

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF AUGUST 21, 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:

Clerk Krug asked to add a closed session to the end of the agenda for a union negotiation update. Motion to approve the 8/21/17 Fenton Township Board Meeting agenda as amended.

Motion by: Mathis

Seconded: Shumaker

Ayes: All

Nays: None

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes for the 8/7/17 regular meeting stand approved as presented.

EXPENDITURES:

Supervisor Mathis questioned the invoice from the City of Livonia. Operations Manager Broecker explained that Fenton Township retiree DuWayne Stratman is enrolled in the post-retirement health care plan from the City of Livonia rather than Fenton Township's. The township reimburses the City of Livonia for a portion of that coverage, which is less than half of the cost of insuring Mr. Stratman under Fenton Township's post-retirement health care plan. Supervisor Mathis also asked if we are billed for retiree Penny Sharich's post-retirement health care insurance. Operations Manager Broecker confirmed that her cost is included in the Blue Cross invoice that also includes active employees. Motion to approve invoices and expenditures for all funds totaling \$905,871.02 for payment as presented.

Motion by: Tucker

Seconded: Lorraine

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

Nays: None

Motion carried.

PUBLIC HEARINGS:

Continuation of Public Hearing - Crane Lake Improvement Special Assessment

It was noted that the board did not take action on the proposed continuation of the Crane Lake improvement special assessment at the 8/7/17 board meeting, pending further review by the township attorney. After reviewing the special assessment statute, Attorney Belzer has provided an interpretation of the statute that differs from the direction provided by the previous township attorney. As a result, the special assessment for Crane Lake cannot simply be "renewed" for another five years under the district created in 2012. In order to continue the lake improvement program, a new special assessment district will have to be created, which will require a new special

CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES MINUTES FOR REGULAR MEETING OF AUGUST 21, 2017

assessment petition. New petitions have been submitted and verified, and a resolution has been drafted to schedule a public hearing on the creation of the special assessment district.

Public comment:

Phil Cave, 13132 North Road

Mr. Cave expressed concern with how the petitions were circulated. He also stated that other townships have a higher petition requirement than 51%. Mr. Cave stated that he wants to have alternatives considered, including an evaluation of the lake. Crane Lake needs an integrated pest management program.

Attorney Belzer confirmed that the special assessment statute requires over 50% of the land area on the petition. Townships do not have the ability to change that requirement.

Rick Kolla, 3235 Horrell Court

Mr. Kolla supports the weed control program but also has no problem bringing in experts to evaluate the lake.

Rita Vadasz, 3276 Horrell Court

Ms. Vadasz contacted the Michigan Department of Environmental Quality. The MDEQ will perform a lake evaluation study at no charge. The association will be applying for this service.

Michael Copeman, 11344 Main Road

Regarding Attorney Belzer's statement regarding the special assessment law, Mr. Copeman stated that laws can be changed.

Kathleen Lage, 13132 North Road

Ms. Lage expressed frustration regarding her multiple attempts over the past few weeks to contact association officers to try to work together on these lake issues. The proposed program to control milfoil is not addressing all issues on the lake. A cooperative effort is needed to do what is best for all lakefront owners.

Dan Hrbek, 3234 Horrell Court

Mr. Hrbek circulated photos showing the lake last year and this year, indicating that the milfoil treatments have been effective. He does not dispute that there are multiple issues to be addressed on the lake, but waiting and doing nothing now is not a good option. Mr. Hrbek is not opposed to funding a lake study.

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

RESOLUTION NO. 2017-24

WHEREAS, the Charter Township of Fenton has accepted petitions from owners of properties fronting Crane Lake to create a special assessment district under the authority of Michigan Public Act 188 of 1954, as amended, for the purpose of continuing a lake improvement project consisting of the eradication and control of aquatic weeds, and

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

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF AUGUST 21, 2017**

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

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

BE IT FURTHER RESOLVED, that the Fenton Township Board does tentatively designate the special assessment district against which the costs of the improvements are to be assessed as the Crane Lake Improvement Special Assessment District, which shall include the lands and premises more particularly described as follows:

All parcels of land fronting Crane Lake

and

BE IT FURTHER RESOLVED, that a hearing on any objections to the petitions, to the improvement, the estimate of costs, and to the special assessment district proposed to be established for the assessment of the cost of such improvement, shall be held on Tuesday September 5, 2017 at a regular meeting of the township board at the Fenton Township Civic Community Center, 12060 Mantawauka Drive, Fenton, Michigan, commencing at 7:30 p.m., and

BE IT FURTHER RESOLVED, that the Township Clerk is instructed to give proper notice of such hearing by mailing and publication in accordance with law and statute provided, and

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. 2017-24 as presented.

