, tires, etc.

Flag Retirement Ceremony – October 21, 2013

Supervisor Mathis announced that Fenton Township will be hosting a Flag Retirement Ceremony on Monday October 21, 2013 starting at 6:30 p.m., (prior to the Township Board meeting). The ceremony will be held in front of the township office. Boy Scouts of America Ventrue Crew 422 will be conducting the ceremony under the direction of Eagle Candidate Michael J. Laetz. American flags will be retired in a dignified and respectful manner. All board members are encouraged to attend if possible and members of the general public are also welcome to attend and participate in the flag retirement ceremony.

ADOPTION OF ORDINANCES:

Proposed Zoning Ordinance Amendment – Telecommunications Towers/1st Reading

Supervisor Mathis reviewed a proposed Zoning Ordinance amendment to revise language relating to telecommunications towers. Treasurer Tucker explained that the amendment revises the language to match recently enacted statutes regarding primarily time frames and collocation.

There was no public comment. The second reading of the proposed ordinance will be conducted at the 10/21/13 meeting.

UNFINISHED BUSINESS:

Schedule Workshop Meeting

Supervisor Mathis stated that she would like to schedule a workshop meeting to discuss various issues. After a brief discussion the board agreed to schedule the meeting for 11/4/13 at 6:30 p.m.

NEW BUSINESS:

Proposed Special Levies & Miscellaneous Special Assessments – 2013 Property Tax Roll

The board reviewed a listing of special levies and miscellaneous special assessments for the 2013 winter property tax roll. The majority of the special assessments are for

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street lighting and private road maintenance. Each assessment is reviewed and adjusted each year based on actual and projected costs.

Special Levies		Levy
01	Mosquito Control	24.00 per improved parcel
50	Solid Waste Collection	120.00 per serviced parcel

Special Assessments		Levy
82	Fire Protection	65.00 per parcel assessed

Road Maintenance		
5	Curtwood	400.00 per parcel in district
9	Four Lakes	124.00 "
10	McFarlan	0.00 "
13	Woodhull	100.00 "
14	Log Cabin/Latourette	625.00 "
15	Wenwood Parkway	0.00 "
16	Malibu	250.00 "
17	Darts	225.00 "
18	Skyline	100.00 "
20	Wendell	50.00 "
22	Hicks Haven	0.00 "
36	Woodhaven	80.00 "
37	Crystal Cove	50.00 "
48	Pinewood Trail	100.00 "
55	Wenwood Drive	20.00 "
62	Byram Lake Drive	30.00 "
119	Drain-Lakeside Landing	100.00 "

Street Lights		
23	Minnetonka	25.00 "
24	Darts	45.00 "
25	Enid	29.00 "
26	Log Cabin	57.00 "
27	Margaret	47.00 "
28	Wenwood	35.00 "
29	Windsor Beach	72.00 "
30	Pomona	30.00 "
31	Horrell	36.00 "
32	Crooked Lake	41.00 "
33	Golden Shores	50.00 "
38	Hidden Ridge I	48.00 "
39	Fenton Creek	17.00 "
40	Eden Gardens	39.00 "
41	Isle of Bordeaux	80.00 "
45	Pinnacle Shores II	21.00 "
47	Fenton Orchards I	45.00 "
49	Cussewago	14.00 "
56	Malibu	34.00 "
57	Silver Ridge	17.00 "
66	Breeze Pointe	19.00 "

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67	Torrey Grove	35.00	"
68	West Silver Villa	33.00	"
74	Scenic View	61.00	"
75	Linden Meadows	44.00	"
76	Wyndham Estates I	28.00	"
77	Wyndham Estates II	27.00	"
78	Lakeview Farms I	42.00	"
83	Hidden Ridge II	36.00	"
84	Audubon Estates	36.00	"
85	Crystal Cove	45.00	"
86	Pinnacle Shores I	44.00	"
87	River Oaks Hollow	32.00	"
88	Bryson Estates	27.00	"
89	Fentonwood Estates	30.00	"
90	Pine Lake Forest	30.00	"
92	North Shore Estates	56.00	"
93	Pavilion on Pine Lake	43.00	"
95	Loon Lake Highlands	38.00	"
96	Golden Pond II	34.00	"
97	Lakeview Farms II	59.00	"
98	Golfview Pointe	42.00	"
100	Loon Harbor Preserve	23.00	"
101	Golfview Pointe II	35.00	"
102	Linden Crossings	65.00	"
103	McCully Lake Estates	36.00	"
104	Hidden Ridge III	42.00	"
105	Landings at Crane's Cove	32.00	"
108	Marl	28.00	"
110	Fenton Orchards II	41.00	"
111	Pinnacle Shores III	34.00	"
112	Horizon Airpark	0.00	"
113	Stonybrook Estates	37.00	"
114	Ponemah Estates	36.00	"
117	Springfield	31.00	"
118	Lakeside Acres	84.00	"

Motion to approve 2013 special levies and miscellaneous special assessments as presented.

