

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF JULY 24, 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 Doyle  
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:**

Supervisor Mathis asked to add a resignation letter from Ordinance Enforcement Officer Tom Hosie to the agenda. Motion to approve the 7/24/17 Fenton Township Board Meeting agenda as amended.

Motion by: Tucker

Seconded: Goupil

Ayes: All

Nays: None

Motion carried. The agenda is approved.

**MEETING MINUTES:**

The minutes for the 7/10/17 regular meeting stand approved as presented.

**EXPENDITURES:**

Motion to approve invoices and expenditures for all funds totaling \$451,254.83 for payment as presented.

Motion by: Goupil

Seconded: Tucker

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

Nays: None

Motion carried.

**PUBLIC HEARINGS:**

**Hearing on Proposed Special Assessment District - Liberty Shores Street  
Improvements**

Supervisor Mathis opened a public hearing for a proposed special assessment district for street improvements in Phase 1 and Phase 2 of the Liberty Shores condominium subdivision. The total estimated cost of the project is approximately \$250,000.00. 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:

Kim Foerster, 4288 McCormick Drive

Ms. Foerster asked about the timing of the financing for the project. They would like to complete the project as soon as possible. Operations Manager Broecker stated that the

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF JULY 24, 2017**

Township's financial advisor has indicated that funds would be available in late September. Mr. Broecker will investigate further to determine if there is any way to shorten the timing of the bond sale.

Clerk Krug presented the following resolution:

**RESOLUTION NO. 2017-19**

*WHEREAS, the township board of the Charter Township of Fenton received petitions signed by more than 50% of the total road frontage of the proposed special assessment district described hereinafter, and accordingly, determined to proceed under the provisions of PA 188 of 1954, as amended, to secure plans and estimates of cost together with a proposed special assessment district for assessing the costs of the proposed street improvement project to schedule a public hearing upon the same for this date, and*

*WHEREAS, the plans, estimates of cost and proposed special assessment district were filed with the Township Clerk for public examination and notice of the hearing upon the 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, in accordance with the aforesaid notices, a hearing was scheduled this 24th day of July 2017 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 as follows:*

- 1. That this township board does hereby determine that the petitions for the Liberty Shores Street 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 special assessment district.*
- 2. That this township board does hereby approve the plans for Liberty Shores street improvements and the estimate of costs for the completion thereof of \$250,181.75, (not including financing or administrative costs).*
- 3. That this township board does hereby create, determine and define as a special assessment district to be known as the Liberty Shore Street Improvement Special Assessment District, within which the costs of such improvements shall be assessed according to the benefits, the following described area within said township:*

***All units in the Liberty Shores Condominium Subdivision***

- 4. That on the basis of the foregoing, this 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 which amount shall be the relative portion of the whole sum to be*

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF JULY 24, 2017**

*levied against the parcels of land in the special assessment district as the benefit to the parcel of land bears to the total benefit to all parcels of land in the special assessment district. When the same has been completed, the Supervisor or 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.*

5. *That all resolutions and parts of resolutions insofar as they conflict with the provisions of the within resolution be and the same are hereby rescinded.*

Motion to adopt Resolution No. 2017-19 as presented.

Motion by: Krug

Seconded: Tucker

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

Nays: None

Motion carried. Resolution declared adopted.

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

**RESOLUTION NO. 2017-20**

*WHEREAS, the Supervisor and assessing officer of the 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 \$261,624.00 covering all parcels of land in the Liberty Shores Street Improvement Special Assessment District according to the relation of the benefit to each parcel of land to the total benefit to all parcels of land in such special assessment district, and has affixed thereto her certificate as required by said resolution;*

*NOW, THEREFORE, BE IT RESOLVED as follows:*

1. *That said special assessment roll shall be filed with the Township Clerk and shall be available for public examination during regular working hours of regular working days from the present date until the public hearing upon the same and shall further be examined at such public hearing.*
2. *That the Fenton Township Board shall meet at 7:30 p.m. on August 7, 2017 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.*
3. *That the Township Clerk shall cause notice of such hearing and the filing of such assessment roll to be published twice in the Tri-County Times, a newspaper of general circulation in the township 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 Liberty Shores Street Improvement Special Assessment District as shown on the current assessment roll*

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF JULY 24, 2017**

*of the Township also at least ten (10) days prior to said hearing, all in accordance with the law and statute provided.*

4. *All resolutions and parts of resolutions insofar as they conflict with the provisions of the within resolution are hereby rescinded.*

Motion to adopt Resolution No. 2017-20 as presented.

