

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF OCTOBER 15, 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 (arrived 7:35 p.m.), 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 10/15/18 Fenton Township Board Meeting agenda as presented.

Motion by: Goupil

Seconded: Shumaker

Ayes: All Present

Nays: None

Absent: Tucker

Motion carried. The agenda is approved.

PRESENTATION:

TAP Grant Presentation – Multi-Use Trail Project

Supervisor Mathis introduced Vince Paris, Director of Southern Lakes Parks & Recreation, and Fenton City Manager Lynn Markland. Mr. Paris and Mr. Markland presented information regarding the proposed network of non-motorized trails throughout the Linden, Argentine, Fenton and Fenton Township (LAFF) region. Mr. Paris outlined a grant funding program to generate funds to construction the multi-use trails, the first of which is a pathway from the City of Linden to the City of Fenton along Silver Lake Road. They are requesting a matching fund commitment of \$15,000, (\$5,000 per year for three years), from Fenton Township to allow the City of Fenton to apply for the Genesee County TAP grant, which is the first of the potential grants available. Southern Lakes Parks and Recreation, the City of Fenton and the City of Linden have already made similar commitments for matching funds. The LAFF Pathway organization has committed \$48,000 toward the matching fund requirement. It was emphasized that, if the planned millage/bond proposal for the trail system passes in 2019, those funds could be used for the local match and the local communities would not be required to provide any funds.

Motion to commit \$15,000 over a 3-years period in local matching funds for the City of Fenton application to Genesee County for TAP grant funding, as presented.

Motion by: Shumaker

Seconded: Kesler

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

Nays: Krug

Motion carried.

MEETING MINUTES:

Treasurer Tucker noted that he had requested minor revisions to the minutes regarding the language in the dry hydrant easement agreement. The minutes for the 10/1/18 regular meeting stand approved as revised.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF OCTOBER 15, 2018**

EXPENDITURES:

Supervisor Mathis questioned the \$35.00 payment to the General Fund. Operations Manager Broecker advised that the \$35.00 payment represents partial forfeiture of a hall rental deposit, likely for failure to observe all cleanup rules. Supervisor Mathis also questioned the \$303.22 payment to Gerald Eisenbeis. Operations Manager Broecker clarified that Mr. Eisenbeis is the coordinator for maintenance on Curtwood Drive (a private road). In this instance, Mr. Eisenbeis paid the contractor directly for some routine maintenance work. The township is reimbursing him from the Curtwood Drive private road maintenance special assessment fund. Motion to approve invoices and expenditures for all funds totaling \$500,303.72 for payment as presented.

Motion by: Tucker

Seconded: Lorraine

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

Nays: None

Motion carried.

PUBLIC HEARINGS:

North Shore Drive Improvement Special Assessment District - Hearing on Cost Increase and Special Assessment Roll

Supervisor Mathis opened a public hearing on revised costs and the special assessment roll for the North Shore Drive Improvement Special Assessment District. The proposed cost of the project is approximately \$29,000 higher than the original estimate. Because the revised cost exceeds the previous estimated cost by more than 10%, the board will first hear comment regarding the cost increase and whether or not the property owners wish to continue the project. After accepting public comment, there are two options:

1. Reject the revised cost and re-bid the project for 2019 construction.
2. Agree to the new cost and continue the special assessment process.

Public Comment:

Joe Mrozinski, 4229 North Shore Drive

Mr. Mrozinski, President of the North Shore Estates Homeowners Association, reported that every property owner that signed the original petition was advised of the cost increase and all are still in support of the project.

There was no further comment on the increased cost.

Supervisor Mathis pointed out that re-bidding the project does not guarantee a lower cost. There is some risk either way.

Treasurer Tucker asked what percentage of the property owners signed the original petition. Operations Manager Broecker confirmed that the petition contained signatures of 52.45% of the frontage and 65% of the parcels (13 of 20).

Hearing no objection to the increased cost, Supervisor Mathis continued the public hearing. The board will accept comment on the following:

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

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF OCTOBER 15, 2018**

3. The validity of the proceedings to date.

Public Comment:

Mike Nickola, 4216 North Shore Drive

Mr. Nickola stated that he is fine with the cost increase and supports moving the project forward.

