

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF OCTOBER 29, 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, Shumaker, Attorney Belzer and Operations Manager
Broecker.

Absent: Mathis, Kesler, Lorraine

OPENING PRAYER / PLEDGE OF ALLEGIANCE:

Trustee Goupil offered the opening prayer. Clerk Krug led the pledge of allegiance to the flag.

APPOINTMENT OF TEMPORARY CHAIRPERSON:

Clerk Krug noted that, due to the absence of the Supervisor, a temporary chairperson must be appointed.

Motion to appoint Clerk Krug as temporary chairman.

Motion by: Goupil

Seconded: Tucker

Ayes: All Present

Nays: None

Absent: Mathis, Kesler, Lorraine

Motion carried.

APPROVAL OF AGENDA:

Treasurer Tucker requested that the three resolutions relating to the water supply systems at mobile home communities be removed from the agenda. He would like to discuss at the upcoming special meeting before taking any action. Motion to approve the 10/29/18 Fenton Township Board Meeting agenda as amended.

Motion by: Tucker

Seconded: Goupil

Ayes: All Present

Nays: None

Absent: Mathis, Kesler, Lorraine

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes for the 10/15/18 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$95,534.04 for payment as presented.

Motion by: Tucker

Seconded: Shumaker

Ayes: Krug, Tucker, Goupil, Shumaker

Nays: None

Absent: Mathis, Kesler, Lorraine

Motion carried.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF OCTOBER 29, 2018**

PUBLIC HEARINGS:

**Fenton Township Solid Waste Collection Special Assessment District – Hearing on
Special Assessment Roll**

Chairman Krug opened a public hearing on the special assessment roll for the Fenton Township Solid Waste Collection Special Assessment District to continue the existing residential solid waste collection program. The scope of services will be the same as the current program. The amount to be assessed is \$180.00 per household per year for four years. The board will accept public comment on the following:

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

Public Comment:

Bob Thornton, 4468 Lahring Road

Mr. Thornton stated that the board has done a good job negotiating the rates for the residents. \$15 per month is a good value.

Fred Hensler, 14007 Swanee Beach Drive

Mr. Hensler asked if residents have the option of smaller containers. Treasurer Tucker confirmed that township residents can choose between 65-gallon and 95-gallon carts for both trash and recycling.

Dawn Thornton, 4468 Lahring Road

Ms. Thornton stated that she paid \$22 per month for similar service in the Lansing area. \$180 per year is an excellent rate.

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

Operations Manager Broecker presented the following resolution:

RESOLUTION NO. 2018-38

WHEREAS, the township board of the Charter Township of Fenton, Genesee County, Michigan, after due and legal notice, has conducted a public hearing upon a proposed special assessment roll prepared by the supervisor and assessing officer of the Township for the purpose of defraying the costs of the solid waste collection program within the Fenton Township Solid Waste Collection Special Assessment District as shown on the scope of service and specifications for such project, and

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

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

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

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF OCTOBER 29, 2018**

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. 2018-07 and shall hereby be confirmed as the special assessment roll for the Fenton Township Solid Waste Collection Special Assessment District.*
- 2. The assessments in said Fenton Township Special Assessment Roll No. 2018-07 shall be divided into four annual installments with the first installment due on or before December 1, 2018 and the following installments to be due on or before the 1st day of December of the years 2019 through 2021, inclusive.*
- 3. Future due installments of an assessment against any parcel of land may be paid to the township treasurer at any time in full. If any installment of a special assessment is not paid when due, then the installment shall be considered to be delinquent and there shall be collected a penalty at the rate of 1% for each month, or fraction of a month, that the installment remains unpaid before being reported to the township board for reassessment upon the township tax roll, in accordance with said Michigan PA 188.*
- 4. The assessments made in said special assessment roll are hereby ordered and directed to be collected by the township treasurer, and the township clerk shall deliver said special assessment roll to said treasurer with his warrant attached, commanding the treasurer to collect such assessments in accordance with the direction of the township board and said PA 188.*
- 5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.*

Motion to adopt Resolution No. 2018-38 as presented.

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

Motion carried. Resolution declared adopted.

