

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF NOVEMBER 20, 2017**

**FENTON TOWNSHIP CIVIC COMMUNITY CENTER
12060 MANTAWAUKA DRIVE, FENTON, MICHIGAN**

Clerk Krug called the meeting to order at 7:30 p.m.

Present: Krug, Tucker, Goupil, Kesler, Lorraine, Shumaker, Attorney Belzer and
Operations Manager Broecker.

Absent: Mathis

OPENING PRAYER / PLEDGE OF ALLEGIANCE:

Trustee Goupil offered the opening prayer. Clerk Krug led the pledge of allegiance to the flag.

APPOINTMENT OF TEMPORARY CHAIRPERSON:

Clerk Krug stated that, due to the absence of the Township Supervisor, a temporary chairperson needs to be appointed for this evening's meeting.

Motion to appoint Clerk Krug as chairman pro-tem.

Motion by: Goupil

Seconded: Lorraine

Ayes: All Present

Nays: None

Absent: Mathis

Motion carried.

APPROVAL OF AGENDA:

Motion to approve the 11/20/17 Fenton Township Board Meeting agenda as presented.

Motion by: Shumaker

Seconded: Tucker

Ayes: All Present

Nays: None

Absent: Mathis

Motion carried. The agenda is approved.

MEETING MINUTES:

Treasurer Tucker pointed out two minor typographical errors. The minutes for the 11/6/17 regular meeting stand approved as corrected.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$325,371.51 for payment as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Absent: Mathis

Motion carried.

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PUBLIC HEARINGS:

**Proposed Lake Ponemah Improvement Special Assessment District – Continuation
of Public Hearing**

Chairman Krug stated that the board began a public hearing on a proposed special assessment district to continue a lake improvement project for Lake Ponemah at the 9/18/17 board meeting. After considerable discussion, the property owners requested an opportunity to consider additional options before proceeding. The board voted to continue the public hearing at this meeting, after the lake association's annual meeting. Included in the board packet is a report and proposed budget for a comprehensive lake management and weed control program. The report was provided by Progressive AE, a consultant retained by the lake association. This report, including the project budget contained therein, are the revised "plans and estimates of cost" for the proposed project.

Public Comment:

Paul Hausler, Progressive AE

Mr. Hausler provided an overview of the analysis performed by his firm for Lake Ponemah. They have identified significant quantities of invasive weeds throughout the lake. He also outlined the proposed treatment program, including an annual budget of \$85,000. If approved, this would result in a special assessment of approximately \$220 per parcel per year, which is about \$20 more than they were paying in the previous assessment.

Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft asked if maps with contours and depths would be available. Mr. Hausler confirmed that maps would be available. Mr. Hawcroft also asked what types of weeds can be safely harvested. Milfoil can spread by fragmentation so harvesting is not a good option for that particular weed. Mr. Hausler confirmed that milfoil must be controlled before harvesting of other invasive weeds can be considered. Starry stonewort is an invasive weed that can be effectively controlled through a combination of chemical treatments and harvesting.

Al Winter, 4095 Four Lakes Avenue

Mr. Winter asked if timing and water temperature could impact the effectiveness of chemical treatments? Mr. Hausler stated that the time of year and water temperature could definitely impact the effectiveness of the treatments. Part of the program would be to coordinate the timing of the treatments based on the time of year and environmental conditions.

There was no further discussion. Operations Manager Broecker presented the following resolution:

RESOLUTION NO. 2017-45

WHEREAS, the township board of the Charter Township of Fenton has 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 lake improvement project to schedule a public hearing upon the same for September 18, 2017, and

WHEREAS, the preliminary plans, estimates of cost and proposed special assessment district were filed with the Township Clerk for public examination and notice

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of the within 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 for and commenced on the 18th day of September 2017 and all persons given the opportunity to be heard in the matter, and

WHEREAS, at the request of property owners within the proposed special assessment district, this township board voted to continue the hearing this 20th day of November 2017 commencing at 7:30 p.m. and all persons given the opportunity to be heard in the matter, and

WHEREAS, amended plans and estimates of cost were filed with the Township Clerk, at the request of property owners within the proposed special assessment district, 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 approve the amended plans for the eradication and/or control of aquatic weeds on Lake Ponemah and services related thereto, as submitted by the Lake Ponemah Association, and the estimate of costs for the completion thereof of \$425,000 over a five year period.*
- 2. That this township board does hereby create, determine and define as a special assessment district to be known as Lake Ponemah Improvement Special Assessment District No. 2, within which the costs of such improvements shall be assessed according to benefits, the following described area within said township:*

All parcels of land with frontage on or legal access to Lake Ponemah

- 3. 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 in the special assessment district as the benefit to the parcel of land bears to the total benefit to all the parcels 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.*
- 4. That all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.*

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Motion to adopt Resolution No. 2017-45 as presented.

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

Motion carried. Resolution declared adopted.

REPORTS:

None

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Proposed Renewal of Funding Commitment – PEG Coordinator

Chairman Krug reminded the board that the Township approved a 3-year funding commitment in November 2013 to pay a portion of the \$20,000 annual salary cost for the newly created position of PEG Coordinator, which was initially filled in October 2014. The current PEG Coordinator, Randen Syjut, was hired in 2015. The primary responsibility of the PEG Coordinator is to manage the broadcast content for Channel 191, the local education & government public access channel.

