

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF JUNE 4, 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, 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 requested that the following item be added to the agenda:

*Appointments to Fenton Township Planning Commission*

Motion to approve the 6/4/18 Fenton Township Board Meeting agenda as amended.

Motion by: Tucker

Seconded: Lorraine

Ayes: All

Nays: None

Motion carried. The agenda is approved.

**PRESENTATION:**

**Mass Transportation Authority**

Supervisor Mathis introduced Mike Messer from Genesee County Mass Transportation Authority. Mr. Messer gave a brief presentation on MTA services and also discussed a millage renewal, which will be on the August 7 ballot. The board thanked Mr. Messer for his informative presentation.

**MEETING MINUTES:**

The minutes for the 5/21/18 regular meeting and 5/29/18 special meeting stand approved as presented.

**EXPENDITURES:**

Treasurer Tucker questioned the invoice for ice machine repairs. Operations Manager Broecker explained that the ice machine broke down and required significant maintenance, including new parts. Supervisor Mathis questioned the invoice from Swartz Ambulance Service. Operations Manager Broecker stated that the invoice is for emergency medical training classes for four township firefighters. Motion to approve invoices and expenditures for all funds totaling \$147,658.86 for payment as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Motion carried.

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**PUBLIC HEARINGS:**

**Proposed Street Improvement Special Assessment District – North Shore Drive**

Supervisor Mathis opened a public hearing for a proposed special assessment district for the repaving of North Shore Drive. The preliminary estimated cost of the project is \$80,000.00. 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:

Mark Federoff, 4177 North Shore Drive

Mr. Federoff circulated a photo of North Shore Drive from before development of condominiums in 1991. He believes that the deterioration of the road is due to the construction traffic that took place after the road was built. He and the other original property owners should pay less than the newer homes. Attorney Belzer pointed out that the special assessment statute requires that all properties that benefit from the improvement be assessed for the cost. Treasurer Tucker pointed out that a finished road should be able to withstand all legal construction traffic. The typical useful life of a road is 25-30 years so this road does not appear to have deteriorated prematurely.

Mr. Federoff also asked about early payoffs for the special assessment. Operations Manager Broecker confirmed that, once the special assessment roll is confirmed, each property owner would have a minimum 30-day window to pay off the special assessment with no interest. Payoffs with interest to date may also be made at any time after the initial grace period.

Mr. Federoff asked what the expected life of the improved road would be. Treasurer Tucker noted that his neighborhood is doing a very similar project, (mill off 2" and a 2" cap), and the "official" useful life of this type of improvement is 7-10 years. Unofficially, it should last up to 15 years.

Mr. Federoff claimed that the property at 4459 Owen Road has frontage on North Shore Drive and should be added to the special assessment district. It was clarified that this parcel fronts Owen Road and will not have access to North Shore Drive. Since the property will not benefit from the improvement, it will not be assessed

Randy Haney, 4234 North Shore Drive

Mr. Haney noted that alternate bids that were obtained for the roadwork. He is pleased with the proposal from Delta Paving.

Chad Miller, 4246 North Shore Drive

Mr. Miller stated that he supports the project. He added that a majority of property owners support the project. The road needs to be improved before more extensive work is needed.

John Behnfeldt, 4199 North Shore Drive

Mr. Behnfeldt also supports the project. He also asked about future maintenance, such as crack sealing. Operations Manager Broecker explained that the Township and Genesee

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County Road Commission are working together to identify several streets each year that would benefit from crack sealing. If North Shore Drive is a good candidate for crack sealing at some point in the future, the township could add it to the list.

Supervisor Mathis closed the public hearing.

Clerk Krug presented the following resolution:

**RESOLUTION NO. 2018-14**

*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 preliminary 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 4th day of June 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 North Shore Drive 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 resurfacing of North Shore Drive, and the estimate of costs for the completion thereof of \$80,000.*
- 3. That this township board does hereby create, determine and define as a special assessment district to be known as the North Shore Drive Improvement Special Assessment District, within which the costs of such improvements shall be assessed shall include the following parcels of land:*

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

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06-33-651-005                      06-33-651-007                      06-33-651-009                      06-33-651-013  
06-33-651-006                      06-33-651-008                      06-33-651-010                      06-33-651-014

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. 2018-14 as presented.

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

Motion carried. Resolution declared adopted.

A special assessment roll will be created after the Genesee County Road Commission approves the engineering plans for this project.

**REPORTS:**

None

**COMMUNICATIONS:**

None

**ADOPTION OF ORDINANCES:**

None

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

**Genesee County Road Commission Local Road Agreement – Eleanor Street Reconstruction**

Supervisor Mathis noted that the board adopted a resolution at the 5/21/18 meeting to create the Eleanor Street Improvement Special Assessment District. The next step in the process is to approve a local road agreement with the Genesee County Road Commission for the reconstruction of Eleanor Street between Owen Road and Island View Drive.

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Motion to approve the local road agreement with the Genesee County Road Commission for the reconstruction of Eleanor Street between Owen Road and Island View Drive, as presented.

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

Motion carried.

**Genesee County Road Commission Local Road Agreement – Whitaker Road Paving**

Supervisor Mathis noted that the board approved a 2019 local road project at the 5/21/18 meeting to pave Whitaker Road between Linden Road and Harp Drive. The Genesee County Road Commission has provided a local road agreement for board approval. Supervisor Mathis noted that this section of Whitaker Road receives a large amount of traffic due to the park.

Motion to approve the local road agreement with the Genesee County Road Commission for the paving of Whitaker Road between Linden Road and Harp Drive, as presented.

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

Motion carried.

**Appointments to Fenton Township Planning Commission**

Supervisor Mathis noted that the terms of Planning Commissioners Scott Hemeyer, Mark Mustola and Donna Warren expired as of May 31, 2018. All three have done an excellent job on the Planning Commission. Scott Hemeyer has advised that he does not wish to be re-appointed at this time, however both Mark Mustola and Donna Warren have indicated a desire to be re-appointed. She is recommending that both be re-appointed to 3-year terms.

Trustee Shumaker suggested, for future appointments, having the individuals meet with board prior to taking action on appointment or re-appointment. This would give the board a good sense of whether the appointee is a good fit for the position. Attorney Belzer also suggested continuing education be a requirement for all appointed boards.

Motion to re-appoint Mark E. Mustola to the Fenton Township Planning Commission for the term ending May 31, 2021.

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

Motion carried.

Motion to re-appoint Donna L. Warren to the Fenton Township Planning Commission for the term ending May 31, 2021.

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

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Nays: None  
Motion carried.

**BOARD COMMENT:**

None

**PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:**

Stephanie Witucki, candidate for Genesee County Circuit Court Judge  
Ms. Witucki asked for board's support in upcoming primary election. There are eight candidates running for two seats on the bench, however, as a court referee, she is the only candidate already hearing cases assigned by judges. Ms. Witucki thanked the board for the opportunity to speak.

Dave Hawcroft, 3302 Ponemah Drive

Mr. Hawcroft asked if there are any updates on Marine Patrol operations. Detective Bill Lanning stated that patrol boats were out on Memorial Day weekend with no major incidents. The Marine Patrol will have a significant presence over the July 4 and Labor Day holidays.

Mr. Hawcroft also asked about the timing of lake treatments. The general consensus is that the applicators generally post the required notices the day before or the day of the treatments. The Township will follow up with the service providers to see if they will notify the Township of treatments so an additional notice can be posted on the website.

**ADJOURN:** Meeting adjourned at 8:42 p.m.

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Bonnie Mathis, Supervisor

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Robert Krug, Clerk

**Minutes Posted 06/5/18**