

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF MAY 21, 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, Attorney Belzer and Operations
Manager Broecker.

Absent: Mathis, Lorraine

OPENING PRAYER / PLEDGE OF ALLEGIANCE:

Trustee Goupil offered the opening prayer. The members of Boy Scout Troop 212 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: Tucker

Ayes: All Present

Nays: None

Absent: Mathis, Lorraine

Motion carried.

APPROVAL OF AGENDA:

Motion to approve the 5/21/18 Fenton Township Board Meeting agenda as presented.

Motion by: Tucker

Seconded: Kesler

Ayes: All Present

Nays: None

Absent: Mathis, Lorraine

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes for the 5/7/18 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$152,338.43 for payment as presented.

Motion by: Tucker

Seconded: Goupil

Ayes: Krug, Tucker, Goupil, Kesler, Shumaker

Nays: None

Absent: Mathis, Lorraine

Motion carried.

PUBLIC HEARINGS:

Proposed Street Improvement Special Assessment District - Eleanor Street

Chairman Krug opened a public hearing for a proposed special assessment district for the reconstruction of Eleanor Street between Owen Road and Island View Drive. The total

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estimated cost of the project is \$143,750.00. The board will accept comment regarding the following:

1. The creation of the special assessment district
2. The proposed boundaries of the district
3. The necessity of the improvement
4. The preliminary plans for the improvement
5. The estimated costs for the improvement

Public Comment:

Roger Rohr, 4205 Island View Drive

Mr. Rohr inquired about the special assessment process, including petitions and timeline for the project. Operations Manager Broecker confirmed that petitions submitted contained signatures representing approximately 52% of the road frontage in the proposed district. If the board adopts the resolution to create the special assessment district at this meeting, the next steps are:

- Genesee County Road Commission (GCRC) will provide a project agreement for township approval.
- Township Board approves GCRC project agreement.
- GCRC designs and bids out the project.
- Township creates special assessment roll based on low bid and schedules a public hearing on the roll.

Mr. Rohr asked if the project might be completed this year. Operations Manager Broecker stated that he expects the project to be done in 2019.

Kim Width, 5075 Island View Drive

Ms. Width noted that no one except the properties fronting the improvement were assessed when Island View Drive was paved between Jacob Road and Eleanor Street. She does not believe it is fair that she now must pay a portion of the Eleanor paving. Operations Manager Broecker clarified that the Island View project was completed under a different special assessment statute by GCRC. The township uses a statute that requires assessment against all properties that benefit from the improvement.

Robert Zabik, 4199 Pavilion Court

Mr. Zabik asked how many properties are proposed to be assessed. Operations Manager Broecker replied that there are 186 properties in the proposed special assessment district, including all properties on Eleanor Street, Island View Drive, Barrington Hills, Chateaux du Lac, Pavilion Drive, Pavilion Court and Pine Bluff Court.

Mr. Zabik asked why the county doesn't pay for improvements. Operations Manager Broecker explained the difference between primary roads, (improvements funded by GCRC), local roads, (improvements funded by township), and residential streets, (improvements funded by special assessment district).

Mr. Zabik stated that the street is in dire need of reconstruction. The sooner this project can be done, the better.

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Chris Swanson

Mr. Swanson, who coordinated the petition process, stated that, although the support among the residents is not unanimous, the road is in desperate need of improvement and a clear majority support the project.

The following individuals stated support for the project and the special assessment district, citing improved safety and elimination of vehicle damage as the primary benefits of the project:

Paul Dorland, 4448 Eleanor Drive
Daniel Markley, 4 Barrington Hills
Ryan La Fontaine, 4579 Eleanor Street

Chairman Krug closed the public hearing.