Motion by: Krug

Seconded: Tucker

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

Nays: None

Motion carried. Resolution declared adopted.

**REPORTS:**

**Fire Department 2<sup>nd</sup> Quarter Report**

Fire Chief Ryan Volz reviewed 2nd quarter Fire Department statistics:

Total alarms	191 (19 in Tyrone Township)
Fires/Explosions	9
EMS	133
Hazardous conditions	8
Service calls	16
Good intent calls	15
False alarms	10
Weather/Natural Disaster	0

Clerk Krug asked how the department is doing on manpower. Chief Volz stated that recent recruiting efforts have resulted in the hiring of four new firefighters. The board thanked Chief Volz for his report.

**COMMUNICATIONS:**

None

**ADOPTION OF ORDINANCES:**

**Proposed Amendment to Disorderly Persons Ordinance/1<sup>st</sup> Reading**

Supervisor Mathis introduced a proposed amendment to the Disorderly Persons Ordinance that has been recommended by Attorney Belzer. The proposed amendment would remove provisions relating to marihuana. Attorney Doyle explained that changes to Michigan law regarding medical marihuana have prompted this proposed amendment. A separate ordinance will be drafted to include marihuana related offenses. Attorney Doyle suggested delaying the second reading of this amendment until the second reading of the new ordinance.

Public Comment:

Genesee County Sheriff Department Lieutenant Bill Lanning agreed with the proposed approach to separate marihuana offenses into a separate ordinance.

After a brief discussion, it was suggested that this first reading be postponed to coincide with the first reading of the second ordinance.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF JULY 24, 2017**

Motion to postpone the first reading of the proposed amendment to the Disorderly Persons Ordinance to the 8/7/17 meeting.

Motion: Tucker

Seconded: Lorraine

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

Nays: None

Motion carried.

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

**Resolutions No. 2017-21 & 2017-22, Schedule Hearing on New Crane Lake Improvement Special Assessment Roll**

Supervisor Mathis reported that property owners in the Crane Lake Improvement Special Assessment District have filed a proposal to continue their lake improvement project (weed control) for another five years. The proposed costs are the same as the initial 5-year project.

Clerk Krug presented the following resolution:

**RESOLUTION NO. 2017-21**

*WHEREAS, the township board of the Charter Township of Fenton created the Crane Lake Improvement Special Assessment District in 2012 under the provisions of PA 188 of 1954, as amended, to assess the costs of 5-year lake improvement project to eradicate and/or control aquatic weeds in Crane Lake, and*

*WHEREAS, property owners in said special assessment district have submitted new plans and estimates of cost to continue the lake improvement project on Crane Lake for an additional 5-year period, and*

*WHEREAS, as a result of the foregoing, the township board believes the continuation of the project to be in the best interests of the Township and the Crane Lake Improvement Special Assessment District;*

*NOW, THEREFORE, BE IT RESOLVED as follows:*

- 1. That this township board does hereby tentatively approve the plans for continuation of the Crane Lake improvement project and the estimate of costs for the completion thereof of \$32,240.00, (not including administrative costs).*
- 2. That on the basis of the foregoing, this 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 which amount shall be the relative portion of the whole sum to be levied against the parcels of land in the special assessment district as the benefit to the parcel of land bears to the total benefit to all parcels of land in the special assessment district. When the same has been completed, the Supervisor or*

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF JULY 24, 2017**

*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.*

3. *That all resolutions and parts of resolutions insofar as they conflict with the provisions of the within resolution be and the same are hereby rescinded.*

Motion to adopt Resolution No. 2017-21 as presented.

Motion by: Krug

Seconded: Goupil

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

Nays: None

Motion carried. Resolution declared adopted.

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

**RESOLUTION NO. 2017-22**

*WHEREAS, the Supervisor and assessing officer of Fenton Township has, in accordance with the resolution of the township board and the laws and statutes pertinent thereto, prepared a special assessment roll in the total amount of \$32,893.98 for the years 2017 through 2021, covering all parcels of land within the Crane Lake Improvement Special Assessment District, according to the relation of the benefit to each parcel of land to the total benefit to all parcels of land in such special assessment district and has affixed thereto her Certificate as required by said laws and statutes;*

*NOW, THEREFORE, BE IT RESOLVED as follows:*

1. *That said special assessment roll shall be filed with the Township Clerk and shall be available for public examination during regular working hours of regular working days from the present date until the public hearing upon the same and shall further be examined at such public hearing.*
2. *That the Fenton Township Board shall meet at 7:30 p.m. on August 7, 2017 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.*
3. *That the Township Clerk shall cause notice of such hearing and the filing of such assessment roll to be published twice in the Tri-County Times, a newspaper of general circulation in the township prior to the date of the hearing, with the first publication being not less than 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 Crane 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.*

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF JULY 24, 2017**

4. *All resolutions and parts of resolutions insofar as they conflict with the provisions of the within resolution are hereby rescinded.*

Motion to adopt Resolution No. 2017-22 as presented.

