

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF MARCH 19, 2018**

**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, Operations
Manager Broecker and Attorney Belzer.

Absent: None

OPENING PRAYER / PLEDGE OF ALLEGIANCE:

Trustee Goupil offered the opening prayer. Supervisor Mathis led the pledge of allegiance to the flag.

APPROVAL OF AGENDA:

Motion to approve the 3/19/18 Fenton Township Board Meeting agenda as presented.

Motion by: Tucker

Seconded: Lorraine

Ayes: All

Nays: None

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes for the 3/5/18 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$1,237,220.20 for payment as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Motion carried.

PUBLIC HEARINGS:

Lake Ponemah Improvement Special Assessment No. 2 - Hearing on Special Assessment Roll

Supervisor Mathis opened a public hearing on the special assessment roll for Lake Ponemah Improvement Special Assessment District No. 2. The proposed roll assesses a total of \$1,099.85 per share, spread over 5 assessments. The board will accept public comment on the following:

1. An individual's assessment in relation to benefit received.
2. The total cost of the project.
3. The validity of the proceedings to date.

Public comment:

Robert Beers, 3087 Torrey Beach Drive

Mr. Beers questioned why his properties are now included in the special assessment district but were never assessed in the past. Operations Manager Broecker explained that many parcels with deeded access to the lake were overlooked in the past, but have been

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included in this special assessment district. The two lots owned by Mr. Beers will be assessed ¼ share each.

Judy Dawson, 3158 Ponemah Drive

Ms. Dawson inquired as to the assessment amount for several specific properties. Operations Manager Broecker provided responses to each of her inquiries.

There was no further discussion. Supervisor Mathis closed the public hearing. Clerk Krug presented the following resolution:

RESOLUTION NO. 2018-07

WHEREAS, the township board of the Charter Township of Fenton, Genesee County, Michigan, after due and legal notice, has conducted a public hearing upon a proposed special assessment roll prepared by the supervisor and assessing officer of the Township for the purpose of defraying the costs of the lake improvement project within Lake Ponemah Improvement Special Assessment District No. 2 as shown on the plans and specifications for such project, and

WHEREAS, such public hearing was preceded by proper notice in the Tri-County Times, a newspaper of general circulation in the township, and by first class mail notice to each property owner of record within said district and upon said assessment roll, and

WHEREAS, comments were received from those present at such public hearing concerning said special assessment roll and opportunity to all present to be heard in the matter, and

WHEREAS, a record of those present to protest, and of written protests submitted, if any, at or before the public hearing was made a part of the minutes of the hearing, and

WHEREAS, the Township Board has duly inspected the proposed special assessment roll and considered all comments and proposed amendments thereto and has found the proposed special assessment roll, as submitted, to be correct, just and reasonable;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 1. The special assessment roll submitted by the supervisor and assessing officer of the Township, shall hereafter be designated as Fenton Township Special Assessment Roll No. 2018-2 and shall hereby be confirmed as the special assessment roll for Lake Ponemah Improvement Special Assessment District No. 2.*
- 2. The assessments in said Fenton Township Special Assessment Roll No. 2018-2 shall be divided into five annual installments with the first installment due on or before July 1, 2018 and the following installments to be due on or before the 1st day of December of the years 2018 through 2021, inclusive.*
- 3. Future due installments of an assessment against any parcel of land may be paid to the township treasurer at any time in full. If any installment of a special assessment is not paid when due, then the installment shall be considered to be delinquent and there*

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shall be collected a penalty at the rate of 1% for each month, or fraction of a month, that the installment remains unpaid before being reported to the township board for reassessment upon the township tax roll, in accordance with said Michigan PA 188.

4. *The assessments made in said special assessment roll are hereby ordered and directed to be collected by the township treasurer, and the township clerk shall deliver said special assessment roll to said treasurer with his warrant attached, commanding the treasurer to collect such assessments in accordance with the direction of the township board and said PA 188.*
5. *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. 2018-07 as presented.

Motion by: Krug

Seconded: Shumaker

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

Nays: None

Motion carried. Resolution declared adopted.

Lake Ponemah Professional Services Agreement – Progressive AE

Supervisor Mathis noted that part of the cost of the Lake Ponemah special assessment is the management of the project by Progressive AE. Now that the special assessment roll has been confirmed, a professional services agreement with Progressive is presented for board approval.

Motion to approve the Lake Ponemah Professional Services Agreement with Progressive AE, as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Motion carried.

REPORTS:

Sale of Fire Department Vehicles

Operations Manager Broecker reported that the Township currently has two fire department vehicles listed on Municibid, an online government auction site. The 1981 American LaFrance pumper truck has a current bid of \$2,000 and the 1996 Chevrolet crew cab pickup has a current bid of \$7,200. Bidding ends on 3/29/18 and the winning bids will be brought to the 4/9/18 board meeting to approve the sales.

Board of Review

Supervisor Mathis reported that the Board of Review met throughout last week to hear appeals of property tax values and applications for exemption. She noted that many military exemptions were granted. She pointed out that the Board of Review can also correct clerical errors from the assessment process.

