

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF MARCH 6, 2017**

**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
Belzer 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 3/6/17 Fenton Township Board Meeting agenda as presented.

Motion by: Lorraine

Seconded: Shumaker

Ayes: All

Nays: None

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes for the 2/20/17 regular meeting and the 3/1/17 Master Plan workshop meeting stand approved as presented.

EXPENDITURES:

Treasurer Tucker questioned the invoice for the document folder/inserters. Operations Manager Broecker explained that the old unit was no longer functioning. The Township obtained three price quotes and chose to purchase a refurbished unit for less than half the cost of a new one. Motion to approve invoices and expenditures for all funds totaling \$585,799.19 for payment as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Motion carried.

PUBLIC HEARINGS:

None

REPORTS:

None

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

**Rezoning #R17-001, Peregrine Ventures/Ridgeway White, parcel 06-23-530-026
(vacant land on Grove Park Road); R-3 to AG with conditions/2nd Reading**

Supervisor Mathis reviewed a proposed Zoning Ordinance amendment to rezone vacant land on Grove Park Road from R-3 to AG, with conditions.

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Mr. White stated that he submitted a formal statement of conditions after the first reading of the ordinance. Treasurer Tucker stated that the Planning Commission's recommendation for approval was based on the understanding that there would be no livestock on the property. If that was not the applicant's intent, it should be re-heard by the Planning Commission.

Attorney Belzer agreed that, if there is a question regarding the conditions, the ordinance should be referred back to the Planning Commission. He also clarified that the conditions cannot be determined by the Township or negotiated with the applicant. The applicant must submit the conditions. Mr. Belzer also advised that the conditions should be as specific as possible.

Motion to refer back to the Planning Commission the proposed conditional rezoning of parcel 06-23-530-026.

Motion by: Tucker
Seconded: Goupil
Ayes: Mathis, Krug, Tucker, Kesler, Shumaker
Nays: Goupil, Lorraine

Motion carried.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Resolution No. 2017-05, Non-Profit Designation – Carman Cougar Charities Corporation

Operations Manager Broecker explained that Carman Cougar Charities Corporation (CCCC) has approached the Township to obtain a resolution of support for their State of Michigan gaming license. CCCC is a 501(c)(3) charitable organization that operates primarily in Flint Township for the benefit of students in the Carman-Ainsworth school district. Because the organization uses the address of its President as its official address and that individual lives in Fenton Township, the resolution of support must come from the Fenton Township Board. In the interest of full disclosure, Treasurer Tucker noted that one of his business partners is a member of CCCC. The board agreed that this does not create a conflict of interest.

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

RESOLUTION NO. 2017-05

WHEREAS, the Carman Cougar Charities Corporation is a 501(c)(3) charitable organization whose mission is to improve the educational opportunities and environment for students in the Carman-Ainsworth School District in Genesee County, and

WHEREAS, the Carman Cougar Charities Corporation wishes to obtain a charitable gaming license from the Michigan Bureau of State Lottery for the purpose of conducting fundraising activities, and

WHEREAS, in order to obtain said license, the local municipality must adopt a resolution supporting the request;

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*NOW, THEREFORE, BE IT RESOLVED, by the Township Board of the Charter Township of Fenton that the request from the **Carman Cougar Charities Corporation** of Fenton Township, County of Genesee, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license, be considered for **Approval**.*

Motion to adopt Resolution No. 2017-05 as presented.

Motion by: Krug

Seconded: Tucker

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

Nays: None

Motion carried. Resolution declared adopted.

Mark Barton, President of CCCC, thanked the Township for adopting the resolution and expediting the process of getting the issue on the township board agenda.

Law Day Proclamation 2017 – The Fourteenth Amendment

Supervisor Mathis stated that the Genesee County Bar Association has requested that the Township consider adopting a proclamation designating May 1st as Law Day. The Township has adopted similar proclamations in previous years. Treasurer Tucker noted that Law Day is designed to give students an appreciation for the legal system. Among other activities, Law Day is an opportunity for students to appear before real judges in a mock trial. Treasurer Tucker presented the following:

2017 LAW DAY PROCLAMATION

**“The Fourteenth Amendment:
Transforming American Democracy”**

WHEREAS, Law Day is an occasion of public acknowledgement of our nation’s and our state’s heritage of justice, liberty and equality under the law, and

WHEREAS, the United States Congress has statutorily designating May 1 as the annual day for commemoration of Law Day, and

WHEREAS, the American Bar Association has designated the 2017 Law Day theme to be “The Fourteenth Amendment: Transforming American Democracy” in recognition of the numerous contributions to American law and society of one of the most often cited constitutional enactments, and