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

Motion carried. Resolution declared adopted.

**Proposed Project for Residential Street Crack-Sealing**

Supervisor Mathis reported that the Township, through Lawrence Engineering, has had discussions with the Genesee County Road Commission (GCRC) regarding crack-sealing for residential streets in our township. Crack-sealing is a very effective way to extend the life of asphalt streets and GCRC has identified several streets as potential projects for 2017: Island View Drive, Jacob Road, Silvercrest Drive, Loon Lake Court and Lakeview Park Drive. The preliminary estimate of cost is \$6,000-9,000 per roadbed mile, which would put Fenton Township's cost between \$14,000 and \$22,000 for the above listed streets. A budget amendment would not be necessary for 2017 since the Butcher Road project approved at the last meeting was well under budget. Clerk Krug recommended that the board approve up to \$22,000 for 2017 crack-sealing projects. If the board approves moving forward, formal proposals will be provided after the project is bid out.

Motion to approve up to \$22,000 for residential street crack-sealing, as presented.

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

Motion carried.

**Offers to Purchase Tax-Reverted Property**

Supervisor Mathis reported that the Township has received offers on two of the tax-reverted properties recently listed for sale.

The vacant lot at 12480 Fenton Road was listed for \$30,000. A cash offer of \$20,000 has been submitted. Realtor Ed Constable explained that the potential purchaser lives adjacent to the subject parcel and plans to combine the parcels. Mr. Constable recommended accepting this offer.

Motion to accept the submitted offer of \$20,000 for parcel 06-12-552-001 (12480 Fenton Road) from Kevin Tyler, as presented.

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

Motion carried.

The Township has also received an offer on the vacant lot on Dalhart Drive. Realtor Ed Constable stated that the lakefront lot was listed for \$40,000 and the offer received is \$10,000. While the lot does have limitations due to a steep drop-off and a width of only

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF JULY 24, 2017**

70 feet, he believes \$10,000 is too low. He suggested responding to the offer with a counter offer.

Motion to submit a counter offer of \$30,000 for parcel 06-11-539-018 (V/L Dalhart Drive).

Motion by: Shumaker

Seconded: Goupil

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

Nays: None

Motion carried.

Mr. Constable reported that he had just received an offer for the Thompson Road properties this evening. Since the board has not had an opportunity to review the offer, it will not be taken up until the 8/7/17 meeting.

**Letter of Resignation - Ordinance Enforcement Officer Tom Hosie**

Supervisor Mathis read a letter of resignation from Ordinance Enforcement Officer Tom Hosie. He is resigning for personal reasons and his letter conveys his thanks and appreciation for the opportunity to serve Fenton Township. Supervisor Mathis stated that Mr. Hosie has done an excellent job for the Township and he will be missed.

Motion to accept, with regret, the resignation of Ordinance Enforcement Officer Tom Hose, effective 8/24/17.

Motion: Goupil

Seconded: Kesler

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

Nays: None

Motion carried.

**BOARD COMMENT:**

None

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

Lisa Rose, 14188 Eastview Drive

Ms. Rose asked for update on sewer issue in the Lake Ponemah Mobile Home Park. Supervisor Mathis explained that one of the mobile homes was experiencing sewer problems and was temporarily piping wastewater onto the ground. Once this issue was brought to the Township's attention, the pipe was capped and the park owner was required to bring in a portable toilet until repairs were completed. The repairs were completed today so the portable toilet should be removed soon.

Ms. Rose also asked about the status of the other complaints submitted by area residents. The list of complaints was given to Attorney Belzer to review. The board will asked Mr. Belzer for an update.

**ADJOURN:** Meeting adjourned at 9:06 p.m.

---

Bonnie Mathis, Supervisor

---

Robert Krug, Clerk



**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF JULY 24, 2017**

**Minutes Posted 7/25/17**