Operations Manager Broecker presented the following resolution:

RESOLUTION NO. 2018-11

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

WHEREAS, the plans, estimates of cost and proposed special assessment district were filed with the Township Clerk for public examination and notice of the hearing upon the same was published and mailed in accordance with law and statute provided as shown by affidavits pertaining thereto on file with the Township Clerk, and

WHEREAS, in accordance with the aforesaid notices, a hearing was scheduled this 21st day of May 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 determine that the petitions for the Eleanor Street Improvement Special Assessment District were properly signed by the record owners of land whose road frontage constitutes more than 50% of the total road frontage upon the proposed special assessment district.*
- 2. That this township board does hereby approve the preliminary plans for the reconstruction of Eleanor Street from Owen Road to Island View Drive, and the*

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estimate of costs for the completion thereof of \$143,750, (not including financing or administrative costs).

- 3. That this township board does hereby create, determine and define as a special assessment district to be known as the Eleanor Street Improvement Special Assessment District, within which the costs of such improvements shall be assessed according to the benefits, the following described area within said township:*

All properties with frontage on Barrington Hills, Chateaux du Lac, Eleanor Street, Island View Drive, Pavilion Drive, Pavilion Court & Pine Bluff Court

- 4. That on the basis of the foregoing, this township board does hereby direct the Supervisor and assessing officer to make a special assessment roll in which shall be entered and described all the parcels of land to be assessed with the names of the respective owners thereof if known, and a total amount to be assessed against each parcel of land which amount shall be the relative portion of the whole sum to be levied against the parcels of land in the special assessment district as the benefit to the parcel of land bears to the total benefit to all parcels of land in the special assessment district. When the same has been completed, the Supervisor or assessing officer shall affix thereto her certificate stating that it was made pursuant to this resolution and that in making such assessment roll, she has, according to her best judgment, conformed in all respects to the directions contained in this resolution and the applicable state statutes.*
- 5. That all resolutions and parts of resolutions insofar as they conflict with the provisions of the within resolution be and the same are hereby rescinded.*

Motion to adopt Resolution No. 2018-11 as presented.

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

Motion carried. Resolution declared adopted.

The Genesee County Road Commission will provide a formal project agreement to be presented for approval at a future township board meeting.

REPORTS:

None

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

None

UNFINISHED BUSINESS:

Schedule Workshop Meeting

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The board reviewed options for scheduling a workshop meeting. After a brief discussion, the board agreed the schedule the workshop meeting for Monday 6/4/18, after the regular board meeting.

NEW BUSINESS:

Proposed 2019 Local Road Project - Whitaker Road (Linden Road to Harp Drive)

Operations Manager Broecker reported that the Genesee County Road Commission (GCRC) has advised townships of supplemental appropriation funds that have been allocated for local road projects in 2019. Fenton Township's share of this supplemental allocation is \$90,200.

After reviewing potential projects with the Township Engineer and GCRC, the paving of Whitaker Road between Linden Road and Harp Drive has been recommended for funding. This road receives a very high volume of traffic due to its proximity to the Linden County Park, especially during the summer months. Paving this road would be a significant improvement for the residents in that part of Fenton Township.

The estimated cost of the project is \$188,000. After backing out costs for engineering & inspection (provided by GCRC) and the \$90,200 supplemental funding, Fenton Township's remaining cost would be \$59,800. Although the project will not be constructed until 2019, GCRC has asked that projects using supplemental funds be approved as soon as possible so they may begin work on the design.

Trustee Shumaker asked what other roads were considered for improvement. Operations Manager Broecker stated that he did not recall the other roads considered, but could verify that information. *[Note: the other roads considered were Jennings Road from Breeze Pointe Court to Lahring Road, and Ripley Road from Rolston Road to Lahring Road.]*

Motion to approve a 2019 local road project to pave Whitaker Road from Linden Road to Harp Drive, as presented.

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

Motion carried.

