

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF SEPTEMBER 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 (arrived 7:34 p.m.), 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:

Motion to approve the 9/4/18 Fenton Township Board Meeting agenda as presented.

Motion by: Goupil

Seconded: Lorraine

Ayes: All Present

Nays: None

Absent: Krug

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes for the 8/20/18 regular meeting stand approved as presented.

EXPENDITURES:

Supervisor Mathis questioned the GCRC invoice for chloride. Operations Manager Broecker clarified that the invoice is for Fenton Township's share of the last chloride application for unpaved roads. Motion to approve invoices and expenditures for all funds totaling \$342,878.25 for payment as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Absent: Krug

Motion carried.

PUBLIC HEARINGS:

Proposed Lake Improvement Special Assessment District – Little Long Lake

Supervisor Mathis opened a public hearing on the creation of a new lake improvement special assessment district for Little Long Lake. If approved, the project would consist of a 5-year continuation of a weed control program for Little Long Lake. The estimated cost of the project is \$18,725, 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:

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Lori Sowle, 12233 Dalhart Drive

Ms. Sowle stated that she was the circulator of the original petition five years ago, when the condition of the lake was very poor. She believes the treatments have greatly improved the quality of the lake over the past few years and she supports continuing the program to maintain that quality. Ms. Sowle asked the board to approve another 5-year assessment.

Charles Jinks, 12127 Dalhart Drive

Mr. Jinks believes the treatment of the lake has caused the lake water to be cloudier and has negatively affected wildlife. Mr. Jinks believes the treatments are a waste of money. He believes it is simpler to pull out the weeds instead of using chemicals. He wants a natural, spring-fed lake with no chemicals.

John Rush, 12356 Dollar Lake Court

Mr. Rush is not in the proposed special assessment district, but lives on the channel connecting Little Long Lake and Dollar Lake. As an avid fisherman, he has not seen any negative impacts on the size or health of fish. Letting lakes go "natural" is not a viable option due to the presence of invasive weeds. Mr. Rush also coordinates the weed control program for Dollar Lake, noting that each lake typically receives three treatments each year: May, July and late August.

Sandy Jinks, 12127 Dalhart Drive

Ms. Jinks stated that many property owners in the proposed district are opposed to continuing the weed control program. She expressed concern that the lake is unusable for a few days every time a treatment is done.

Mike Dupuis, 2045 North Long Lake Road

Mr. Dupuis stated that the existence of a weed control program to maintain the lake quality was one of the reasons he bought his property. Not being able to swim in the lake for a couple of days 2-3 times per year is not a significant inconvenience.

Aliza Grant, 12169 Dalhart Drive

Ms. Grant stated that many of the weeds are impossible to pull out. She supports continuation of the weed control program.

Patty Hunt, 2037 North Long Lake Road

Ms. Hunt stated that she has lived on Little Long Lake for 40 years. About 10-15 years ago, the weeds got so bad, they couldn't use the lake, and fish populations were negatively impacted. The treatments over the last few years have definitely improved the quality of the lake.

Karol McKay,

Ms. McKay stated that she enjoys the wildlife around the lake and believes the fish population is healthy. She agrees with continuing the weed control program.

Jim Monaghan, 12194 Dalhart Drive

Mr. Monaghan noted that many other lakes, including Lake Fenton, are treated for weeds and is not aware of any negative impacts. He believes the quality of the lake affects the resale value of lakefront homes. Mr. Monaghan supports the new special assessment.

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Treasurer Tucker advised that the board wants to do what a majority of the property owners want to do, recognizing that not everyone will agree. Supervisor Mathis added that most of the lakes in Fenton Township have similar weed control programs and she believes those programs are effective. Trustee Goupil echoed Treasurer Tucker's comments. He supports the majority of property owners.

Clerk Krug presented the following resolution:

RESOLUTION NO. 2018-25

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 4th day of September 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 Little Long Lake and services related thereto, as submitted, and the estimate of costs for the completion thereof of \$18,725.00.*
- 2. That this township board does hereby create, determine and define as a special assessment district to be known as Little Long Lake 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 abutting Little Long Lake

- 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*

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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.*

Motion to adopt Resolution No. 2018-25 as presented.