In the past two years, the management of Channel 191 has improved dramatically. Notable enhancements / achievements include:

- Significant increase in the quantity, variety and quality of video content.
- Improved working relationships with the video production programs at Lake Fenton, Linden and Fenton High Schools, the largest producers of Channel 191 content.
- Effective coordination of equipment purchases funded by PEG grants to maximize cost efficiency and upgrade technology.
- Implementation of an equipment inventory/replacement/repair/disposal plan.
- Coordination of recording and broadcasting local community events (Linden Back to the Bricks, Fenton Art Walk, etc.).
- Live streaming broadcast of graduation ceremonies for all three high schools in 2017.
- 24/7 live streaming of Channel 191 through a YouTube channel (www.facts-tv.com).
- A real-time programming guide for Channel 191 (www.facts-tv.com).
- On Demand video service for archived content, also through the YouTube channel.
- Increased viewership of both Channel 191 and the YouTube channel.

The FACT Consortium is requesting that its member communities and school districts renew their funding commitment for the PEG Coordinator salary for another three years.

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The Consortium has recommended that the PEG Coordinator annual salary be increased from \$20,000 to \$25,000. All four school districts, the City of Linden and Tyrone Township have already approved their respective share of the cost. Fenton Township's share is approximately \$5,900 per year (as compared to \$5,200 for the past three years).

Motion to authorize the expenditure of up to \$5,900.00 per year for three years toward the PEG Coordinator salary to continue managing the public access channel 191, as presented.

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

Motion carried.

Adoption of 2018 Meeting Schedule

Chairman Krug reported that the proposed 2018 Fenton Township Meeting Schedule has been prepared and is presented for board consideration. The Planning Commission and ZBA have both reviewed and endorsed their respective portions of the proposed schedule.

Motion to adopt the 2018 Fenton Township Meeting Schedule as presented.

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

Motion carried.

Schedule Public Hearing on 2018 Fenton Township Budget

Chairman Krug noted that, as required by Michigan law, a preliminary draft version of the 2018 Fenton Township Budget was distributed to the members of the Township Board at the end of August. A revised draft is currently being developed and should be completed within the next few days. The Township Board is being asked to schedule a public hearing on the proposed 2018 budget for the 12/4/17 meeting. The updated public hearing draft of the budget will be provided to the board at least one week prior to the public hearing.

Motion to schedule a public hearing on the 2018 Fenton Township Budget to be held at the December 4, 2017 Township Board meeting.

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

Motion carried.

**Resolution No. 2017-46, Proposed Street Lighting Special Assessment District –
Byram Ridge Subdivision**

Chairman Krug reported that the property owners in the Byram Ridge subdivision have petitioned for a street lighting special assessment district. A resolution has been prepared to schedule a public hearing on the creation of the special assessment district.

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Operations Manager Broecker presented the following resolution:

RESOLUTION NO. 2017-46

WHEREAS, the Charter Township of Fenton has accepted petitions from owners of properties in the Byram Ridge No. 1 subdivision to create a special assessment district under the authority of Michigan Public Act 188 of 1954, as amended, for the purpose of installing, operating and maintaining street lights in the Byram Ridge No. 1 subdivision, 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

WHEREAS, preliminary plans and estimated costs for the foregoing street lighting 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 install, operate and maintain street lights in the Byram Ridge No. 1 subdivision, 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 Byram Ridge Street Lighting Special Assessment District, which shall include the lands and premises more particularly described as follows:

All lots in the Byram Ridge No. 1 Subdivision

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 Monday December 4, 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. 2017-46 as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Absent: Mathis

Motion carried. Resolution declared adopted.

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Resolution No. 2017-47, Sewer Bond Debt Obligations for 2018

Chairman Krug noted that the Genesee County Drain Commissioner requires the Township to adopt a resolution each year to designate the source of funds to meet debt service obligations in the next year for bonds issued through Genesee County. A resolution has been prepared for board consideration.

Operations Manager Broecker presented the following resolution:

RESOLUTION NO. 2017-47

WHEREAS, the Charter Township of Fenton has a need to pay to the County of Genesee the sum of \$343,713.61 to meet the principal and interest requirements on all bond obligations for sewer facilities in 2018; and

WHEREAS, there are several means by which the funds can be secured to meet this payment requirement; and

WHEREAS, all various means of securing these funds have been reviewed and considered;

NOW, THEREFORE BE IT RESOLVED, by the Charter Township of Fenton, that the monies to meet the principal and interest requirements on all bond obligations for sewer facilities in 2018 will be secured from the following funds.

<i>Funds Already Available</i>	\$ _____
<i>Tap-In Fees to be Collected</i>	\$ <u>200,000.00</u>
<i>Funds from Monthly Rates for Services</i>	\$ <u>143,713.61</u>
<i>General Fund</i>	\$ _____
<i>Ad-Valorem Levy</i>	\$ _____
<i>Other</i>	\$ _____
Grand Total:	\$ <u>343,713.61</u>

BE IT FURTHER RESOLVED, that the Township Clerk is hereby directed to forward one (1) copy of this Resolution to the County Agency, and retain one (1) copy for the Fenton Township records.