Resolution No. 2018-12, Authorization to Issue Capital Improvement Bonds

The board reviewed a proposed resolution authorizing the issuance of up to \$1.35 million in capital improvement bonds. The proceeds of these bonds will be used to pay for the second phase of the sewer pump station upgrade project. It is anticipated that the reduction in repair costs resulting from both phases of the project will more than offset the cost of servicing the debt of both bond issues. The board had previously declared its intent to issue the bonds by resolution on 4/23/18. Operations Manager Broecker presented the following resolution:

RESOLUTION NO. 2018-12

WHEREAS, the Township does hereby determine that it is necessary to pay all or part of the costs of acquiring, constructing, furnishing and equipping improvements to the

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Township's sanitary sewer system, consisting generally of pump station improvements, together with all necessary interests in land, and all related sites, structures, equipment, appurtenances and attachments thereto in the Township (the "Project"); and

WHEREAS, to finance the cost of the Project, the Township Board deems it necessary to borrow the principal amount of not to exceed One Million Three Hundred Fifty Thousand Dollars (\$1,350,000) and issue capital improvement bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), to pay the cost of the Project; and

WHEREAS, a notice of intent for bonds was published in accordance with Act 34 which provides that the capital improvement bonds may be issued without a vote of the electors of the Township unless a proper petition for an election on the question of the issuance of the bonds is filed with the Township Clerk within a period of forty-five (45) days from the date of publication and as of this date no petition has been filed with the Township Clerk; 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. Authorization of Bonds; Bond Terms. *Bonds of the Township designated 2018 CAPITAL IMPROVEMENT BONDS (LIMITED TAX GENERAL OBLIGATION) (the "Bonds") are authorized to be issued in the aggregate principal sum of not to exceed One Million Three Hundred Fifty Thousand Dollars (\$1,350,000) for the purpose of paying all or part of the cost of the Project, including the costs incidental to the issuance, sale and delivery of the Bonds.*

The issue shall consist of bonds fully-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, or alternatively, may consist of a single-instrument, non-convertible bond, as determined at the time of sale. 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"), be payable on November 1 (or such other date as determined at the time of sale thereof) in the years 2019 to 2028, inclusive, in the annual amounts as determined at the time of sale, provided however that the final maturity date shall not be later than November 1, 2028. The Bonds shall bear interest at a rate or rates to be determined upon negotiated sale thereof, payable semi-annually on May 1 and November 1, first payable on such date as determined by an Authorized Officer at the time of sale, provided that the interest rate per annum on the Bonds shall not exceed 5.00%. The Bonds shall be sold at a price not less than 99.50% of their par value. The Bonds may be issued as serial bonds or term bonds or any combination thereof. The Bonds may be subject to redemption prior to maturity in the manner and at the times and prices determined at the time of sale.

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.

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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.

2. 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.

3. 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.*

4. Limited Tax Pledge; Debt Retirement Fund; Defeasance of Bonds. *The Township hereby pledges its limited tax full faith and credit for the prompt payment of the Bonds. The Township shall, each year budget the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Bonds and shall advance as a first budget obligation from its general funds available therefor, or, if necessary, levy taxes upon all taxable property in the Township subject to applicable constitutional and statutory tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year.*

The Treasurer is authorized and directed to open a depository account with a bank or trust company designated by the Township Board, to be designated 2018 CAPITAL IMPROVEMENT BONDS (LIMITED TAX GENERAL OBLIGATION) DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature.

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

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and in amounts sufficient to pay at maturity or irrevocable call for earlier optional 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.

5. Construction Fund; Proceeds of Bond Sale. *The Treasurer is authorized and directed to open a separate depository account with a bank or trust company designated by the Township Board, to be designated 2018 CAPITAL IMPROVEMENT BONDS (LIMITED TAX GENERAL OBLIGATION) CONSTRUCTION FUND (the "Construction Fund") and deposit into said Construction Fund the proceeds of the Bonds less accrued interest, if any, which shall be deposited into the Debt Retirement Fund. 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.*

6. Bond Form. *The Bonds shall be in substantially the following form with such changes as may be required to conform the Bond to the final terms of the Bonds established by the Sale Order:*

[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.]