Motion by: Krug

Seconded: Kesler

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

Nays: None

Motion carried. Resolution declared adopted.

Supervisor Mathis agreed with several comments presented. The residents must work together to obtain the best possible outcome.

Treasurer Tucker urged the residents to use time between now and the beginning of treatments next year to gather information, consult experts, etc.

REPORTS:

None

COMMUNICATIONS:

None

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF AUGUST 21, 2017**

ADOPTION OF ORDINANCES:

Proposed Amendment to Disorderly Persons Ordinance/2nd Reading

The board reviewed a proposed amendment to the Disorderly Persons Ordinance, which was introduced at the 8/7/17 meeting. The proposed amendment would remove provisions relating to marihuana. A separate ordinance has been drafted to include marihuana related offenses. Attorney Belzer explained that these two ordinances would eliminate any confusion relative to medical marihuana facilities. There was no further discussion.

Motion to adopt Ordinance No. 795, an amendment to Disorderly Persons Ordinance No. 623 to remove provisions relating to marihuana, as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Motion carried. Ordinance declared adopted.

Proposed Marihuana Possession Ordinance/2nd Reading

The board reviewed a proposed ordinance to prohibit the possession of marihuana in Fenton Township, which was introduced at the 8/7/17 meeting.

Motion to adopt Ordinance No. 796, an ordinance to prohibit the possession of marihuana within the Charter Township of Fenton, as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Motion carried. Ordinance declared adopted.

**Rezoning R17-002, Ghassan Saab, Parcels 06-11-100-001, 06-11-200-030, 06-11-504-009 & 06-11-504-010 (2294 & 2300 Sonora; formerly Lang's Marina);
PUD to R-3/1st Reading**

Supervisor Mathis introduced a proposed Zoning Ordinance amendment to rezone four parcels on Sonora Drive from PUD to R-3. Treasurer Tucker reported that the initial application was to rezone the parcels fronting on Lake Fenton to R-5 and the remainder to R-3. After their public hearing, the Planning Commission unanimously recommended approval of the proposed rezoning to R-3 for all parcels, which is consistent with the Master Plan. Supervisor Mathis expressed concern with drainage issues on the site. Treasurer Tucker stated that he doesn't believe the owners have any specific plans for the property but if there are existing ordinance violations, they should be addressed accordingly.

Public comment:

Peggy Smith, 2316 Sonora Drive

Ms. Smith asked that the property owners be compelled to maintain the property better, including keeping the grass cut. The property is still unsightly and existing homes are being negatively impacted by the drainage problems. Clerk Krug asked if can we compel the property owners to correct drainage problems since there will no longer be a development project on the property. Treasurer Tucker stated that the township can and should enforce the existing ordinances if violations exist.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF AUGUST 21, 2017**

Dane Farner, 2326 Sonora Drive

Mr. Farner believes the property is violation of the township's blight ordinance and the private portion of the road on the subject property is in poor condition. He would like these issues addressed.

There was no further public comment. The second reading of the proposed ordinance will be conducted at the 9/5/17 meeting.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Resolution No. 2017-25, Proposed Dartmouth Drive Street Improvement Special Assessment District

Operations Manager Broecker noted that a previously created special assessment district to resurface Dartmouth Drive was dissolved due to unresolved right-of-way issues. The property owners on the northern segment of Dartmouth Drive have submitted a new special assessment petition for improvements based on revised cost estimates provided by the Genesee County Road Commission. The petitions have been verified to contain signatures representing 62% of the road frontage in the proposed district.

The next step in the process is to conduct a public hearing on the creation of the special assessment district. A resolution has been drafted to schedule the public hearing.