Motion by: Tucker

Seconded: Krug

Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker

Nays: None

Motion carried.

Award of CDBG Contract – Demolition of Blighted Structure

Supervisor Mathis reported that sealed proposals for the demolition of the old Frank's Tavern property were opened on Friday 10/4/13. A total of three proposals were received. A tabulation of the bids is as follows:

<u>Contractor</u>	<u>Bid</u>
Cook Excavating, Inc.	\$ 9,750.00

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Bruce Lowe Excavating	14,240.00
L. Zellar & Sons Excavating, Inc.	13,000.00

Based on the bids received, it is recommended that the contract be awarded to Cook Excavating, Inc. Once the board has awarded the contract, a pre-construction meeting will be scheduled with Genesee County Community Development to move the project forward.

Motion to award the CDBG contract for the demolition of a blighted structure located at 14331 Eastview Drive, Fenton, MI to Cook Excavating, Inc., as presented.

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

Motion carried.

Proposed Revisions to Fenton Township Fee Schedule

Supervisor Mathis reviewed a proposed revision to the township's fee schedule. The only proposed changes are for grading plan review fees, which are proposed to be increased to better cover the actual cost.

Motion to adopt the revised Fenton Township Schedule of Fees, effective October 8, 2013, as presented.

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

Motion carried.

PEG Grant Applications – Lake Fenton, Linden & Fenton Schools

Supervisor Mathis reported that Lake Fenton, Linden and Fenton school districts have submitted a combined PEG grant application to upgrade and replace video equipment for their high school programs. The FACT Consortium has reviewed and approved the application, and recommended approval of funding up to a maximum of \$175,544.43.

The allocation of the costs is based on annual PEG fee receipts for each community. The \$175,544.43 will be allocated as follows:

Fenton Township	41.3404%	\$ 72,570.76
City of Fenton	30.0037%	52,669.85
Tyrone Township	16.7735%	29,444.91
City of Linden	11.8824%	20,858.91

The last time PEG grant funding was approved, the actual costs were significantly lower than what was approved due to price reductions between the time the proposal was developed and when the equipment was actually ordered. This resulted in all three school districts returning funds to all four municipalities. To avoid that situation, the FACT Consortium has requested that the municipalities approve an "up to" amount to allow the orders to be placed. Payments to the school districts will occur after the actual costs are finalized.

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Lake Fenton Schools Superintendent Wayne Wright stated that the equipment purchased with the grant funds would be for the school programs, which are responsible for the majority of the content on public access channel 99. These school programs are growing rapidly and additional equipment is needed. Lake Fenton teacher Nicole Chapman stated that her program has grown to 160 students. These classes give the students skills that can lead to exciting careers. Fenton teacher Rich Ashley stated that his program includes 175 students. More than 400 students signed up for the class but it had to be cut off at 175 due to a lack of equipment.

It was also noted that Channel 99 now carries programming 24 hours per day, 7 days per week. Clerk Krug stated that the equipment purchases are a good use of these funds. Trustee Lorraine asked how the equipment is procured. Mr. Ashley stated that the three school districts purchased jointly to take advantage of price breaks. Prices are obtained from a minimum of three vendors, and each different piece of equipment is purchased at the lowest price, (i.e. the final order will likely be from more than one vendor).

It was also emphasized that these funds are from the Township's restricted fund balance. PEG fees can only be used to support PEG television programming. They cannot be used for any other purpose.

Motion to approve funding for the PEG Grant applications of Lake Fenton Community Schools, Fenton Area Public Schools and Linden Community Schools up to a total amount of \$72,570.76, as presented.

Motion by: Lorraine

Seconded: Kesler

Ayes: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker

Nays: None

Motion carried.

BOARD COMMENT:

Clerk Krug noted that Lake Fenton High School's homecoming parade will be on North Long Lake Road between 4-6 p.m. this Friday 10/11/13. He also invited everyone to attend the "5th Quarter" a fundraising event hosted by the Lake Fenton Community Schools Foundation. It will be held at Fenton Farms Golf Club right after the homecoming football game, (21 & older only).

Clerk Krug also reminded the board and audience that the final fall farmer's market will be this Sunday, 10/13/13, at the Lake Fenton Middle School from 1-4 p.m.

PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft asked who owns the former Frank's Tavern property. Supervisor Mathis confirmed that the Township owns it. The ownership defaulted to the Township due to property tax foreclosure. Mr. Hawcroft asked why the Township would use taxpayer dollars to demolish the building. Clerk Krug clarified that CDBG grant funds will be used for the demolition, not local taxpayer funds. Trustees Shumaker and Goupil added that Fenton Township typically has difficulty identifying eligible CDBG projects due to the

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tight federal restrictions on the funding. Demolition of a blighted structure owned by the Township is eligible and is a good use of the funds.

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

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 10/8/13