Motion by: Krug

Seconded: Lorraine

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

Nays: None

Motion carried. Resolution declared adopted.

Supervisor Mathis stated 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. Clerk Krug presented the following resolution:

RESOLUTION NO. 2018-26

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 \$20,725.60 covering all parcels of land in Little Long Lake 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 October 1, 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 such hearing to be mailed by first class mail to all owners of or persons interested in property within Little Long Lake 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.*

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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. 2018-26 as presented.

Motion by: Krug

Seconded: Tucker

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

Nays: None

Motion carried. Resolution declared adopted.

REPORTS:

Sewer Refunding Bond Issue – Sale Update

Operations Manager Broecker reported that the refunding bonds approved by the board at the 8/6/18 meeting were sold last week. Chase Bank was the low bidder at 2.92%, (pre-sale estimate was 3.25%). The interest savings over the remaining life of the bonds is approximately \$245,000.

Public Safety Committee Update

Trustee Goupil gave an update on recent Fire Department issues:

- The rolling door on one of the new trucks required repair recently.
- An ongoing “check engine” light issue with one of the older trucks is being addressed through our service contractor.
- The Fire Chief’s Tahoe underwent recall repair and routine maintenance recently.
- The Fire Department responded to 63 alarms in August.

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Resolution No. 2018-27, Schedule Public Hearing on 2018 Fenton Township Fire Protection Special Assessment Roll

Supervisor Mathis stated that, in keeping with past practice and policy, the board needs to schedule a public hearing for the 9/17/18 meeting for the 2018 Fenton Township Fire Protection Special Assessment Roll. The proposed roll maintains the assessment amount at \$65 per parcel. A resolution has been prepared to formally schedule the public hearing. There was no further discussion. Clerk Krug presented the following resolution:

RESOLUTION NO. 2018-27

WHEREAS, the supervisor and assessing officer of the Charter Township of Fenton has, in accordance with PA 81 of 1989, as amended, prepared a special assessment roll in the total amount of \$536,705.00, covering all parcels of land within the Fenton Township Fire Protection Special Assessment District, and has affixed thereto her certificate as required by said PA 81;

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NOW, THEREFORE, BE IT RESOLVED, 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 through the date of the public hearing upon the same and shall further be examined at such public hearing, and

BE IT FURTHER RESOLVED, that the Fenton Township Board shall meet at 7:30 p.m. on September 17, 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, and

BE IT FINALLY RESOLVED, that the Township Clerk shall cause notice of such hearing and the filing of such assessment roll to be published in a newspaper of general circulation in the township not less than five (5) days prior to the hearing, in accordance with the law and statute provided.

Motion to adopt Resolution No. 2018-27 as presented.

Motion by: Krug

Seconded: Tucker

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

Nays: None

Motion carried. Resolution declared adopted.

Proposed Building Inspection Services Agreement

Operations Manager Broecker reported that, in response to the termination of the building inspection services agreement with D&G of Michigan, the township placed advertisements to identify a new company or individual to provide building department services. A total of three responses were received and, based on a review of the proposals, the recommendation is to contract with Stuart Worthing for building inspection services. Mr. Worthing, who has worked for Fenton Township in the past, has a great deal of experience in building and building inspection and will do an excellent job for Fenton Township. The board reviewed the proposed agreement between the Township and Mr. Worthing for building inspection and plan review services for the period ending 12/31/20.

Motion to approve the building inspection services agreement between Fenton Township and Stuart M. Worthing, as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Motion carried.

Compensation Adjustment – Interim Fire Chief

Supervisor Mathis noted that the board briefly discussed a temporary pay increase for Interim Fire Chief Steve Haiser at the 8/20/18 meeting, and decided to add it to this meeting's agenda. Operations Manager Broecker confirmed that, based on discussions with Mr. Haiser, he is working 40 or more hours per week and has taken on virtually all of the Fire Chief duties during this interim period. Trustee Goupil stated that he believes the temporary pay increase should be equal to the current Fire Chief's salary. The board briefly discussed the issue further and agreed with Trustee Goupil's suggestion.

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Motion to approve a temporary salary increase for Interim Fire Chief Steve Haiser equal to the salary for Fire Chief Ryan Volz, retroactive to July 10, 2018.