Clerk Krug presented the following resolution:

RESOLUTION NO. 2017-25

WHEREAS, the Charter Township of Fenton has accepted petitions from owners of properties fronting Dartmouth Drive to create a special assessment district under the authority of Michigan Public Act 188 of 1954, as amended, for the purpose of resurfacing Dartmouth Drive, a public street in Fenton Township, from Darts Drive to approximately 30 feet from the northerly end of said street, and

WHEREAS, it has been determined that the petition has been signed by property owners constituting more than 50% of the road frontage of the proposed special assessment district, and

WHEREAS, preliminary plans and estimated costs for the foregoing street improvements have been placed on file in the office of the Township Clerk,

NOW, THEREFORE, BE IT RESOLVED, that the Fenton Township Board does hereby tentatively declare its intent to resurfacing Dartmouth Drive from Darts Drive to approximately 30 feet from the northerly end of said street, and

BE IT FURTHER RESOLVED, that the Fenton Township Board does tentatively designate the special assessment district against which the costs of the improvements are to be assessed as the Dartmouth Drive Street Improvement Special Assessment District, which shall include the following parcels of land:

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF AUGUST 21, 2017**

06-23-200-001	06-23-200-013	06-23-526-012	06-23-528-004
06-23-200-002	06-23-200-014	06-23-526-013	06-23-528-005
06-23-200-003	06-23-200-015	06-23-526-014	06-23-528-006
06-23-200-004	06-23-200-021	06-23-528-001	06-23-528-007
06-23-200-005	06-23-526-010	06-23-528-002	06-23-528-008
06-23-200-006	06-23-526-011	06-23-528-003	

and

BE IT FURTHER RESOLVED, that a hearing on any objections to the petitions, to the improvement, the estimate of costs, and to the special assessment district proposed to be established for the assessment of the cost of such improvement, shall be held on Tuesday September 5, 2017 at a regular meeting of the township board at the Fenton Township Civic Community Center, 12060 Mantawauka Drive, Fenton, Michigan, commencing at 7:30 p.m., and

BE IT FURTHER RESOLVED, that the Township Clerk is instructed to give proper notice of such hearing by mailing and publication in accordance with law and statute provided, and

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. 2017-25 as presented.

Motion by: Krug

Seconded: Goupil

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

Nays: None

Motion carried. Resolution declared adopted.

Resolution No. 2017-26, Schedule Public Hearing on Proposed Revised Special Assessment Roll for the Loon Lake Improvement Special Assessment District

Operations Manager Broecker explained that the Fenton Township Board confirmed a 5-year special assessment roll for the Loon Lake Improvement Special Assessment District in 2014. The Loon Lake Association has contacted the township requesting an increase to the assessment for the final two years, (2017 and 2018), to cover additional costs they have determined to be necessary to effectively treat the lake for the next two years. Aquatic Nuisance Plant Control has submitted a revised proposal for the years 2018 and 2019 and a revised special assessment roll has been created and certified. A public hearing on the proposed special assessment roll is required before the board can take action. A resolution has been prepared to schedule the public hearing.

Clerk Krug presented the following resolution:

RESOLUTION NO. 2017-26

WHEREAS, the Fenton Township Board confirmed Special Assessment Roll 2014-5 for the Loon Lake Improvement Special Assessment District on September 22, 2014, covering the years 2014 through 2018, and

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF AUGUST 21, 2017**

WHEREAS, the Loon Lake Association has submitted a revised cost proposal for the 2018 and 2019 treatment seasons, and has determined that the assessments in years 2017 and 2018 of said Special Assessment Roll No. 2014-5 will not be sufficient to cover the cost of the final two years of treatments in Loon Lake, and

WHEREAS, the Supervisor and assessing officer of Fenton Township has, in accordance with the laws and statutes pertinent thereto, prepared a special assessment roll in the total amount of \$59,624.00 for the years 2017 and 2018, covering all parcels of land within the Loon 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 September 5, 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.*
- 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. 2017-26 as presented.

Motion by: Krug

Seconded: Kesler

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

Nays: None

Motion carried. Resolution declared adopted.