REPORTS:

None

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

None

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF OCTOBER 29, 2018**

UNFINISHED BUSINESS:

Proposed Employment Screening Services Agreement

Operations Manager Broecker reviewed the issue of conducting pre-employment background checks for prospective new employees. The board postponed action on a proposed agreement with Background Check Central, (aka Advanced Surveillance Group, Inc.), pending additional investigation. Trustee Lorraine provided information for iChat, an online system operated by the Michigan State Police, which provides a Michigan only criminal background check. While this service may be adequate for most new hires, it may also be advisable to have an agreement in place with Background Check Central in the event a more comprehensive background check is needed.

Attorney Belzer noted that the language in the proposed agreement limits the service provider's liability to the amount paid for the background check. After additional discussion, the board agreed to move forward with the agreement, without section 12, with the understanding that the township can identify and utilize additional background check companies if desired.

Motion to approve the Employment Screening Services Agreement with Advanced Surveillance Group, Inc., except for Section 12, as presented.

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

Motion carried.

Upcoming Meeting Reminders

Chairman Krug reminded the board of the special meeting scheduled for Monday 11/12/18 at 6:00 p.m. Treasurer Tucker reported his travel plans for that date have changed and he cannot attend on 11/12/18. After a brief discussion, the board asked Operations Manager Broecker to work on rescheduling the special meeting sometime prior to the next regular meeting.

Chairman Krug also reminded the board that the next regular board meeting is three weeks from now, Monday 11/19/18.

NEW BUSINESS:

Proposed Special Levies & Miscellaneous Special Assessments - 2018 Property Tax Roll

The board reviewed a listing of special levies and miscellaneous special assessments for the 2018 winter property tax roll. The mosquito control levy remains at the reduced rate of \$20 per parcel. The majority of the special assessments are for street lighting and private road maintenance. Each assessment is reviewed and adjusted each year based on actual and projected costs.

Special Levies	Levy
01 Mosquito Control	20.00 per improved parcel
Road Maintenance	
5 Curtwood	600.00 per parcel in district
9 Four Lakes	200.00 "

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF OCTOBER 29, 2018**

10	McFarlan	0.00	"
13	Woodhull	50.00	"
14	Log Cabin/Latourette	150.00	"
15	Wenwood Parkway	0.00	"
16	Malibu	200.00	"
17	Darts	300.00	"
18	Skyline	100.00	"
20	Wendell	100.00	"
22	Hicks Haven	400.00	"
36	Woodhaven	150.00	"
37	Crystal Cove	100.00	"
48	Pinewood Trail	130.00	"
55	Wenwood Drive	20.00	"
62	Byram Lake Drive	30.00	"
119	Drain-Lakeside Landing	100.00	"

Street Lights

23	Minnetonka	10.00	"
24	Darts	21.00	"
25	Enid	18.00	"
26	Log Cabin	29.00	"
27	Margaret	16.00	"
28	Wenwood	20.00	"
29	Windsor Beach	52.00	"
30	Pomona	8.00	"
31	Horrell	10.00	"
32	Crooked Lake	12.00	"
33	Golden Shores	14.00	"
38	Hidden Ridge I	62.00	"
39	Fenton Creek	23.00	"
40	Eden Gardens	50.00	"
41	Isle of Bordeaux	105.00	"
45	Pinnacle Shores II	29.00	"
47	Fenton Orchards I	49.00	"
49	Cussewago	16.00	"
56	Malibu	44.00	"
57	Silver Ridge	22.00	"
66	Breeze Pointe	25.00	"
67	Torrey Grove	45.00	"
68	West Silver Villa	44.00	"
74	Scenic View	78.00	"
75	Linden Meadows	56.00	"
76	Wyndham Estates I	36.00	"
77	Wyndham Estates II	36.00	"
78	Lakeview Farms I	51.00	"
83	Hidden Ridge II	46.00	"
84	Audubon Meadows	45.00	"
85	Crystal Cove	58.00	"
86	Pinnacle Shores I	57.00	"
87	River Oaks Hollow	42.00	"
88	Bryson Estates	35.00	"

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF OCTOBER 29, 2018**

89	Fentonwood Estates	38.00	"
90	Pine Lake Forest	39.00	"
92	North Shore Estates	73.00	"
93	Pavilion on Pine Lake	57.00	"
95	Loon Lake Highlands	49.00	"
96	Golden Pond II	43.00	"
97	Lakeview Farms II	77.00	"
98	Golfview Pointe	55.00	"
100	Loon Harbor Preserve	30.00	"
101	Golfview Pointe II	45.00	"
102	Linden Crossings	58.00	"
103	McCully Lake Estates	47.00	"
104	Hidden Ridge III	54.00	"
105	Landings at Crane's Cove	42.00	"
108	Marl	36.00	"
110	Fenton Orchards II	68.00	"
111	Pinnacle Shores III	43.00	"
112	Horizon Airpark	61.00	"
113	Stonybrook Estates	48.00	"
114	Ponemah Estates	47.00	"
117	Springfield	40.00	"
118	Lakeside Acres	42.00	"
120	Byram Ridge	52.84	"

Motion to approve 2018 special levies and miscellaneous special assessments as presented.