There was no further public comment. The public hearing was closed. Clerk Krug presented the following resolution:

RESOLUTION NO. 2018-35

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 assessment roll prepared by the supervisor and assessing officer of the Township for the purpose of defraying the costs of the street improvement project proposed to be installed within the North Shore Drive Improvement Special Assessment District as shown on the plans and specification 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. 2018-06, and shall hereby be confirmed as the assessment roll for the North Shore Drive Improvement Special Assessment District.*
2. *The assessments in said Fenton Township Special Assessment Roll No. 2018-06 shall be divided into ten (10) equal annual installments of principal with the first installment to be due on or before December 1, 2018 and the following installments to be due on or before the 1st day of the same month of each and every year thereafter. All unpaid installments prior to their transfer to the tax roll as provided by Michigan Public Act 188 of 1954, as amended, shall bear interest payable annually on each installment due date at the annual rate of four percent (4%), commencing on the first installment due date hereinbefore set forth.*

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF OCTOBER 15, 2018**

3. *Future due installments of an assessment against any parcel of land may be paid to the township treasurer at any time in full with interest accrued through the month in which the final installment is paid in accordance with Michigan Public Act 188 of 1954, as amended. If any installment of a special assessment is not paid when due, then the installment shall be considered to be delinquent and there shall be collected, in addition to interest as provided by this section, 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, also in accordance with said 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. *The North Shore Drive Road Agreement with the Genesee County Road Commission is hereby approved.*
6. *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. 2018-35 as presented

Motion by: Krug

Seconded: Goupil

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

Nays: None

Motion carried. Resolution declared adopted.

Proposed Solid Waste Collection Special Assessment District - 1st Hearing

Supervisor Mathis opened a public hearing on the creation of a special assessment district to continue our existing residential solid waste collection program. The scope of services will be the same as our current program. The anticipated amount to be assessed is \$180.00 per household per year for four years. 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 scope of work (or "plans") for the improvement
5. The cost estimates for the improvement

Operations Manager Broecker briefly reviewed the proposed special assessment, including a clarification that this is not a new assessment or a new program, but simply a continuation of the existing program. The increased cost of \$180 per year is due primarily to a value reduction in recycling materials commodity, which drives the collection cost up.

Public Comment:

Mike Nickola, 4216 North Shore Drive

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF OCTOBER 15, 2018**

Mr. Nickola asked if the assessment could be reduced if the recycling commodities market improves. Operations Manager Broecker stated that this would be discussed before executing the final contract with the service provider.

Nikki Black, 1422 Blue Water Drive

Ms. Black asked if there would be any changes to the recycling program. Supervisor Mathis stated that a new recycling brochure is being developed. The new brochure will provide additional direction and clarification, however there will be no major changes to the program.

Gloria Waterson, 4411 Owen Road

Ms. Waterson stated that their home is 750 feet from Owen Road and getting the carts to the road is difficult. Supervisor Mathis stated that Republic offers "Pick-Up Service" for certain circumstances. She suggested that Mr. & Ms. Waterson fill out a request form to see if setting up this service is feasible for their location.

There was no further comment. The public hearing was closed.

Clerk Krug presented the following resolution:

RESOLUTION NO. 2018-36

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 a scope of services and estimates of cost together with a proposed special assessment district for assessing the costs of continuing the existing residential solid waste collection services, and to schedule a public hearing upon the same for this date, and

WHEREAS, the preliminary scope of services, 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 15th day of October 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 continuation of residential solid waste collection services 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 scope of services for continuation of the existing residential trash, recycling and yard waste collection and disposal and services related thereto, as submitted, and the revised estimate of costs for the completion thereof of \$1,100,000.00 per year.*

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF OCTOBER 15, 2018**

2. *That this township board does hereby create, determine and define as a special assessment district to be known as the Fenton Township Solid Waste Collection Special Assessment District, within which the costs of such improvements shall be assessed according to benefits, the following described area within said township:*

All parcels in the Charter Township of Fenton upon which there is located a single-family residential dwelling

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.*
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. 2018-36 as presented.