Proposed Bond Authorization Resolution - Special Assessment Bonds for Liberty Shores Street Improvement Project

Operations Manager Broecker explained that, with the confirmation of the special assessment roll for the Liberty Shores Street Improvement Special Assessment District at the 8/7/17 meeting, a resolution is needed to authorize the issuance of bonds to finance the project.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF AUGUST 21, 2017**

Clerk Krug presented the following resolution:

RESOLUTION NO. 2017-27

WHEREAS, the Liberty Shores Condominium Subdivision Special Assessment Roll (the "Roll") for the construction of certain road improvements (the "Project") in the Liberty Shores Condominium Subdivision Special Assessment District (the "District") has been prepared, reviewed and confirmed by the Township Board; and

WHEREAS, the Township Board has determined that it will be necessary to issue special assessment bonds pledging for their payment collections on the Roll; and

WHEREAS, the Township desires to solicit proposals from financial institutions and other prospective purchasers and negotiate the sale of the Bonds to a purchaser within the parameters established by this Resolution.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1. Determination of Useful Life. The estimated period of usefulness of said improvements is not less than ten (10) years.*
- 2. Authorization of Bonds; Security. Special assessment bonds of the Township shall be issued in an amount not to exceed Two Hundred Sixty-One Thousand Dollars (\$261,000) (the "Bonds") in anticipation of the collection of an equal amount of future due installments on the Roll, together with interest and investment income thereon, to pay part of the cost of the Project.*

The liability of the Roll shall be limited to the principal amount thereof pledged as set forth above and interest and investment income thereon. In addition to the special assessments primarily pledged, the Township's full faith, credit and resources shall be pledged secondarily for the prompt payment of the principal of and interest on the Bonds as the same become due.

If the pledged special assessments are not collected in amounts sufficient to pay the principal of and interest on the Bonds as the same become due, the Township will promptly advance from its general funds as a first budget obligation sufficient moneys to pay said principal and interest or, if necessary, levy taxes upon all taxable property in the Township therefor, subject to applicable constitutional and statutory tax rate limitations.

- 3. Designation of Bonds; Bond Terms. The Bonds shall be designated 2017 SPECIAL ASSESSMENT BONDS (LIMITED TAX GENERAL OBLIGATION) (TAXABLE), and shall consist of bonds registered as to principal and interest of the denomination of \$1,000, or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity. The Bonds will be dated as of the date of delivery, or such other date as determined by the Operations Manager/Deputy Clerk, Supervisor, Township Clerk, or Treasurer (each, an "Authorized Officer") (each, an "Authorized Officer"), and be payable on March 1 (or such other date as determined at the time of sale thereof) in the years 2018 to 2027, inclusive, in the annual amounts determined at the time of sale. The Bonds shall be sold at a price of not less than 99.75% of par. The Bonds may be issued as serial bonds or term bonds or any combination thereof. The Bonds shall be subject to redemption prior to maturity in the*

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF AUGUST 21, 2017**

manner and at the times and prices as provided in Section 6 hereof. The Bonds shall bear interest at a rate or rates determined on the sale thereof, but not exceeding five percent (5%) per annum, payable on March 1, 2018, and semiannually thereafter. Unpaid installments on the Roll shall bear interest from and after December 1, 2017, at a rate equal to one percent (1%) above the rate of interest borne by the Bonds payable annually on each installment due date.

Interest shall be payable to the registered owner of record as of the 15th day of the month prior to the payment date for each interest payment. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the Township to conform to market practice in the future. Interest shall be payable to the registered owner of record as of the 15th day of the month preceding the payment date for each interest payment. The principal of the Bonds shall be payable at a Michigan bank or trust company to be selected by an Authorized Officer at the time of the sale of the Bonds as registrar and transfer agent for the Bonds (the "Transfer Agent"), provided that in the event that the Bonds are purchased by a single institutional investor the Township Treasurer may act as the Transfer Agent.

4. Execution of Bonds; Book-Entry-Only Form. *The Bonds of this issue shall be executed in the name of the Township with the manual or facsimile signatures of the Supervisor and Township Clerk and shall have the seal of the Township, or a facsimile thereof, printed or impressed on the Bonds. No Bond signed by facsimile signature shall be valid until authenticated by an authorized officer or representative of the Transfer Agent.*

The Bonds may be issued in book-entry-only form through the Depository Trust Company in New York, New York ("DTC") and any Authorized Officer is authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Bonds in book-entry-only form and to make such changes in the Bond form within the parameters of this resolution as may be required to accomplish the foregoing.

