

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF OCTOBER 20, 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, Tucker (arrived 7:45 p.m.), Goupil, Kesler, Shumaker,  
Attorney Cooley and Operations Manager Broecker.

Absent: Lorraine

**PLEDGE OF ALLEGIANCE / OPENING PRAYER:**

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

**APPROVAL OF AGENDA:**

Motion to approve the 10/20/14 Fenton Township Board Meeting agenda as presented.

Motion by: Krug

Seconded: Shumaker

Ayes: All Present

Nays: None

Absent: Tucker, Lorraine

Motion carried. The agenda is approved.

**PRESENTATION:**

**State Representative Joe Graves**

Supervisor Mathis introduced State Representative Joe Graves. Mr. Graves reported that a bill he sponsored was signed into law by Governor Snyder last week. Under the new law, permits for seawall replacement will now carry a \$100 fee, provided that at least 40% of the old seawall is still intact, rather than \$500 environmental impact fee charged for new seawalls.

Representative Graves also reported that there is proposed legislation that would move 2% sales tax on gasoline from general fund to road funding. If approved, those funds would not be subject to Act 51 restrictions.

Regarding the ET Rover Pipeline, Representative Graves reported that the Town Hall meeting held at Holly High School last week didn't really provide enough answers for residents. ET Rover has not been responsive to residents or local government concerns. He urged residents to file comments w/ FERC and also retain an attorney if their property is in the proposed route. Congressmen Kildee and Rogers have agreed to act as a conduit for constituents on this issue. Another Town Hall meeting has been scheduled for 10/30/14 at Goodrich Middle School, beginning at 6:00 p.m.

**MEETING MINUTES:**

The minutes for the 10/6/14 regular meeting and the 10/13/14 workshop meeting stand approved as presented.

**EXPENDITURES:**

Motion to approve invoices and expenditures for all funds totaling \$612,547.24 for payment as presented.

Motion by: Tucker

Seconded: Kesler

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

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Nays: None  
Absent: Lorraine  
Motion carried.

**PUBLIC HEARINGS:**  
**Squaw Lake Improvement Special Assessment District/Hearing on Special Assessment Roll**

Supervisor Mathis stated that this is a public hearing on the special assessment roll for a 5-year renewal of the Squaw Lake Improvement Special Assessment. 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.

Public Comment

Gary Carlson, 14041 Squaw Lake Drive  
Mr. Carlson asked if the parcels on the South Horrell channel are included in the district. Operations Manager Broecker stated that those properties are in the special assessment district.

Jeff Swanson, 4095 Rolston Road  
Mr. Swanson asked what is included in the lake treatment. Operations Manager Broecker stated that milfoil, curly leaf pond weed and starry stonewort are the primary invasive weeds targeted by the program. Supervisor Mathis suggested that Mr. Swanson contact Aquatic Nuisance Plant Control for more details.

David Hawcroft, 3302 Ponemah Drive  
Mr. Hawcroft stated that starry stonewort is becoming a bigger problem in many of the local lakes.

There was no board discussion. Clerk Krug presented the following resolution:

**RESOLUTION NO. 2014-33**

*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 continued within the Squaw Lake Improvement Special Assessment District as shown on the plans and specification 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*

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*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. 2014-7 and shall hereby be confirmed as the assessment roll for the Squaw Lake Improvement Special Assessment District.*

*BE IT FURTHER RESOLVED, that the assessments in said Fenton Township Special Assessment Roll No. 2014-7 shall be divided into five annual installments with the first installment due on or before December 1, 2014 and the following installments to be due on or before the first day of December of each year thereafter indicated.*

*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.*

*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.*

*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. 2014-33 as presented.

Motion by: Krug

Seconded: Shumaker

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

Nays: None

Absent: Lorraine

Motion carried. Resolution declared adopted.

**REPORTS:**

**Ordinance Enforcement 3<sup>rd</sup> Quarter Report**

The board reviewed the third quarter report from Ordinance Enforcement Officer Bob Atkinson. Blight, tall grass and zoning were the highest volume complaint categories during the third quarter.

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**COMMUNICATIONS:**

None

**ADOPTION OF ORDINANCES:**

**Rezoning R14-003, Donald Doyle II, part of parcel 06-24-200-022 (Vacant Land off Petts Road); R-6 to R-3/1<sup>st</sup> Reading**

Supervisor Mathis stated that this is the first reading of a proposed Zoning Ordinance amendment to rezone part of parcel 06-24-200-022 from R-6 to R-3. Treasurer Tucker explained that the owner of the parcel wishes to sell a portion of the land to adjacent subdivision lots on Petts Road. In order for those owners to combine the acquired property with their existing property, both must be zoned the same. The proposed ordinance changes the zoning district to a lower density. The Planning Commission has unanimously recommended approval of the proposed rezoning.

There was no public comment. The second reading of the proposed ordinance will be conducted at the 11/10/14 meeting.

