

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF SEPTEMBER 8, 2014**

**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, Lorraine, Shumaker, Attorney Cooley and Operations
Manager Broecker.

Absent: Tucker, Goupil, Kesler

PLEDGE OF ALLEGIANCE / OPENING PRAYER:

Supervisor Mathis led the pledge of allegiance to the flag. Trustee Shumaker offered the opening prayer.

APPROVAL OF AGENDA:

Supervisor Mathis recommended removing the discussion regarding the trash collection contract from the agenda due to the fact that three board members are absent. Motion to approve the 9/8/14 Fenton Township Board Meeting agenda as amended.

Motion by: Lorraine

Seconded: Krug

Ayes: All Present

Nays: None

Absent: Tucker, Goupil, Kesler

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes for the 8/18/14 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$412,491.65 for payment as presented.

Motion by: Krug

Seconded: Shumaker

Ayes: Mathis, Krug, Lorraine, Shumaker

Nays: None

Absent: Tucker, Goupil, Kesler

Motion carried.

PUBLIC HEARINGS:

Proposed Road Improvement Special Assessment for Latourette Drive/1st Hearing

Supervisor Mathis stated that this is the first public hearing for a proposed special assessment district for improvements to Latourette Drive. The total estimated cost of the project is \$38,925.00. The Township Board will accept public comment regarding the following:

1. The creation of the special assessment district
2. The proposed boundaries of the district
3. The necessity of the improvement
4. The plans for the improvement
5. The cost estimates for the improvement

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

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RESOLUTION NO. 2014-15

WHEREAS, the Fenton Township Board has received petitions signed by more than 50% of the total road frontage of Latourette Drive, and accordingly, determined to proceed under the provisions of 1954 PA 188, as amended, to secure preliminary plans and estimates of cost together with a proposed Special Assessment District for assessing the costs of the proposed road improvement project to schedule a public hearing upon the same for this date, and

WHEREAS, the preliminary plans, estimates of cost and proposed Special Assessment District were filed with the Township Clerk for public examination and notice of the hearing upon same was published and mailed in accordance with law and statute provided as shown by affidavits pertaining thereto on file with the Township Clerk, and

WHEREAS, an estimate of the cost of the project in the approximate amount of \$38,925.00, has been prepared and presented to this board, and

WHEREAS, in accordance with the aforesaid notices, a hearing was scheduled this 8th day of September 2014 commencing at 7:30 p.m. and all persons given the opportunity to be heard in the matter, and

WHEREAS, as a result of the foregoing, the Township Board believes the project to be in the best interests of the Township and of the district proposed to be established therefor;

NOW, THEREFORE, BE IT RESOLVED, that the Township Board of the Charter Township of Fenton does hereby determine that the petitions for the Latourette Drive Improvement Special Assessment District were properly signed by the record owners of land whose road frontage constitutes more than 50% of the total road frontage upon the proposed improvement, and

BE IT FURTHER RESOLVED, that the Fenton Township Board does hereby create, determine and define as a Special Assessment District to be known as the Latourette Drive Road Improvement Special Assessment District, within which the costs of such improvements shall be assessed, the following described area within said township:

Parcel Numbers:

<i>06-13-100-003</i>	<i>06-14-200-002</i>
<i>06-13-100-016</i>	<i>06-14-200-003</i>
<i>06-13-100-017</i>	<i>06-14-528-003</i>
<i>06-13-100-018</i>	<i>06-14-528-011</i>

, and

BE IT FINALLY RESOLVED, that on the basis of the foregoing, the Fenton Township Board does hereby direct the Supervisor and assessing officer to make a special assessment roll in which shall be entered and described all the parcels of land to be assessed with the names of the respective owners thereof if known, and a total amount to be assessed against each parcel of land in the Special Assessment District. When the same has been completed, the Supervisor and assessing officer shall affix

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thereto her certificate stating that it was made pursuant to this Resolution and that in making such assessment roll, she has, according to her best judgment, conformed in all respects to the directions contained in this Resolution and the applicable state statutes.