5. Transfer of Bonds. *The Transfer Agent shall keep the books of registration for this issue on behalf of the Township. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the Township shall execute and the Transfer Agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.*

6. Bond Form. *The Bonds shall be in substantially the following form:*

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF AUGUST 21, 2017**

[THIS BOND HAS NOT BEEN REGISTERED UNDER THE SECURITIES ACT OF 1933, AS AMENDED, OR THE MICHIGAN UNIFORM SECURITIES ACT, AS AMENDED, IN RELIANCE UPON EXEMPTIONS THEREUNDER. ANY RESALE OR OTHER TRANSFER OF THIS BOND MAY BE MADE ONLY UPON REGISTRATION UNDER SUCH ACTS OR IN AN EXEMPT TRANSACTION UNDER SUCH ACTS AND UPON COMPLIANCE WITH THE CONDITIONS SET FORTH HEREIN AND MAY BE OFFERED AND SOLD ONLY IF REGISTERED PURSUANT TO THE PROVISIONS OF THOSE ACTS OR IF AN EXEMPTION FROM REGISTRATION IS AVAILABLE.]

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UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF GENESEE

CHARTER TOWNSHIP OF FENTON
2017 SPECIAL ASSESSMENT BOND
(LIMITED TAX GENERAL OBLIGATION)
(TAXABLE)

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
	March 1, 20__	_____, 2017	

Registered Owner:

Principal Amount: _____ Dollars

The Charter Township of Fenton, County of Genesee, State of Michigan (the “Township”), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the [Maturity Date specified above] [payment dates and in the principal installment amounts specified on Schedule A attached hereto and made a part hereof], with interest thereon (computed on the basis of a 360-day year consisting of twelve 30-day months) from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on _____, 20__ and semiannually thereafter. Principal of this bond is payable [at the _____ office of _____, _____, Michigan,] [by the Treasurer of the Township] or such other paying agent as the Township may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to any interest payment date (the “Transfer Agent”). Interest on this bond is payable to the registered owner of record as of the fifteenth (15th) day of the month preceding the interest payment date as shown on the registration books of the Township kept by the Transfer Agent by check or draft mailed by the Transfer Agent to the registered owner of record at the registered address. For prompt payment of this bond, both principal and interest, the full faith, credit and resources of the Township are hereby irrevocably pledged.

This bond is [a single, fully-registered, non-convertible bond][one of a series of bonds] of even Date of Original Issue [in][aggregating] the principal sum of \$_____, issued in anticipation of the collection of special assessments in a certain special assessment district (together, the “District”) of the Township, for the purpose of paying the cost of certain road improvements in the District, all in accordance with the provisions of Act 188, Public Acts of Michigan, 1954, as amended and a duly adopted resolution (the “Resolution”) of the Township.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF AUGUST 21, 2017**

This bond, including the interest hereon, is payable primarily out of special assessments to be collected on the lands situated in the aforesaid District. The liability of the District is limited to the principal amount, and the interest and investment income thereon, specified in the Resolution. In case of insufficiency of said special assessment collections, this bond is payable as a first budget obligation out of the general funds of the Township, including the collection of any ad valorem taxes which the Township is authorized to levy, subject to applicable constitutional and statutory tax rate limitations.

Bonds or portions of bonds in multiples of \$1,000 of this issue maturing in the year 2023 and thereafter, shall be subject to redemption prior to maturity, at the option of the Township, in such order as the Township shall determine, on any date on or after March 1, 2022, at par and accrued interest to the date fixed for redemption.

[In case less than the full amount of an outstanding bond is called for redemption, the Transfer Agent, upon presentation of the bond called for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption.]

Notice of redemption shall be given to the registered owner of any bond or portion thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record. A bond or portion thereof so called for redemption shall not bear interest after the date fixed for redemption, whether presented for redemption or not, provided funds are on hand with the Transfer Agent to redeem said bond or portion thereof.

[This][Any] bond is transferable only upon the registration books of the Township kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

It is hereby certified and recited that all acts, conditions and things required by law precedent to and in the issuance of this bond [and the series of bonds of which this is one] have been done, exist and have happened in regular and due time and form as required by law, and that the total indebtedness of the Township, including this bond [and the series of bonds of which this is one], does not exceed any constitutional or statutory debt limitation.

[This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.]