Motion to adopt Resolution No. 2017-47 as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Absent: Mathis

Motion carried. Resolution declared adopted.

Resolution No. 2017-48, Acceptance/Rejection of 2017 Tax-Reverted Parcels

The board reviewed information regarding 12 parcels that have been foreclosed upon by Genesee County due to unpaid property taxes. The Township will automatically assume ownership of these properties unless the board adopts a resolution of objection and sends it to the Genesee County Treasurer. The properties in question are three 4-unit condo

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building sites in the Fenton Orchards development. The Township already owns four similar 4-unit sites, which are currently for sale. A resolution has been prepared to convey the township board's decision to accept or object to the transfer of these properties.

After a brief discussion, the board agreed to accept the transfer of the properties.

Operations Manager Broecker presented the following resolution:

RESOLUTION NO. 2017-48

WHEREAS, the Genesee County Treasurer's office has identified certain tax reverted properties located within the Charter Township of Fenton, and

WHEREAS, state law requires the Genesee County Treasurer's office to provide to the Charter Township of Fenton properties located within the Township that have not been sold by the County at the annual auction, and

WHEREAS, the law allows the Township to object in writing to the transfer of any such properties to the Township and, upon failure to do so, the property does revert back to the Township, and

NOW, THEREFORE, BE IT RESOLVED, that the Township Board of the Charter Township of Fenton hereby accepts the transfer of the following parcels:

<u>Parcel Number</u>	<u>Address</u>	<u>City / Zip</u>
06-12-626-053	11518 Princewood Drive	Fenton / 48430
06-12-626-054	11514 Princewood Drive	Fenton / 48430
06-12-626-055	11510 Princewood Drive	Fenton / 48430
06-12-626-056	11506 Princewood Drive	Fenton / 48430
06-12-626-057	11488 Princewood Drive	Fenton / 48430
06-12-626-058	11484 Princewood Drive	Fenton / 48430
06-12-626-059	11480 Princewood Drive	Fenton / 48430
06-12-626-060	11476 Princewood Drive	Fenton / 48430
06-12-626-061	11491 Princewood Drive	Fenton / 48430
06-12-626-062	11495 Princewood Drive	Fenton / 48430
06-12-626-063	11499 Princewood Drive	Fenton / 48430
06-12-626-064	11503 Princewood Drive	Fenton / 48430

Motion to adopt Resolution No. 2017-48 as presented.

Motion by: Tucker

Seconded: Lorraine

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

Nays: None

Absent: Mathis

Motion carried. Resolution declared adopted.

Letter of Resignation – Planning Commission

Chairman Krug reported that Tom Richard has submitted a letter of resignation from the Planning Commission. Mr. Richard has been a valued member of the Fenton Township Planning Commission since 2006 and will be missed.

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Treasurer Tucker, who also sits on the Planning Commission, echoed Chairman Krug's comments and noted that Mr. Richard has been the "voice of the people" during his tenure on the Planning Commission. He will be difficult to replace.

Motion to accept, with regret, the resignation of Thomas Richard from the Fenton Township Planning Commission, effective immediately.

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

Motion carried.

Appointment of Representatives – Genesee County Metropolitan Alliance

Chairman Krug reported that the Genesee County Metropolitan Alliance requires member communities to appoint or re-appoint one elected representative, one citizen representative and one alternate each year. For the 2017 our elected representative has been Trustee Kesler, our citizen representative has been Andy Marko and our alternate has been Clerk Krug. The board now needs to appoint representatives for 2018.

After a brief discussion, the board agreed to delay action on this item until the 12/4/17 meeting.

BOARD COMMENT:

Clerk Krug reported that the ribbon cutting for the Thompson Road Regional Dog Park has been scheduled for Monday 11/27/17 at 1:00pm. Dogs and humans are welcome. A more elaborate grand opening is being planned for spring.

Trustee Kesler reported that the Thompson Road project is complete and the road is completely open.

PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

None

CLOSED SESSION:

Motion to recess the open meeting for the purpose of convening a closed session to review the proposed collective bargaining agreement with the Fenton Township Employees Union.

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

Motion carried.

The open meeting was recessed at 8:50 p.m.

RECONVENE:

The open meeting was reconvened at 9:25 p.m.

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NEW BUSINESS (continued):

Proposed Collective Bargaining Agreement – Fenton Township Employees Union

Motion to approve the 2017-2022 Collective Bargaining Agreement between the Charter Township of Fenton and the Charter Township of Fenton Employees Union, Local 1918.30, affiliated with Michigan Council #25, AFSCME, AFL-CIO, with minor revisions as discussed in the closed session.

Motion by: Tucker

Seconded: Lorraine

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

Nays: None

Absent: Mathis

Motion carried.

ADJOURN: Meeting adjourned at 9:27 p.m.

Robert Krug, Chairman Pro-Tem

Thomas Broecker, Deputy Clerk

Minutes Posted 11/21/17