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

Motion carried.

PA 152 Compliance (Health Insurance Costs) - Selection of 2019 Compliance Method

The board reviewed the requirements of the *Publicly Funded Health Insurance Contribution Act* (PA 152 of 2011), which places limits on how much a public employer can pay toward employee healthcare.

There are three options for PA 152 compliance. The default option is that employers cannot pay more than the prescribed "hard caps" established by the State of Michigan. The hard caps for 2019 are \$6,685.17 for single, \$13,980.75 for 2-person and \$18,232.31 for family coverage. The second option is a flat 80/20 cost sharing arrangement where the employer pays no more than 80% of the total cost. The third option is to opt out of the requirement altogether. A 2/3 majority vote of the township board is required to choose the 80/20 option or to opt out.

Treasurer Tucker pointed out that, with only four board members present, a 2/3 vote is not possible. The board agreed to postpone action on this item until the next regular meeting.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF OCTOBER 29, 2018**

Proposed 2019 Meeting Schedule

Operations Manager Broecker reviewed a proposed meeting schedule for 2019. Treasurer Tucker requested that the February Planning Commission meeting be moved to February 7th. There were no further recommended changes.

Motion to adopt the 2019 Fenton Township Meeting Schedule as amended.

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

Motion carried.

Schedule Local Needs Public Hearing - Community Development Block Grant Program

Operations Manager Broecker reported that Fenton Township is scheduled to receive approximately \$82,000 in Community Development Block Grant (CDBG) funds for the 2019-21 funding cycle. In order to meet the 11/21/18 pre-application deadline established by Genesee County, the board will need to schedule a public needs hearing for the 11/19/18 board meeting, and also approve the submission of one or more project "Pre-Applications" at that same meeting. Final board approval of project applications can be made at a future meeting.

Motion to schedule a Community Development Block Grant Local Needs Public Hearing for the Monday November 19, 2018 Township Board meeting.

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

Motion carried.

Purchase Offer(s) for Tax-Reverted Properties

Realtor Ed Constable reviewed an offer to purchase eight Fenton Orchard condominium units for \$8,000 each, along with a 36-month option to purchase the 15 remaining township owned units for the same price, and an option to extend the option an additional 12 months for a cost of \$10,000.

Motion to counter the offer from **I'll Buy It LLC** as follows:

- Sell eight units in the Fenton Orchards Condominium development for a total cost of \$64,000.
- Approve a 24-month option for the purchaser to purchase the remaining 15 units at the price of \$10,000 per unit.
- Purchaser will pay all property taxes on all optioned units until purchased or expiration of the option.
- There will be no extension of the option period.

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

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF OCTOBER 29, 2018**

Absent: Mathis, Kesler, Lorraine
Motion carried.

Mr. Constable also noted that his service agreement with Fenton Township will expire at the end of October. Pending the outcome of the transaction just discussed, the township still has three properties on the market. Mr. Constable would like to continue his business relationship with the township if the board is so inclined.

Motion to extend the real estate services agreement with Ed Constable under the current terms and conditions through April 30, 2019.

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

BOARD COMMENT:

None

PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

Attorney Tabitha Marsh

Ms. Marsh, candidate for 7th Circuit Court Judge (Incumbent Position), introduced herself to the board. Ms. Marsh is running against Celeste Bell, who was appointed to the bench by Governor Snyder. She wants Genesee County residents to have a choice rather than just a governor's appointee. Ms. Marsh is a life-long resident of Genesee County. She has practiced in several areas of law and she is very involved in the community. She thanked the board for the opportunity to address the meeting.

ADJOURN: Meeting adjourned at 8:22 p.m.

Robert Krug, Chairman Pro-Tem

Thomas Broecker, Deputy Clerk

Minutes Posted 10/30/18