**UNFINISHED BUSINESS:**

**November Meeting Reminder – 10/13/14**

Supervisor Mathis reminded the board that November 10th will be the only regular board meeting in November.

**NEW BUSINESS:**

**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 \$74,351.23.

The allocation of the costs is based on annual PEG fee receipts for each community. The \$74,351.23 will be allocated as follows:

Fenton Township	43.1899%	\$ 32,112.24
City of Fenton	31.1933%	23,192.64
Tyrone Township	15.4302%	11,472.54
City of Linden	10.1865%	7,573.81

In past grant approvals, the actual costs have been somewhat 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.

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.

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 \$32,112.24, as presented.

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

**Resolution No. 2014-34, Genesee County Hazard Mitigation Plan**

Supervisor Mathis reported that the Genesee County Metropolitan Planning Commission (GCMPC) has been working on the Genesee County Hazard Mitigation Plan Update. The Plan Update has now met the Federal Emergency Management Administration's (FEMA) required criteria for a multi-jurisdictional Hazard Mitigation Plan, and has been conditionally approved by FEMA. Formal approval of this Plan Update by FEMA is now contingent upon the adoption of the Plan Update by the County and by the local units of government. Once FEMA receives documentation of adoption from the County and the local units of government, they will send a letter of formal approval regarding the Plan Update. The Genesee County Board of Commissioners adopted the Genesee County Hazard Mitigation Plan Update at their September 24, 2014 meeting. The next step is for all Genesee County local units of government to adopt the Plan Update so they will be eligible to apply for hazard mitigation funds.

There was no further discussion. Clerk Krug presented the following resolution:

**RESOLUTION NO. 2014-34**

*WHEREAS, the Charter Township of Fenton, Genesee County, Michigan is vulnerable to a wide range of natural, technological and human-related hazards, and has experienced repetitive disasters that have caused loss of life, damaged commercial, residential and public properties, displaced citizens and businesses, closed streets and presented general public health and safety concerns, and*

*WHEREAS, Genesee County has prepared a Genesee County Hazard Mitigation Plan Update that provides an understanding of those threats, identifies the hazards affecting the area, discusses the County's vulnerability to the identified hazards, and outlines the community's options and strategies to reduce overall damage and impact from natural and technological hazards, and*

*WHEREAS, the Genesee County Hazard Mitigation Plan Update represents the interests and needs of the Charter Township of Fenton;*

*NOW, THEREFORE, BE IT RESOLVED, that The Genesee County Hazard Mitigation Plan Update is hereby adopted as an official plan of the Charter Township of Fenton.*

Motion to adopt Resolution No. 2014-34 as presented.

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

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**Appointments to Construction Code & Fire Code Board of Appeals**

Operations Manager Broecker reported that the terms of the Township's Construction Board of Appeals have all expired, (the board had not met in several years). In addition to a board of appeals for the Construction Code, the Township is also required to appoint a board of appeals for the Fire Code. The Construction Code requires 2-year staggered terms. The Fire Code does not specify terms – only that the members serve at the pleasure of the governing body. It has been suggested that the Township Board appoint five board members to serve on both boards concurrently. The recommended appointees are Jack Darnell, Mark Mustola, David Franz, John Shayna and Chris Weir. All have served on the Construction Board of Appeals or the Dangerous Building Board of Appeals in the past.

Motion to appoint Jack Darnell and Mark Mustola to the Fenton Township Construction Code Board of Appeals and Fire Code Board of Appeals for the term ending September 30, 2015.

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

Motion carried.

Motion to appoint David Franz, Chris Weir and John Shayna to the Fenton Township Construction Code Board of Appeals and Fire Code Board of Appeals for the term ending September 30, 2016.

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

Motion carried.

**Proposed Revisions to Fenton Township Schedule of Fees**

Operations Manager Broecker reviewed a revised schedule of fees. The only proposed change is for the heading relating to Construction Board of Appeals. It is being revised to say **Construction Code / Fire Code Board of Appeals**. There are no other revisions.

Motion to adopt revisions to the Fenton Township Schedule of Fees as presented.

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

Motion carried.

**GCRC Catch Basin Repair Proposals**

Supervisor Mathis reviewed proposals from the Genesee County Road Commission (GCRC) Maintenance Department to repair to four catch basins – 2 in the Silver Ridge subdivision and 2 in the Alpine Shores subdivision. The Township and GCRC would

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divide the cost equally. The Township cost is estimated to be between \$3,500 and \$7,000.

Motion to approve the repair of 4 storm drain catch basins by the Genesee County Road Commission at an estimated cost of \$3,500-\$7,000, as presented.

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

Motion carried.

**Proposed Special Levies & Miscellaneous Special Assessments – 2014 Property Tax Roll**

The board reviewed a listing of special levies and miscellaneous special assessments for the 2014 winter property tax roll. The majority of the special assessments are for street lighting and private road maintenance. Each assessment is reviewed and adjusted each year based on actual and projected costs.