Motion to adopt Resolution No. 2014-15 as presented.

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

Motion carried. Resolution declared adopted.

Supervisor Mathis stated that, in anticipation of the adoption of the previous Resolution, a special assessment roll has been completed, certified and submitted to the Township Clerk as required by said Resolution. Clerk Krug presented the following resolution:

RESOLUTION NO. 2014-16

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 \$38,925.00 covering all parcels of land in the Latourette Drive Road Improvement Special Assessment District, and has affixed thereto her Certificate as required by said Resolution;

NOW, 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 22, 2014 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 FINALLY 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 Latourette Drive Road 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. 2014-16 as presented.

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

Motion carried. Resolution declared adopted.

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REPORTS:

None

COMMUNICATIONS:

Household Hazardous Waste Collection Day – 9/27/14

The board reviewed a flyer for the Household Hazardous Waste Collection Day. The fall collection day will be Saturday 9/27/14 from 10:00 a.m. to 2:00 p.m. at the Goodrich Middle School and the Flint East Water Service Center.

ADOPTION OF ORDINANCES:

Proposed Illicit Discharge and Connection Stormwater Ordinance; 2nd Reading

Supervisor Mathis reviewed a proposed ordinance to regulate non-stormwater discharges to storm drainage systems owned by the Township, which was introduced at the 8/18/14 meeting. This ordinance is necessary to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The ordinance only applies to township owned properties since all other stormwater systems are under the jurisdiction of the road commission or drain commissioner. It is unlikely that this ordinance would ever need to be enforced, however it is still required. There was no further discussion.

Motion to adopt Ordinance No. 769, an Illicit Discharge and Connection Stormwater Ordinance, as presented.

Motion by: Krug

Seconded: Shumaker

Ayes: Mathis, Krug, Lorraine, Shumaker

Nays: None

Absent: Tucker, Goupil, Kesler

Motion carried. Ordinance declared adopted.

UNFINISHED BUSINESS:

Proposed Renewal of Solid Waste Collection Agreement – Consensus on Contract Term

Removed from agenda.

NEW BUSINESS:

Resolution No. 2014-17, Supporting GCRC Application for 2016 Federal Aid Safety Project

Supervisor Mathis reviewed information from the Genesee County Road Commission regarding a proposed application for 2016 Federal Aid Safety program funds to install a traffic signal at the intersection of Thompson Road and Jennings Road. If approved, the federal funds would pay for 80% of the cost, leaving only \$4,000 for the Township to contribute to the project. Clerk Krug presented the following resolution:

RESOLUTION NO. 2014-17

WHEREAS, the Genesee County Road Commission has identified an unusual history of crashes at the intersection of Thompson Road at Jennings Road requiring installation of additional traffic control devices to improve the safety of this location, and

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WHEREAS, the Genesee County Road Commission wishes to apply to the Michigan Department of Transportation for 2016 Federal Aid Safety funds to fund the installation of these traffic control devices, and

WHEREAS, the Genesee County Road Commission policy and state law requires local townships to participate on local road improvements, and

WHEREAS, the expected cost participation for these projects is expected to be:

<i>2016 Federal STP Safety Funds</i>	<i>\$16,000.00</i>
<i>Genesee County Road Commission</i>	<i>\$ 1,000.00</i>
<i>Fenton Charter Township</i>	<i><u>\$ 4,000.00</u></i>
<i>TOTAL</i>	<i>\$21,000.00</i>

NOW, THEREFORE, BE IT RESOLVED, that the Township Board of the Charter Township of Fenton hereby goes on record in support of the aforesaid application for 2016 Federal Aid funds for the aforesaid intersection safety project.

Motion to adopt Resolution No. 2014-17 as presented.

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

Motion carried. Resolution declared adopted.

Proposed Sewer Maintenance Agreement – Cook Excavating, Inc.