R-_
UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF GENESEE

CHARTER TOWNSHIP OF FENTON
2018 CAPITAL IMPROVEMENT BOND
(LIMITED TAX GENERAL OBLIGATION)

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>
<u>CUSIP</u>	November 1, 20____	_____, 2018

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

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specified above, in lawful money of the United States of America, on the Maturity Date [specified above] [set forth in Exhibit 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 pursuant to Act 34, Public Acts of Michigan, 2001, as amended, and a resolution duly adopted by the Township Board of the Township for the purpose of paying all or part of the cost of constructing certain capital improvements for the Township.

This bond, including the interest thereon, is payable as a first budget obligation from the general funds of the Township, and the Township is required, if necessary, to levy ad valorem taxes on all taxable property in the Township for the payment thereof, subject to applicable constitutional and statutory tax rate limitations.

Bonds of this issue maturing in the years 2019 to 2025, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds in multiples of \$5,000 of this issue maturing in the year 2026 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 November 1, 2025, at par and accrued interest to the date fixed for redemption.

[Insert Term Bond Provisions, if any]

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

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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.]

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.

FENTON

CHARTER TOWNSHIP OF

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.

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Transfer Agent

By: _____
Authorized Signatory

DATE OF AUTHENTICATION: _____

[Bond printer to insert form of assignment]

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7. Useful Life of Project. *The estimated period of usefulness of the Project is hereby declared to be not less than ten (10) years.*

8. Negotiated Sale. *The Township Board has considered the option of selling the Bonds through a competitive sale and a negotiated sale, and, pursuant to the requirements of Act 34 and upon the advice of the Township's Financial Advisor, hereby determines that a negotiated sale of the Bonds will result in the most efficient and expeditious means of selling the Bonds and will result in the lowest interest cost to the Township.*

9. Placement or Sale of Bonds; Delegation to Authorized Officer; Sale Order. *Each Authorized Officer is hereby authorized to solicit proposals through a private placement with a qualified bank or other sophisticated institutional investor as purchaser thereof (the "Purchaser"). Each Authorized Officer is individually authorized to negotiate and execute a sale order specifying the final terms of the Bonds with the Purchaser and take all other necessary actions required to effectuate the sale, issuance and delivery of the Bonds, subject to the parameters set forth in this Resolution. Alternatively, if deemed appropriate by the financial advisor to the Township and an Authorized Officer, the Township is authorized to sell the Bonds to an underwriter (the "Underwriter") pursuant to a bond purchase agreement, and take all other necessary actions required to effectuate the sale, issuance and delivery of the Bonds, subject to the parameters set forth in this Resolution.*

10. Adjustment of Bond Terms. *Each Authorized Officer is hereby authorized to adjust the final Bond details to the extent necessary or convenient to complete the transaction authorized in this Resolution, and in pursuance of the foregoing are each authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34, 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, designation of series, and other matters, all subject to the parameters established in this Resolution; provided that the principal amount of Bonds issued shall not exceed the principal amount authorized in this resolution, the interest rate per annum on the Bonds shall not exceed five percent per annum (5.00%), the Bonds shall be sold at a price not less than 99.5% of their par value, and the Bonds shall mature no later than eleven years from the date of issue.*

11. Tax Covenant; Qualified Tax Exempt Obligations. *The Township shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of the interest on the Bonds from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended, (the "Code") including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditures and investment of Bond proceeds and moneys deemed to be Bond proceeds, and to prevent the Bonds from being or becoming "private activity bonds" as that term is used in Section 141 of the Code.*

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The Bonds are hereby designated as “qualified tax exempt obligations” for purposes of deduction of interest expense by financial institutions pursuant to the Code.