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COMMUNICATIONS:

Genesee County Recycle Day – May 12, 2018

The board reviewed information on the upcoming Recycle Day. Residents can dispose of household hazardous waste and electronic waste free of charge.

ADOPTION OF ORDINANCES:

Rezoning #R18-001 Gordon & Janet Swapp, part of parcel 06-04-400-012 (4163 Thompson Rd); AG to R-3/1st Reading

Supervisor Mathis reviewed a proposed Zoning Ordinance to rezone part of a parcel on Thompson Road from AG to R-3. Treasurer Tucker noted that, while the property is designated for low density residential, R-3 is consistent with adjacent zoning. The Planning Commission has unanimously recommended approval of the rezoning. C.J. Greene, representing the applicant, explained that the owners wish to split off the existing home from the rest of the parcel, which fronts Fairbanks Road.

Attorney Belzer suggested requiring the land division application to be filed before the board acts on the proposed rezoning at the next meeting.

The second reading of the proposed ordinance will be conducted at the 4/9/18 meeting.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

2018 Genesee County Road Commission Dust Control Contract

Operations Manager Broecker reviewed information regarding the Genesee County Road Commission's dust control program for 2018. The proposed contract includes the first application of liquid calcium chloride on unpaved roads funded equally by the Township and Road Commission, an optional second application funded by the Township, and a third application funded by the Road Commission. The Township needs to decide if it wants to fund the June application. The Township can receive two total applications (April & September) for approximately \$10,695 or all three applications (April, June & September) for approximately \$32,086. If the Township does not initially contract for the June application, it can be added back in as long as the road commission has enough time to adjust their chloride order (approximately 3 weeks). The board agreed to leave the June application out of the agreement, which is consistent with what has been done for the past several years.

Motion to approve the 2018 Genesee County Road Commission Dust Control Program, including applications of 38% liquid calcium chloride at a rate of 2,000 gallons per mile as follows:

- One application in late April or early May, with the cost divided equally between Fenton Township and the Genesee County Road Commission.
- One application in mid-September, with 100% of the cost paid by the Genesee County Road Commission.

Motion by: Tucker

Seconded: Shumaker

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

Nays: None

Motion carried.

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2018 Local Road Improvement Projects

The board reviewed Genesee County Road Commission (GCRC) cost estimates for four gravel resurfacing projects:

Road	From / To	Net Twp. Cost
Hogan Road	Rolston Road to Lahring Road	\$ 24,255.14
Old Linden Road	Thompson Road to dead-end	6,648.94
Whitaker Road	Lobdell Road to pavement	7,701.40
Fairbanks Road	Thompson Road to Lahring Road	11,182.78 (labor only)
Fairbanks Road	Thompson Road to Lahring Road	49,400.00 (material only)

Operations Manager Broecker reported that total estimated cost, combined with the cost of the previously approved crack sealing and catch basin repair projects, is still well below the 2018 budget.

Motion to approve the following local road improvement projects, as presented:

Gravel resurfacing:

Hogan Road	Rolston Road to Lahring Road
Old Linden Road	Thompson Road to dead-end
Whitaker Road	Lobdell Road to pavement
Fairbanks Road	Thompson Road to Lahring Road

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Motion carried.

Purchase Offer for Tax-Reverted Properties

Supervisor Mathis reported that the Township has received an offer on some of the tax-reverted properties currently listed for sale. Realtor Ed Constable explained that the township has received an offer of \$70,000 for 8 condo units, (two 4-unit building sites), in the Fenton Orchards development. Given the lack of activity on this property since it was listed for sale, Mr. Constable recommends that the board either accept the offer or counter at \$9,000 per unit for a total of \$72,000.

Motion to authorize a counter offer of \$72,000.00 for parcels 06-12-626-013 thru 06-12-626-020 (8 condo sites - Fenton Orchards) to John Tremaine, to be executed via the purchase form provided by the Township.

Motion by: Lorraine

Seconded: Tucker

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

Nays: None

Motion carried.

BOARD COMMENT:

None

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PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

K.C. Baran, candidate for Circuit Court judge

Mr. Baran introduced himself as a candidate for 7th Circuit Court Judge. He has lived in Fenton Township for 15 years. Mr. Baran worked with Clerk Krug on a student debate program in the past and has served on the Fenton Township ZBA for several years. He is a graduate of West Point Military Academy and a U.S. Army veteran. Mr. Baran thanked the board for the opportunity to address the meeting.

Elizabeth Kelly, candidate for Circuit Court judge

Ms. Kelly also introduced herself as a candidate for 7th Circuit Court judge. She is a Genesee County native and has a wide range of experience in many areas of legal practice, with a strong interest in family court. Ms. Kelly thanked the board for the opportunity to address the meeting.

CLOSED SESSION:

Motion to recess the open meeting to convene a closed session to discuss pending litigation with the Township Attorney.

Motion by: Tucker

Seconded: Lorraine

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

Nays: None

Motion carried.

The open meeting was recessed at 8:28 p.m.

RECONVENE:

The open meeting was reconvened at 8:46 p.m. No decisions were made in the closed session.

ADJOURN: Meeting adjourned at 8:46 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 03/20/18