Supervisor Mathis stated that Cook Excavating took over all sewer maintenance responsibilities earlier this year. The Sewer Committee has been working on an updated contract for several weeks and we now have a 3-year agreement prepared for board approval. Per Treasurer Tucker’s e-mail to the board earlier today, language has been added to the “Term of Agreement” section. Treasurer Tucker is also working on format, structure and language changes that would affect this and all other similar service contracts, which can be implemented by revision or replacement of existing agreements.

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

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

Motion carried.

Proposed 3-Year Road Improvement Plan

The board reviewed a proposed 3-year road improvement plan. Supervisor Mathis reported that the Genesee County Road Commission has requested that all townships develop and approve such a plan and submit it to the county. Lawrence Engineering has updated the 2012 for approval at this meeting.

Motion to approve the Fenton Township 3-Year Road Improvement Plan as presented

Motion by: Shumaker

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Seconded: Krug
Ayes: Mathis, Krug, Lorraine, Shumaker
Nays: None
Absent: Tucker, Goupil, Kesler
Motion carried.

Proposed Hiring to Fill Office Staff Vacancy

Supervisor Mathis reviewed a memo from Operations Manager Broecker regarding a recommendation to hire a full-time employee to fill an office position vacancy. When Penny Sharich retired in 2013, her position was left open. It was felt that the relatively low volume of activity in the areas of building, planning and zoning at that time would allow the township to maintain service levels without filling that position. In 2014, the volume of activity in building, planning and zoning, as well as ordinance enforcement, has increased dramatically. After discussing the various issues and options, the recommendation is to hire another full-time employee to accommodate the increased workload. Rather than hire an employee for the Planning/Zoning Department, the hiring of a third receptionist for the front counter area is proposed. This will not only provide better coverage for the lobby area, it will provide the flexibility for the front desk employees to assist other departments, as needed, with the clerical aspects of their job responsibilities. Operations Manager Broecker's recommendation to fill this position is Nancy Orr-Przybylowicz. Nancy has been working as a temporary employee for the Township for the past few months during Andy Badgley's leave of absence and has done an outstanding job. She worked previously for Fenton Township from 1994-2000 and has experience in building permits, code enforcement and election administration.

Motion to approve the hiring of Nancy Orr-Przybylowicz for the full-time position of Secretary/Receptionist, as presented.

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

Resolution No. 2014-18, GCRC Permit for LFHS Homecoming Parade

Supervisor Mathis reported that Lake Fenton High School wishes to hold their annual Homecoming Parade along Torrey Road between North Long Lake Road and Lahring Road. The date of the parade is Friday October 10th. The Genesee County Road Commission requires the Township Board to authorize the appropriate application. A resolution has been prepared for that authorization. Clerk Krug presented the following resolution:

RESOLUTION NO. 2014-18

WHEREAS, Lake Fenton High School wishes to make application to the Genesee County Board of Road Commissioners for a permit to hold a Homecoming Parade within the road right-of-way of Torrey Road, and

WHEREAS, approval of the local unit of government, by resolution, is required to obtain said permit;

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NOW, THEREFORE, BE IT RESOLVED, that Lake Fenton High School is hereby authorized to make application to the Genesee County Road Commission on behalf of the Charter Township of Fenton in the county of Genesee, Michigan for the necessary permit(s) to:

Hold a Homecoming Parade on Friday October 10, 2014, between the hours of 4:00 p.m. and 6:00 p.m.

*within the right-of-way of **Torrey Road, between North Long Lake Road and Lahring Road, as requested.***

Motion to adopt Resolution No. 2014-18 as presented.

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

Motion carried. Resolution declared adopted.

**Resolution No. 2014-19, Public Hearing on 2014 Fenton Township Fire Protection
Special Assessment Roll**

Supervisor Mathis stated that, in keeping with past practice and policy, the board needs to schedule a public hearing at the second meeting of September for the 2014 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. 2014-19

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 \$534,495.00, 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;

NOW, 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 22, 2014 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 FINALLY 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. 2014-19 as presented.