WHEREAS, the Fourteenth Amendment, in the nearly century and a half that has elapsed since its ratification, has greatly expanded the constitutional protections available to all through its clauses guaranteeing due process and equal protection, and

WHEREAS, the Fourteenth Amendment has served as the vehicle by which many of the protections in the Bill of Rights have been found to be enforceable against state and local government actions that infringe upon fundamental liberties, and

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WHEREAS, the Fourteenth Amendment constitutionally defined national citizenship for the first time and guaranteed that the privileges or immunities of United States citizenship would not be denied to any individual citizen, and

WHEREAS, the Fourteenth Amendment has served as the basis of and inspiration for landmark civil rights legislation and court decisions protecting and advancing the rights of Americans, and

WHEREAS, promoting public understanding of the roots of our freedom is an important component in the civic education of the citizens of the United States and of the state of Michigan;

NOW, THEREFORE, BE IT RESOLVED, that the Township Board of the Charter Township of Fenton does hereby proclaim May 1, 2017 as Law Day. We urge the people of Fenton Township and all of Genesee County to acknowledge the importance of our legal and judicial systems with appropriate ceremonies and activities, and to display the flags of the United States and the State of Michigan in support of this educational observance. We further encourage schools, businesses, media, religious institutions, civic and service organizations to join the members of the bar and bench in commemorating Law Day.

Motion to adopt the 2017 Law Day Proclamation as presented.

Motion by: Tucker

Seconded: Lorraine

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

Nays: None

Motion carried. The proclamation is declared adopted.

Resolution No. 2017-06, Authorization for Changes to Consumers Energy Street Lighting Contract

Supervisor Mathis stated that Consumers Energy requires an updated resolution be adopted each year that designates township officials to authorize changes to the street lighting contract. Such a resolution has been prepared for board consideration. Clerk Krug presented the following resolution:

RESOLUTION NO. 2017-06

BE IT RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the street lighting service as provided in the Standard Street Lighting Contract between Consumers Energy Company and the Charter Township of Fenton, dated February 1, 2016 in accordance with Authorizations for Change in Standard Street Lighting Contract executed by the Charter Township of Fenton during the calendar year of 2017, and

BE IT FURTHER RESOLVED, that the Township Supervisor and the Township Clerk be and are authorized to execute such authorizations for change on behalf of the Charter Township of Fenton.

Motion to adopt Resolution No. 2017-06 as presented.

Motion by: Krug

Seconded: Kesler

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

Motion carried. Resolution declared adopted.

Proposed Renewal of Uniform Video Service Local Franchise Agreement – Charter Communications

Operations Manager Broecker reported that Charter Communications has submitted a new Uniform Video Service Local Franchise Agreement for board consideration. The agreement is a standardized form provided by the State of Michigan and amounts to a 10-year renewal of a similar agreement approved in 2007.

Trustee Shumaker suggested that the board consider eliminating the franchise fee component of the agreement to reduce costs to residents. Treasurer Tucker stated that he doesn't believe a reduction or elimination of the franchise fee will necessarily result in lower bills to the residents. The cable company would simply find ways to increase other rates.

Motion to approve the Uniform Video Service Local Franchise Agreement with Charter Communications, as presented.

Motion by: Tucker
Seconded: Kesler
Ayes: Mathis, Krug, Tucker, Goupil, Kesler
Nays: Lorraine, Shumaker

Motion carried.

Proposed Local Road Project – Hogan Road Gravel Resurfacing (Lahring Road to Smith Road)

Supervisor Mathis reported that the Genesee County Road Commission has provided a cost estimate for gravel resurfacing of Hogan Road between Lahring Road and Smith Road. This was one of the roads discussed at the January road hearing. The total cost is estimated to be \$31,614.14. After applying 50/50 matching funds, the township's final estimated cost is \$15,807.07.

Motion to approve the gravel resurfacing of Hogan Road from Lahring Road to Smith Road, as presented.

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

Motion carried.

Fenton Township Road Improvement Plan – 2017-2019 Update

The board reviewed a proposed update to the Township's road improvement plan, which was requested by the Genesee County Road Commission. The update was developed by Lawrence Engineering and it identifies road projects for 2017-2019.

Motion to approve the Fenton Township Road Improvement Plan 2017-2019 Update as presented.

Motion by: Lorraine

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Seconded: Tucker

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

Nays: None

Motion carried.

BOARD COMMENT:

Treasurer Tucker reminded the board and the public of the Thompson Road project informational meeting to be held this Wednesday at the Fenton Township Civic Community Center, beginning at 6:00 p.m.

PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

None

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

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 3/7/17