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF AUGUST 21, 2017**

IN WITNESS WHEREOF the Township, by its Township Board, has caused this bond to be executed with the [manual/facsimile] signatures of its Supervisor and its Township Clerk and its corporate seal or a facsimile thereof to be [impressed/printed] hereon, all as of the Date of Original Issue.

CHARTER TOWNSHIP OF FENTON
County of Genesee
State of Michigan

By: _____
Its: Supervisor

(SEAL)

By: _____
Its: Township Clerk

(Form of Transfer Agent's Certificate of Authentication)

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within-mentioned resolution.

Transfer Agent

By: _____
Its Authorized Officer

DATE OF REGISTRATION:

[Bond printer to insert form of assignment]

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF AUGUST 21, 2017**

7. Negotiated Sale; Delegation to Authorized Officers; Sale Order. The Township hereby declares that it shall pursue a negotiated sale because of the opportunities provided by a negotiated sale to select and adjust terms for the Bonds and to price and sell the Bonds at the times that may be expected to best achieve the most advantageous interest rates, lowest issuance costs and to maximize escrow efficiency. The Authorized Officers are each authorized hereby authorized to select a purchaser for the Bonds (the "Purchaser"), negotiate the sale of the Bonds with the Purchaser, and to place the Bonds with the Purchaser, subject to the parameters set forth in this Resolution. Each Authorized Officer is authorized to award the sale of the Bonds to the Purchaser pursuant to a sale order, subject to the parameters set forth in this Resolution.

8. Debt Retirement Fund; Collection of Special Assessments. There shall be established and maintained a fund to be designated 2017 SPECIAL ASSESSMENT BONDS DEBT RETIREMENT FUND. Into said fund there shall be placed the accrued interest and premium, if any, attributable to the Bonds received at the time of delivery thereof. In addition, there shall be paid into said fund the collections of principal of and interest on the Roll in anticipation of the collection of which the Bonds authorized by the provisions of this resolution are to be issued. If at any time said fund is insufficient to pay the principal of and interest on said Bonds as the same become due, the Township shall advance from its general funds as a first budget obligation a sufficient amount of money to pay such principal and interest and, if necessary, shall levy taxes on all taxable property in the Township for such purpose, subject to applicable constitutional and statutory tax rate limitations.

9. Construction Fund. There shall be established and maintained a separate fund, to be designated 2017 SPECIAL ASSESSMENT BONDS CONSTRUCTION FUND, into which shall be placed the proceeds of sale of the Bonds, except accrued interest and premium, if any, and from which fund there shall be paid the cost of the improvements in the District. The moneys in the Construction Fund shall be used solely to pay the costs of the Project and the costs of issuance of the Bonds.

10. Defeasance of Bonds. In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier options redemption, the principal of, premium, if any, and interest on the bonds, shall be deposited in trust, this Resolution shall be defeased and the owners of the bonds shall have no further rights under this Resolution except to receive payment of the principal of, premium, if any, and interest on the bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange bonds as provided herein.

11. Authorization of Other Actions. Each Authorized Officer is hereby authorized to adjust the final bond details set forth herein to the extent necessary or convenient to complete the transaction authorized herein, and in pursuance of the foregoing is authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34 Michigan Public Acts of 2001, as amended, including but not limited to determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, and other matters, provided that the principal amount

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF AUGUST 21, 2017**

of Bonds issued shall not exceed the principal amount authorized in this Resolution, the interest rate on the Bonds shall not exceed five percent (5.00%) per annum, and the Bonds shall mature not later than ten (10) years from the issuance thereof.

12. Financial Advisor. *The Township hereby confirms H.J. Umbaugh & Associates, LLP, as financial advisor with respect to the Bonds.*

13. Bond Counsel. *Miller, Canfield, Paddock and Stone, P.L.C. is hereby approved as bond counsel for the Bonds, notwithstanding periodic representation in unrelated matters of parties or potential parties to the transaction contemplated by this resolution.*

14. Act 34 Notice Posting. *The Township hereby confirms that the posting required pursuant to Act 34 as set forth in Exhibit A attached hereto, was done in due time and form as required by Act 34.*

15. Rescission. *All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.*

Motion to adopt Resolution No. 2017-27 as presented.

Motion by: Krug

Seconded: Lorraine

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

Nays: None

Motion carried. Resolution declared adopted.

