

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF MARCH 5, 2018**

**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, Shumaker, Operations Manager Broecker
and Attorney Belzer.

Absent: Mathis, Lorraine

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: Tucker

Seconded: Goupil

Ayes: All Present

Nays: None

Absent: Mathis, Lorraine

Motion carried.

APPROVAL OF AGENDA:

Motion to approve the 3/5/18 Fenton Township Board Meeting agenda as presented.

Motion by: Tucker

Seconded: Shumaker

Ayes: All Present

Nays: None

Absent: Mathis, Lorraine

Motion carried. The agenda is approved.

MEETING MINUTES:

Treasurer Tucker noted a couple of typographical errors, which he has already communicated to Operations Manager Broecker. The minutes for the 2/19/18 regular meeting stand approved as corrected.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$498,667.40 for payment as presented.

Motion by: Tucker

Seconded: Goupil

Ayes: Krug, Tucker, Goupil, Kesler, Shumaker

Nays: None

Absent: Mathis, Lorraine

Motion carried.

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PUBLIC HEARINGS:

Proposed Lake Ponemah Improvement Special Assessment – Hearing on Creation of Special Assessment District

Chairman Krug opened a public hearing on the creation of a lake improvement special assessment district for Lake Ponemah. If approved, the project would consist of a 5-year managed weed control program for Lake Ponemah. The estimated cost of the project is \$425,000, spread over the 5-year period. The board will accept public comment on 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:

Al Winter, 4095 Four Lakes Avenue

Mr. Winter asked how the costs will be divided among the properties. Operations Manager Broecker explained that this hearing is for the creation of the district and not the special assessment roll. However, the roll has been drafted and, based on input and recommendations from the lake association officials, the costs are proposed to be assessed as follows:

- Properties fronting the lake = 1 share
- Properties with boating access to the lake = ½ share
- Properties with marinas or multi-space docks = ½ share per space
- Properties with non-boating access to the lake = ¼ share

Judy Dawson, 3158 Ponemah Drive

Ms. Dawson asked who is responsible for cleaning up the dead weeds that wash ashore. Paul Hausler of Progressive AE, (the consultant working with the association on this project), stated that the plan is to treat weeds early enough to minimize the problem of dead weeds. Ultimately, however, property owners are responsible for cleaning up anything on their own shoreline.

Carolyn Post, 4045 Four Lakes Avenue

Ms. Post questioned timing of the treatments. Paul Hausler stated that the timing of the lake treatments is determined by water temperature. The water temperature needs to be between 60-65 degrees for the treatments to be effective. Progressive AE will monitor the lake temperature and schedule the treatments accordingly.

Two written objections were filed with the Township Clerk. One from Glen Weathers of 3150 Ponemah Drive, and the other from Gary and Jill Plagens of 14100 Eastview Drive.

There was no further public comment. Mr. Hausler advised the board that his company had solicited proposals for the lake treatments, and a bid tabulation chart was provided to the board. Based on the proposals received and input from the lake association, Mr. Hausler recommends that the contract for Lake Ponemah treatments be awarded to Aquatic Nuisance Plan Control.

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

RESOLUTION NO. 2018-05

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 this date, and

WHEREAS, the preliminary plans, estimates of cost and proposed special assessment district were filed with the Township Clerk for public examination and notice of the 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 this 5th day of March 2018 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 approve the 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.*
- 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.*

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- 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.*

Motion to adopt Resolution No. 2018-05 as presented.

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

Motion carried. Resolution declared adopted.

Motion to award the lake herbicide treatment contract for Lake Ponemah to Aquatic Nuisance Plant Control, as presented.

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

Motion carried. Resolution declared adopted.

Chairman Krug noted that, in anticipation of the previous resolution, a special assessment roll has been completed, certified and submitted to the Township Clerk as required by said resolution. Operations Manager Broecker presented the following resolution:

RESOLUTION NO. 2018-06

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 \$427,016.76 covering all parcels of land in Lake Ponemah Improvement Special Assessment District No. 2 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 business hours of regular business 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 March 19, 2018 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*

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such hearing to be mailed by first class mail to all owners of or persons interested in property within Lake Ponemah Improvement Special Assessment District No. 2 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 this resolution are hereby rescinded.*

Motion to adopt Resolution No. 2018-06 as presented.

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

Motion carried. Resolution declared adopted.

REPORTS:

Fire Truck Update

Trustee Goupil reported that the three new fire department vehicles (2 rescue squad trucks and a utility truck), are scheduled to be delivered later this month, which is approximately one month ahead of schedule.

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

PEG Grant Application – Linden, Fenton, Lake Fenton & Hartland Schools

Operations Manager Broecker reported that Lake Fenton, Linden and Fenton school districts have submitted a combined PEG grant application to upgrade and replace video equipment for the high school programs, which produce content for Channel 191. The FACT Consortium has also submitted a grant application for additional equipment related to the operation of Channel 191. Hartland Schools has submitted a small grant application, which will be funded solely from Tyrone Township's PEG funds. The FACT Consortium has reviewed and approved the applications, and recommended approval of funding up to a maximum of \$253,483.09.

The allocation of the costs is based on annual PEG fee receipts for each community. The grant funding will be allocated as follows:

Fenton Township	\$100,005.01
City of Fenton	83,688.77
Tyrone Township	47,017.51
City of Linden	22,771.79

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As with prior grant approvals, the FACT Consortium has requested that the municipalities approve an “up to” amount to allow the orders to be placed. Payments to the school districts will occur after the actual costs are finalized.

Motion to approve funding for the PEG Grant applications of Linden Community Schools, Fenton Area Public Schools, Lake Fenton Community Schools and the FACT Consortium up to a total amount of \$100,005.01, as presented.

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

Motion carried.

Proposed Renewal - Uniform Video Service Local Franchise Agreement - AT&T

Operations Manager Broecker reported that AT&T Michigan 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 is, in effect, a 10-year renewal of a similar agreement approved in 2008.

Motion to approve the Uniform Video Service Local Franchise Agreement with AT&T Michigan, as presented.

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

Motion carried.

Proposed Crack Seal Agreement - Genesee County Road Commission

The board reviewed a proposed agreement with the Genesee County Road Commission (GCRC) to complete crack sealing for several streets in our township. Crack sealing is a very effective way to extend the life of asphalt streets and GCRC has identified the following streets for crack sealing in 2018:

Jennings Road - Lahring Road to Thompson Road
Silver Landings Subdivision - Silver Landings Drive, Carrie Lane, Eastways Drive
Wenwood Drive - Fenton Road to end

Fenton Township’s cost is estimated to be \$24,000 for the above listed streets. This amount was included in the 2018 budget when it was adopted.

Motion to approve the agreement with the Genesee County Road Commission for crack sealing, up to a total cost of \$24,000, as presented.

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

Motion carried.

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BOARD COMMENT:

None

PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

None

ADJOURN: Meeting adjourned at 8:10 p.m.

Robert Krug, Chairman Pro-Tem

Thomas Broecker, Deputy Clerk

Minutes Posted 03/06/18