12. Continuing Disclosure. *In the event the Bonds are sold to an Underwriter, the Township agrees to enter into a continuing disclosure undertaking for the benefit of the holders and beneficial owners of the Bonds in accordance with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission, and the Authorized Officers are each hereby authorized to execute such undertaking prior to delivery of the Bonds. If the Bonds are placed with a Purchaser, the Township will not enter into a continuing disclosure undertaking.*

13. Authorization of Other Actions. *In the event of a public offering, the Authorized Officers are each authorized and directed to cause the preparation and circulation of a preliminary and final official statement with respect to the Bonds; to procure a policy of municipal bond insurance with respect to the Bonds or cause the qualification of the Bonds therefor if the acquisition of such insurance would be of economic benefit to the Township; to obtain ratings on the Bonds; and to take all other actions necessary or advisable, and make such other filings with the Michigan Department of Treasury or with other parties, to enable the issuance, sale and delivery of the Bonds as contemplated herein.*

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

15. 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 the Underwriter and other parties or potential parties to the transaction contemplated by this resolution.*

16. 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. 2018-12 as presented.

Motion by: Tucker

Seconded: Kesler

Ayes: Krug, Tucker, Goupil, Kesler, Shumaker

Nays: None

Absent: Mathis, Lorraine

Motion carried. Resolution declared adopted.

Resolution No. 2018-13, Street Improvement Special Assessment District - North Shore Drive

Operations Manager Broecker reported that property owners on North Shore Drive have filed petitions to create a street improvement special assessment district to repave North Shore Drive. The signatures on the petitions submitted represent over 52% of the total frontage in the proposed district.

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The next step in the process is to conduct a public hearing on the creation of the special assessment district. A resolution has been prepared to acknowledge receipt of the petitions and schedule the public hearing for the 6/4/18 meeting.

Operations Manager Broecker presented the following resolution:

RESOLUTION NO. 2018-13

WHEREAS, the Charter Township of Fenton has accepted petitions from owners of properties benefiting from the proposed improvement of North Shore Drive to create a special assessment district under the authority of Michigan Public Act 188 of 1954, as amended, for the purpose of asphalt resurfacing North Shore Drive, a public street in Fenton Township, 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 resurface North Shore Drive, 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 North Shore Drive Improvement Special Assessment District, which shall include the following parcels of land:

<i>06-33-300-008</i>	<i>06-33-300-013</i>	<i>06-33-651-003</i>	<i>06-33-651-008</i>
<i>06-33-300-009</i>	<i>06-33-300-019</i>	<i>06-33-651-004</i>	<i>06-33-651-009</i>
<i>06-33-300-010</i>	<i>06-33-300-025</i>	<i>06-33-651-005</i>	<i>06-33-651-010</i>
<i>06-33-300-011</i>	<i>06-33-651-001</i>	<i>06-33-651-006</i>	<i>06-33-651-013</i>
<i>06-33-300-012</i>	<i>06-33-651-002</i>	<i>06-33-651-007</i>	<i>06-33-651-014</i>

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 June 4, 2018 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.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF MAY 21, 2018**

Motion to adopt Resolution No. 2018-13 as presented.

Motion by: Goupil

Seconded: Shumaker

Ayes: Krug, Tucker, Goupil, Kesler, Shumaker

Nays: None

Absent: Mathis, Lorraine

Motion carried. Resolution declared adopted.

BOARD COMMENT:

Treasurer Tucker reviewed several agenda items with the members of Boy Scout Troop 212 in attendance.

PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

The following members of Boy Scout Troop 212 posed questions to the township board:

Damion Ketchmark

Mr. Ketchmark asked what is being done about teenage drinking and illegal drug use in Fenton Township. Chairman Krug responded that the township works closely with the Genesee County Sheriff Department to enforce laws relating to underage drinking and illegal drugs. Trustee Goupil added that, as an example, a sheriff deputy will be in attendance at the upcoming Lake Fenton post-graduation party to make sure no alcohol or drugs are present.

Mr. Ketchmark also asked how the board decides who makes a motion or seconds the motion on a specific issue. Trustee Goupil stated there is no specific order. Any board member can make a motion or second.

Henry Tilton

Mr. Tilton asked what Fenton Township is doing about behavior of teenagers on boats in area lakes. Trustee Goupil noted that the Genesee County Sheriff Department has a marine division that patrols the larger lakes on weekends and holidays between Memorial Day and Labor Day. The DNR also patrols local lakes. Officers can make arrests and issue tickets for law violations.