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Motion by: Krug
Seconded: Shumaker
Ayes: Mathis, Krug, Lorraine, Shumaker
Nays: None
Absent: Tucker, Goupil, Kesler
Motion carried. Resolution declared adopted.

Resolution No. 2014-20, Public Hearing on Proposed Lake Improvement Special Assessment District – Lake Fenton

Supervisor Mathis reported that the residents of Lake Fenton have submitted petitions for the creation of a lake improvement special assessment district. A resolution has been prepared to schedule the first public hearing for the proposed special assessment. Clerk Krug presented the following resolution:

RESOLUTION NO. 2014-20

WHEREAS, the Fenton Township Board has accepted a petition from the record owners of properties abutting Lake Fenton to establish a special assessment district for the purpose of improving the lake through the eradication and control of aquatic weeds, and

WHEREAS, it has been determined that the petition has been signed by the record property owners representing more than 50% of the land area in the proposed special assessment district, and

WHEREAS, plans and estimated costs for the foregoing lake improvement have been placed on file in the office of the Township Clerk,

THEREFORE BE IT RESOLVED, that the Fenton Township Board does hereby tentatively declare its intent to implement an aquatic weed eradication and control program for Lake Fenton, and

BE IT FURTHER RESOLVED, that the Fenton Township Board does hereby tentatively establish the boundaries of the proposed special assessment district to include all properties abutting Lake Fenton, and

BE IT FINALLY RESOLVED, that the Fenton Township Board will hold a public hearing on the establishment of the proposed special assessment district at its regular meeting to be held on Monday September 22, 2014 at the Fenton Township Civic Community Center, beginning at 7:30 p.m.

Motion to adopt Resolution No. 2014-20 as presented.

Motion by: Krug
Seconded: Shumaker
Ayes: Mathis, Krug, Lorraine, Shumaker
Nays: None
Absent: Tucker, Goupil, Kesler
Motion carried. Resolution declared adopted.

Resolution No. 2014-21, Public Hearing on New Special Assessment Roll – Byram Lake Improvement Special Assessment District

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Supervisor Mathis reported that property owners in the Byram Lake Improvement Special Assessment District have submitted a 5-year renewal proposal. A new special assessment roll has been created, certified and filed with the Township Clerk. A public hearing is required before confirming the new special assessment roll. A resolution has been prepared to schedule the hearing. Clerk Krug presented the following resolution:

RESOLUTION NO. 2014-21

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 \$29,133.72 per year for the years 2014 through 2018 inclusive, covering all parcels of land within the Byram 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 22, 2014 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 Byram 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. 2014-21 as presented.

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

Motion carried. Resolution declared adopted.

Resolution No. 2014-22, Public Hearing on New Special Assessment Roll – Loon Lake Improvement Special Assessment District

Supervisor Mathis reported that property owners in the Loon Lake Improvement Special Assessment District have submitted a 5-year renewal proposal. A new special assessment roll has been created, certified and filed with the Township Clerk. A public hearing is required before confirming the new special assessment roll. A resolution has been prepared to schedule the hearing. Clerk Krug presented the following resolution:

RESOLUTION NO. 2014-22

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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 \$21,499.56 for the year 2014 and \$21,041.24 per year for the years 2015 through 2018 inclusive, 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 22, 2014 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. 2014-22 as presented.

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

Motion carried. Resolution declared adopted.

BOARD COMMENT:

Supervisor Mathis reported that a Maltese dog fell out of a boat this past week and has not yet been found. If anyone sees the dog, please notify the township.

Supervisor Mathis noted that another large storm is forecast for this week. Residents should be prepared for weather related emergencies and possible power outages. Clerk Krug suggested that if any board members want to see the sewer maintenance crews in action during power outages, they should contact Allen Lawrence to schedule.

Clerk Krug announced that the Township is conducting one final election inspector training class. It will be held on Tuesday 9/16/14, beginning at 3:00 p.m.

PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

None

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

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Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 9/9/14