Motion by: Krug

Seconded: Kesler

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

Nays: None

Motion carried. Resolution declared adopted.

Supervisor Mathis stated that, in anticipation of the adoption of the previous resolution, a special assessment roll has been created, certified and filed with the Township Clerk. Clerk Krug presented the following resolution:

RESOLUTION NO. 2018-37

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 \$1,095,840.00 per year covering all parcels of land in the Fenton Township Solid Waste Collection Special Assessment District 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.*

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF OCTOBER 15, 2018**

2. *That the Fenton Township Board shall meet at 7:30 p.m. on October 29, 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 the Fenton Township Solid Waste Collection Special Assessment District 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. 2018-37 as presented.

Motion by: Krug

Seconded: Kesler

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

Nays: None

Motion carried. Resolution declared adopted.

REPORTS:

Fire Department - 3rd Quarter Report

Fire Chief Ryan Volz reviewed 3rd quarter Fire Department statistics:

Total alarms	174 (19 in Tyrone Twp.)
Fires/Explosions	12
EMS	124
Hazardous conditions	5
Service calls	11
Good intent calls	15
False alarms	7

Trustee Goupil noted that about 10% of the total calls are in Tyrone Township. He asked if the fees charged are sufficient to cover costs. Chief Volz confirmed that they are. The board thanked Chief Volz for his report.

Ordinance Enforcement - 3rd Quarter Report

The board reviewed the 3rd quarter report from Ordinance Enforcement Officer Patrick Shaw. Tall grass, junk vehicles, blight and sight line issues were the highest volume complaint categories for the quarter.

APM Mosquito Control Annual Report

The board reviewed the annual report from APM Mosquito Control. Dry weather conditions throughout the summer resulted in lower mosquito populations and lower programs costs. The final cost for 2018 was approximately \$23,000 under budget.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF OCTOBER 15, 2018**

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

None

UNFINISHED BUSINESS:

Schedule Special Meeting/Work Session

Supervisor Mathis requested that a special meeting be scheduled to conduct a work session to discuss several different issues. Treasurer Tucker noted that the soon-to-be-hired Planning/Zoning Administrator and a proposed Zoning Ordinance amendment regarding accessory buildings are among the probable agenda items. After a brief discussion, the board agreed to schedule the meeting for Monday November 12 at 6:00 p.m.

NEW BUSINESS:

Security System Proposals - Fenton Township Fire Stations

Supervisor Mathis reported that Fire Chief Volz has solicited proposals to install security cameras and card access systems at both fire stations. Chief Volz reviewed the cost proposals and the system features. He is recommending approval of the proposal from UTS. The initial cost and the annual service charge is significantly less than proposals from ADT and Johnson Controls.

Motion to approve the purchase of security camera and card access systems for Fenton Township Fire Stations No.1 and No. 2 from UTS, as presented.

Motion by: Shumaker

Seconded: Goupil

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

Nays: None

Motion carried.

Proposed Employment Screening Services Agreement

Supervisor Mathis noted that, as discussed at previous meetings, the Township has been reviewing options for conducting pre-employment background checks for prospective new employees. Background Check Central, (aka Advanced Surveillance Group, Inc.), is a Michigan based company with a great deal of experience in providing employment screening services. The board reviewed a proposed agreement to utilize these services.

Treasurer Tucker questioned the disclaimer language in the proposed agreement. Attorney Belzer stated that the disclaimer language is typical for this type of service. Trustee Lorraine stated that the cost seems a little high and suggested soliciting additional proposals. The board also discussed whether such a service would be used on new/prospective employees only, or for all existing employees. If background checks are requested for new employees only, the cost per report is less of an issue.

A motion was made by Trustee Lorraine and seconded by Trustee Goupil to approve Employment Screening Services Agreement with Advanced Surveillance Group, Inc. After additional discussion, the board agreed to gather more information and bring the issue back to the table at the 10/29/18 meeting. The motion and second were withdrawn.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF OCTOBER 15, 2018**

BOARD COMMENT:

None

PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

None

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

Bonnie Mathis, Supervisor

Robert Krug, Clerk

Minutes Posted 10/16/18