

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF OCTOBER 19, 2015**

**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 Operations Manager Broecker.

Absent: None

OPENING PRAYER / PLEDGE OF ALLEGIANCE:

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

APPROVAL OF AGENDA:

Motion to approve the 10/19/15 Fenton Township Board Meeting agenda as presented.

Motion by: Tucker

Seconded: Lorraine

Ayes: All

Nays: None

Motion carried. The agenda is approved.

MEETING MINUTES

Treasurer Tucker noted a minor typo in the minutes. The minutes for the 10/5/15 regular meeting stand approved as corrected.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$160,490.97 for payment as presented.

Motion by: Lorraine

Seconded: Tucker

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

Nays: None

Motion carried.

PUBLIC HEARINGS:

Lake Valley Road Improvement Special Assessment District/1st Public Hearing

Supervisor Mathis opened a public hearing for a proposed special assessment district for the reconstruction of Lake Valley Drive, Lake Valley Court and South Lake Valley Drive. The total estimated cost of the project is \$765,000.00.

The 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

Public comment:

Dan Rust, 13318 Pomona Drive

Mr. Rust asked if there were any minutes from the meeting held on 10/12/15. Operations Manager Broecker confirmed that the October 12th meeting was an

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informal, informational meeting. The meeting was not subject to the open meetings act and there were no minutes recorded.

Mr. Rust asked at what point property owners can remove their name from a petition or file a counter petition. Operations Manager Broecker clarified that special assessment districts created by the Genesee County Road Commission were subject to petitions to reconsider a project whereby the project could be stopped after it had begun. The road commission no longer creates the special assessment districts and the statute used by Fenton Township (1954 PA 188, as amended) has no provision for removing names from a petition or for filing counter petitions.

Mr. Rust stated that he believes many of the low spots or dips in the roads are caused by soil conditions around the sanitary sewer lines that go under the road. He expressed concern that the road project, as proposed, may not address this problem, leading to more road problems. Supervisor Mathis stated that the road commission engineer has assured the township that problem soil conditions, even beyond the 12 inches to be removed, will be addressed. Operations Manager Broecker added that the road commission will be taking core samples throughout the project area to identify soil and groundwater issues. If the revised cost estimate is more than 10% higher than the current estimate, the township will meet with the property owners to discuss before proceeding further.

Stanley Bragg, 1149 Lake Valley Drive

Mr. Bragg stated that he recognizes that not everyone in the neighborhood is in agreement on the project and there are varying concerns among the property owners. It is important to utilize the expertise of road commission to properly identify the problems and address them in the project design.

Joyce Speer, 1238 Lake Valley Drive

Ms. Speer expressed concerns with the safety hazards created by the condition of the roads. She herself broke her elbow a few years ago after tripping on a pothole. Recently she witnessed a stroller with a very young child tip over due to potholes. There are also severe ground water problems on Lake Valley Court. This has created "permanent" puddles in the road, which are themselves a health concern, (bacteria, mosquitos, etc.).

Mark Gibb, 1289 Lake Valley Drive

Mr. Gibb stated that he has severe water problems in his basement. 450 gallons of water are pumped out of his basement every hour year round. He also has what appear to be sink holes in his front yard. He is in favor of the project but urged that the Township proceed with caution. He is concerned that the road work could worsen the groundwater issues for some properties.

Jim Crews, 1204 Lake Valley Court

Mr. Crews agreed with the safety concerns raised earlier. The water problems around Lake Valley Court will only get worse if not addressed. He supports moving the project forward cautiously.

Maryann Seibert, 1157 South Lake Valley Drive

Ms. Seibert, the circulator of the petition, stated that she was in regular contact with engineer Richard Hill at the road commission to help answer questions that came up during the petition process. According to the road commission, on a scale of 1-10, these

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streets rated at 3-4. She also stated that the road commission has indicated they will work with property owners to investigate identified problems.