Proposed Extension of Sewer Maintenance Agreement - Cook Excavating, Inc.

Supervisor Mathis reported that the Sewer Maintenance Agreement with Cook Excavating, Inc. will expire on 8/31/17. Since the township is in the middle of the pump station upgrade project, she believes it to be in the best interests of the township to extend the existing agreement for a period of two years. Mr. Cook has agreed to a 2-year extension at the same costs as the existing agreement.

Trustee Shumaker noted that the board probably should have looked at the contract term when the pump station upgrade project was approved. He also stated that he would prefer a shorter extension. Treasurer Tucker pointed out there is an opt-out clause so the length of the extension is not critical.

The board briefly discussed the status of the pump station upgrade project. Clerk Krug suggested requesting a report on the project within the next few months.

After further discussion, the board agreed to approve a 1-year extension.

Motion to approve a 1-year extension of the existing Sewer Maintenance Agreement with Cook Excavating, Inc., as presented.

Motion by: Shumaker

Seconded: Kesler

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

Nays: None

Motion carried.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF AUGUST 21, 2017**

Proposed Hiring for Ordinance Enforcement Officer Position

Supervisor Mathis reported that the township received three applications to fill the Ordinance Enforcement Officer position. Interviews were conducted last week and all three candidates had very impressive credentials and background. The recommendation is to hire Patrick Shaw for the position. Mr. Shaw is currently a Genesee County Sheriff Deputy assigned to Fenton Township. He knows the community, residents and staff very well and will be a true asset to Fenton Township.

Motion to approve the hiring of Patrick Shaw for the position of Ordinance Enforcement Officer.

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

Motion carried.

Offers to Purchase Tax-Reverted Property

Realtor Ed Constable reported that the Township has received offers on two of the tax-reverted properties recently listed for sale.

The Township has received an offer on the Hogan Road vacant lot. Mr. Constable stated that the property is listed for \$15,000 and the offer received is \$12,000. The offer is from the Genesee County Drain Commissioner, who plans to use the property as a buffer between the sewage treatment plant and other nearby properties.

Motion to accept the submitted offer of \$12,000 for parcel 06-19-300-019 (14423 Hogan Road) from the Genesee County Drain Commissioner, as presented.

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

Motion carried.

The Township has also received two offers on the property located at 14331 Eastview Drive, (the former location of Frank's Tavern). Mr. Constable stated that the individual that previously submitted an offer of \$10,000 has now submitted an offer of \$11,000. A second offer of \$21,500 has also been submitted by John Tremaine.

Motion to authorize a counter offer of \$30,000 for parcel 06-22-400-046 (14331 Eastview Drive) to John Tremaine.

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

Motion carried.

Mr. Constable asked the board about the status of the offers submitted for the Thompson Road properties. After a brief discussion, the following motions were made:

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF AUGUST 21, 2017**

Motion to reaffirm the sale price of \$350,000 for properties located at 3095 and 3125 Thompson Road.

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

Motion carried.

Motion to not sell the properties located at 3095 and 3125 Thompson Road at this time, pending further discussion and review by the township board.

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

Motion carried.

Law Enforcement Update

Genesee County Sheriff Department Detective Tom Zak provided law enforcement stats for June and July. Total calls for the month of June were 538. July totaled 590. The deputies are averaging around 7 calls per shift and 1 – 1.5 traffic stops per shift. The board thanked Detective Zak for his report.

BOARD COMMENT:

None

PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft asked if the board was aware of weed known as starry stonewort and if there is a treatment for this type of weed. Treasurer Tucker noted that he has seen starry stonewort included in treatment programs for some of our lake special assessments. It appears that the companies treating the lakes do have some effective treatments.

CLOSED SESSION:

Motion to recess the regular meeting for the purpose of convening a closed session to discuss a proposed employment agreement for the Operations Manager and to discuss ongoing negotiations relating to the union collective bargaining agreement.

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

Motion carried.

The regular meeting was recessed at 9:33 p.m.

The regular meeting was reconvened at 11:00 p.m.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF AUGUST 21, 2017**

NEW BUSINESS (continued):

Proposed Employment Agreement – Operations Manager

Motion to approve the Employment Agreement for Operations Manager Thomas Broecker, as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Motion carried.

ADJOURN: Meeting adjourned at 11:05 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 8/22/17