Mr. Tilton also asked what the board does prior to board meeting to prepare for making decisions. Chairman Krug responded that information pertaining to all agenda items is provided to all board members in an electronic packet on the Friday prior to the board meeting. The packet contains all information necessary to make the decisions. Mr. Krug offered to provide a copy of this meeting's electronic packet to the troop.

Jack Tilton

Mr. Tilton asked what young people could do to help Fenton Township deal with how teenagers behave on boats. Trustee Goupil replied that anyone age 18 or older could train to work as a marine deputy. For younger individuals, if you see something, tell your parents or report to the police or township official, as appropriate.

Mr. Tilton also asked what information is looked at by the board when deciding on an issue. Chairman Krug stated that, in addition to the electronic packet mentioned previously, each board member can request additional information from the office staff if necessary. Treasurer Tucker added that each board member makes their decision based

CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES MINUTES FOR REGULAR MEETING OF MAY 21, 2018

on what he/she believes to be in the best interest of the health safety and welfare of the township.

Zach Sprague

Mr. Bauer asked what young people could do to help with the problem of teenage drinking and drug use? Chairman Krug stated that, for the most part, we rely on existing enforcement agencies. What young people can do, is lead by example.

Mr. Sprague also asked how, when discussing a motion, the board members know what questions to ask. Trustee Shumaker stated that each board member reviews the information packet and, if necessary, can ask for clarification or additional information.

Christopher Harper

Mr. Harper asked how the board resolves conflict when discussing a motion. Trustee Goupil responded that the board doesn't necessarily resolve conflict. The board members don't always agree and, in those situations, majority rules. Treasurer Tucker added that decisions are not based on how many people in the audience are for or against a specific action. Residents are more likely to show up at a meeting to fight something they oppose than to support something they like. The board must make their decision based on what is best for all affected people and/or the whole township in general.

Will Hansard

Mr. Hansard asked how the board members arrive at their individual opinions on a specific issue. Chairman Krug stated that, in addition to using the information packet, board members might also obtain feedback from people they know, or residents directly affected by the specific issue. Also, as in the case of a public hearing, the board accepts input from audience members. Ultimately, each decision is based on what is best for the township, in each board member's opinion.

Andrew Kelly

Mr. Kelly asked if the township could use a facility like the closed Kmart store for a youth skate park. Chairman Krug noted that the Kmart store is in the City of Fenton rather than Fenton Township. The township has, however, recently developed a portion of a tax-reverted property into a regional dog park, and hopes to expand that same property with other recreational facilities. Treasurer Tucker pointed out that these types of improvements cost money and funding can be very tight. The township pursues grants whenever possible to fund these types of worthwhile projects.

Henry Tilton added that the Venture Scout Troop, to which he also belongs, is holding a murder mystery/spaghetti dinner on 6/16/18 at Fenton United Methodist Church. This event will raise funds to send scouts to a leadership course in Arizona.

The scouts thanked the board for the opportunity to ask their questions. The board thanked the scouts for attending and encouraged them to stay involved in their communities.

Ian Shetron, Republican candidate for 51st District State Representative

Mr. Shetron again presented his campaign platform for his State Representative candidacy:

- State income tax

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- Pension tax
- Road funding
- No fault auto insurance

CLOSED SESSION:

Motion to recess the regular meeting to convene a closed session to discuss pending litigation

Motion by: Goupil
Seconded: Shumaker
Ayes: All Present
Nays: None
Absent: Mathis, Lorraine

Motion carried.

The regular meeting was recessed at 8:55 p.m.

The open meeting was reconvened at 9:10 p.m. No decisions were made during the closed session.

ADJOURN: Meeting adjourned at 9:10 p.m.

Robert Krug, Chairman Pro-Tem

Thomas Broecker, Deputy Clerk

Minutes Posted 05/23/18