Motion by: Goupil

Seconded: Kesler

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

Nays: None

Motion carried.

Proposed Elimination of 2018 Assessment – Lake Fenton Improvement Special Assessment District

The board reviewed a request from George Dyball of the Lake Fenton Property Owners Association regarding their lake improvement special assessment district. Mr. Dyball reports that savings from the first four years of lake treatments have created a fund surplus sufficient to pay for 2019 lake treatment expenses. Therefore, they are requesting that the 2018 assessment not be collected.

Motion to not collect the 2018 assessments for the Lake Fenton Improvement Special Assessment District.

Motion by: Lorraine

Seconded: Tucker

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

Nays: None

Motion carried.

Proposed Employee Handbook

The board reviewed a proposed new employee handbook for Fenton Township, which was distributed for review at the 8/20/18 meeting. Trustee Goupil questioned the language regarding solicitation in the office. Attorney Belzer confirmed the language is appropriate. Additional discussion ensued, including a general acknowledgement that the board has the ability to update the manual as needed.

Motion to adopt the Fenton Township Employee Handbook as presented.

Motion by: Goupil

Seconded: Kesler

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

Nays: None

Motion carried.

Proposed License Renewal – Linden Road Soccer Park

Operations Manager Broecker noted that the property commonly known as the Deer Run Soccer Park (Linden Road, north of Owen Road) is owned by Genesee County Parks & Recreation (GCPR). In 1995, GCPR approved a 25-year license (lease) to Fenton Township. The Township then approved a 25-year sub-license with AYSO Region 417. For the past 23 years, AYSO has done a fine job of developing and maintaining the property as an excellent soccer venue, hosting multiple leagues and tournaments throughout the year.

AYSO has indicated they would like to upgrade the roadway/driveway within the complex. With the expiration of the license and sub-license less than two years away, AYSO would

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like to extend their sub-license with the Township before investing in roadway improvements. If the board is agreeable to a new sub-license with AYSO, the Township will need to approach GCPR about extending or renewing the original license.

At this time, a consensus of the board will be sufficient to initiate discussions with GCPR on a new license. Once a new license and sub-license have been drafted, they would be presented to the township board for formal approval.

The board discussed several concerns, including AYSO's reluctance to allow other organizations or individuals to use the facility when not in used by AYSO. After additional discussion, Clerk Krug, as chair of the Parks & Recreation Committee, offered to schedule a meeting to begin discussions.

Resolution No. 2018-28, GCRC Permit for LFHS Homecoming Parade

Supervisor Mathis reported that Lake Fenton High School wishes to hold their annual Homecoming Parade along Torrey Road between North Long Lake Road and Lahring Road. The date of the parade is Friday 10/5/18. The Road Commission requires the Township Board to authorize the appropriate application. A resolution has been prepared for that authorization. Clerk Krug presented the following resolution:

RESOLUTION NO. 2018-28

WHEREAS, Lake Fenton High School wishes to make application to the Genesee County Board of Road Commissioners for a permit to hold a Homecoming Parade within the road right-of-way of Torrey Road, and

WHEREAS, approval of the local unit of government, by resolution, is required to obtain said permit;

NOW, THEREFORE, BE IT RESOLVED, that Lake Fenton High School is hereby authorized to make application to the Genesee County Road Commission on behalf of the Charter Township of Fenton in the county of Genesee, Michigan for the necessary permit(s) to:

Hold a Homecoming Parade on Friday October 5, 2018, between the hours of 4:00 p.m. and 6:00 p.m.

*within the right-of-way of **Torrey Road between North Long Lake Road and Lahring Road**, as requested.*

Motion to adopt Resolution No. 2018-28 as presented.

Motion by: Goupil

Seconded: Lorraine

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

Nays: None

Motion carried. Resolution declared adopted.

BOARD COMMENT:

None

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PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

Tod Shull, Fenton Township Fire Department

Mr. Shull expressed several concerns relating to fire department operations. Attorney Belzer advised Mr. Shull to submit those concerns in writing to the interim Fire Chief.

ADJOURN: Meeting adjourned at 9:11 p.m.

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 09/5/18