Treasurer Tucker asked for verification the percentage of frontage that signed the petition, as well as how many of the properties signed. Operations Manager Broecker confirmed that the petition contained signatures of 53.27% of the frontage and 33 of 61 properties. Mr. Tucker stated that the board is here to do what a majority of the residents want. While not everyone agrees with the project, he supports moving forward based on the wishes of the majority.

Trustee Lorraine noted that the Genesee County Rod Commission has estimated engineering & inspections costs of over \$183,000. This shows that the road commission recognizes the challenges in this project and is committing a significant amount of funds to it.

Clerk Krug presented the following resolution:

RESOLUTION NO. 2015-21

WHEREAS, the Fenton Township Board has received petitions signed by more than 50% of the total road frontage of Lake Valley Drive, Lake Valley Court and South Lake Valley 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 \$735,000.00, (not including financing costs), has been prepared and presented to this board, and

WHEREAS, in accordance with the aforesaid notices, a hearing was scheduled this 19th day of October 2015 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 Lake Valley Road 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

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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 Lake Valley Road Improvement Special Assessment District, within which the costs of such improvements shall be assessed, the following described area within said township:

All properties fronting on Lake Valley Drive, Lake Valley Court and South Lake Valley Drive

, and

BE IT FURTHER RESOLVED, that on the basis of the foregoing, the Fenton Township Board does hereby direct the Genesee County Road Commission to prepare detailed engineer's plans and estimates of cost for the proposed road improvements, 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 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. 2015-21 as presented.

Motion by: Krug

Seconded: Goupil

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

Nays: None

Motion carried. Resolution declared adopted.

Public Needs Hearing – 2016 Community Development Block Grant Program

Supervisor Mathis stated that Fenton Township will be receiving approximately \$82,000 in Community Development Block Grant (CDBG) funds in 2016. The purpose of this hearing is to accept public input and discuss potential uses of the funds.

There was no public comment. The board reviewed and discussed the following potential projects:

Street Improvements – Pave 100' from intersection

- Odell at Lahring
- Odell at Linden
- Fairbanks at Lahring
- Fairbanks at Thompson
- Jennings at Thompson
- Old Linden at Thompson

Street Improvements – Limestone or gravel resurfacing; ditching; culvert replacement

- Odell Road – Lahring Road to Linden Road
- Fairbanks Road
- Jennings Road – Thompson Road to Ray Road

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- Ray Road – Linden Road to US-23 (boundary road; requires participation by Mundy Township)
- Old Linden Road – Thompson Road to dead end.

Street Improvements – Asphalt resurfacing or repairs/maintenance; ditching; culvert replacement

- Thompson Road – Linden Road to US-23
- Jennings Road – Lahring Road to Thompson Road
- Lahring Road – Linden Road to US-23 (north side only)

Bus stop shelters (in area designated as low-moderate income)

Street Improvements (direct benefit only, if special assessment approved).

- Alpine Shores Subdivision
- Silver Ridge Subdivision
- North Shore Drive
- Eleanor Drive
- South Horrell Road
- Dalhart Drive

Emergency shelter generator for Fenton Township Civic Community Center

Demolition of blighted structures (if owned by Township or Land Bank).

Non-Motorized pathways

- North Long Lake Road between Torrey and Fenton Roads
- Torrey Road between North Long Lake and Lahring Roads
- Fenton Road between Butcher Road and the Fenton City limits

Barrier-Free improvements

- Fenton Township Parks
- Podunk House

Planning Projects

- Road Improvement Plan
- Sewer Improvement Plan
- Capital Improvement Plan
- Master Plan Update
- Parks & Recreation Plan Update

Winterization & other home improvements through Genesee County program

Loose Senior Citizen Center operations

Loose Senior Citizen Center capital improvements

Scholarships for SLPR program fees

Senior Safety Program

All potential projects discussed this evening will be reviewed and recommendations will be brought back to the next meeting.