<b>Special Levies</b>		<b>Levy</b>
01	Mosquito Control	30.00 per improved parcel
50	Solid Waste Collection	144.00 per serviced parcel

<b>Special Assessments</b>		<b>Levy</b>
82	Fire Protection	65.00 per parcel assessed

<b>Road Maintenance</b>		
5	Curtwood	800.00 per parcel in district
9	Four Lakes	200.00 "
10	McFarlan	0.00 "
13	Woodhull	100.00 "
14	Log Cabin/Latourette	300.00 "
15	Wenwood Parkway	0.00 "
16	Malibu	250.00 "
17	Darts	120.00 "
18	Skyline	100.00 "
20	Wendell	50.00 "
22	Hicks Haven	0.00 "
36	Woodhaven	80.00 "
37	Crystal Cove	67.00 "
48	Pinewood Trail	130.00 "
55	Wenwood Drive	20.00 "
62	Byram Lake Drive	30.00 "
119	Drain-Lakeside Landing	100.00 "

<b>Street Lights</b>		
23	Minnetonka	27.00 "
24	Darts	50.00 "
25	Enid	32.00 "
26	Log Cabin	62.00 "
27	Margaret	51.00 "

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28	Wenwood	38.00	"
29	Windsor Beach	78.00	"
30	Pomona	33.00	"
31	Horrell	40.00	"
32	Crooked Lake	45.00	"
33	Golden Shores	54.00	"
38	Hidden Ridge I	51.00	"
39	Fenton Creek	18.00	"
40	Eden Gardens	41.00	"
41	Isle of Bordeaux	86.00	"
45	Pinnacle Shores II	24.00	"
47	Fenton Orchards I	40.00	"
49	Cussewago	14.00	"
56	Malibu	35.00	"
57	Silver Ridge	17.00	"
66	Breeze Pointe	20.00	"
67	Torrey Grove	36.00	"
68	West Silver Villa	36.00	"
74	Scenic View	64.00	"
75	Linden Meadows	41.00	"
76	Wyndham Estates I	34.00	"
77	Wyndham Estates II	29.00	"
78	Lakeview Farms I	45.00	"
83	Hidden Ridge II	37.00	"
84	Audubon Estates	36.00	"
85	Crystal Cove	47.00	"
86	Pinnacle Shores I	46.00	"
87	River Oaks Hollow	35.00	"
88	Bryson Estates	28.00	"
89	Fentonwood Estates	31.00	"
90	Pine Lake Forest	32.00	"
92	North Shore Estates	59.00	"
93	Pavilion on Pine Lake	46.00	"
95	Loon Lake Highlands	41.00	"
96	Golden Pond II	36.00	"
97	Lakeview Farms II	62.00	"
98	Golfview Pointe	45.00	"
100	Loon Harbor Preserve	24.00	"
101	Golfview Pointe II	36.00	"
102	Linden Crossings	57.00	"
103	McCully Lake Estates	39.00	"
104	Hidden Ridge III	44.00	"
105	Landings at Crane's Cove	35.00	"
108	Marl	30.00	"
110	Fenton Orchards II	44.00	"
111	Pinnacle Shores III	35.00	"
112	Horizon Airpark	0.00	"
113	Stonybrook Estates	39.00	"
114	Ponemah Estates	38.00	"
117	Springfield	32.00	"
118	Lakeside Acres	34.00	"



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Motion to approve 2014 special levies and miscellaneous special assessments as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Absent: Lorraine

Motion carried.

**BOARD COMMENT:**

Supervisor Mathis stated that some of the intersections on Fenton Road that are south of Butcher Road, (including Moffett Drive and Garnet Drive), are in need of street lights. Treasurer Tucker suggested LED fixtures if they are available. This will be looked into.

Trustee Shumaker asked if a decision had been made regarding the trash collection contract. Operations Manager Broecker clarified that the board still needs to decide between the two contract options, although that can be accomplished after the November election. After a brief discussion, there appeared to be differing recollections regarding the cost of continuing the current service versus moving to a 2-cart system. This will be clarified with the contractor.

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

Dan Daniels, 13293 Haddon Street

Mr. Daniels briefly discussed concerns regarding the worldwide decline in wildlife population. He shared a Wall Street Journal article that indicates that the wildlife population has declined by 50% since 1970. He and his wife are especially concerned with proposed plans to remove Canada Geese from area lakes, including Lake Fenton. Over the past year Mr. and Mrs. Daniels tested various humane methods to keep the geese off lakefront properties. One method that worked very well was a “ScareCrow” water sprinkler with a motion detector that shoots a brief burst of water when activated. When placed properly, three of these sprinklers effectively prevented geese from coming onto the test property. They would like to share this information with all area lakes with the hope that they will consider this method rather than roundup operations or egg & nest destruction.

**ADJOURN:** Meeting adjourned at 8:50 p.m.

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Bonnie Mathis, Supervisor

\_\_\_\_\_  
Robert Krug, Clerk

**Minutes Posted 10/21/14**