REPORTS:

Ordinance Enforcement 3rd Quarter Report

The board reviewed the third quarter report from Ordinance Enforcement Officer Tom Hosie. Zoning issues, tall grass and junk vehicles had the highest volume of complaints for the quarter. Supervisor Mathis also reviewed several specific investigations carried out by Mr. Hosie.

COMMUNICATIONS:

None

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ADOPTION OF ORDINANCES:

None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Resolution No. 2015-22, State Funding for Thompson Road Improvement Project

Supervisor Mathis reported that the Township recently met with the Genesee County Road Commission and the Genesee Regional Chamber of Commerce regarding a potential state-funded project to widen and improve Thompson Road between US-23 and Torrey Road. A resolution committing matching funds to the project is required as part of the application process. A resolution has been drafted for board consideration. Trustee Shumaker expressed concern regarding the commitment of matching funds, asking how much the Township would have to pay and from where the funding would be taken. Operations Manager Broecker stated that the road commission has been informed that the maximum the Township could contribute is \$200,000, which could be budgeted from the General Fund. Treasurer Tucker noted that the resolution doesn't approve any dollars at this time and the Township would be able to back out if the costs go too high. It was also noted that the Township may be eligible for Michigan EDC funding, which could provide the required matching funds. Clerk Krug presented the following resolution:

RESOLUTION NO. 2015-22

***WHEREAS,** the Charter Township of Fenton and the staff of the Genesee County Road Commission have reviewed Thompson Road from U.S.-23 to Torrey Road and recognize the need for road expansion and improvements to support the projected commercial and industrial growth on Thompson Road, and*

***WHEREAS,** the Charter Township of Fenton and the Genesee County Road Commission are actively seeking funding participation in this road improvement;*

***NOW, THEREFORE, BE IT RESOLVED,** that the Charter Township of Fenton, in conjunction with the Board of County Road Commissioners of the county of Genesee wishes to seek State Transportation Economic Development Category A Funds to fund part of the cost of the Thompson Road improvement project and affirm that the Township Board of Charter Township of Fenton is committed to, and will provide local matching funds for, this project in order to receive State funding.*

Motion to adopt Resolution No. 2015-22 as presented.

Motion by: Krug

Seconded: Goupil

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

Nays: Shumaker

Motion carried. Resolution declared adopted.

Proposed Hiring to Fill Staff Vacancy

The board reviewed a recommendation from Operations Manager Broecker regarding the hiring of an employee to fill a vacancy in the front desk/reception area. Although the opening was created by the resignation of a full-time employee, he does not believe

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another full-time employee is needed to maintain service levels and recommends the hiring of a part-time employee.

The part-time position was advertised in the Tri-County Times and a total of eight applications were received. Interviews were completed last week and the skills and level of experience of every applicant were most impressive. After careful consideration, the recommendation to fill this position is Julie Oraa. Ms. Oraa has a great deal of experience in office management and operation, and will make a fine addition to the Township's office staff.

Motion to approve the hiring of Julie Oraa for the part-time position of Secretary/Receptionist, as presented.

Motion by: Goupil

Seconded: Kesler

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

Nays: None

Motion carried.

Proposed Amendments to 2015 Fenton Township Budget

Operations Manager Broecker reviewed proposed amendments to the 2015 General Fund Budget. There are only a few minor revisions with a net impact of zero. The Township is still projecting a balanced budget for 2015. There are no proposed amendments to the other funds at this time.

Motion to adopt amendments to the 2015 Fenton Township Budget as presented.

Motion by: Tucker

Seconded: Shumaker

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

Nays: None

Motion carried.

BOARD COMMENT:

None

PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

Dave Hawcroft, 3302 Ponemah Drive

Regarding the ground water problems discussed in the Lake Valley area, Mr. Hawcroft wonders if a detention/retention system may help. Supervisor Mathis stated that the Genesee County Road Commission will investigate and design the storm drain system to address the problems.

ADJOURN: Meeting adjourned at 9:10 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 10/20/15