

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF NOVEMBER 19, 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, Lorraine Shumaker, Attorney Belzer and
Operations Manager Broecker.

Absent: Mathis

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, the first order of business is to appoint a temporary chairperson.

Motion to appoint Clerk Krug as temporary chairman.

Motion by: Goupil

Seconded: Tucker

Ayes: All Present

Nays: None

Absent: Mathis

Motion carried.

APPROVAL OF AGENDA:

Chairman Krug requested that the hiring of a new Zoning Administrator be added to the agenda. Motion to approve the 11/19/18 Fenton Township Board Meeting agenda as amended.

Motion by: Lorraine

Seconded: Tucker

Ayes: All Present

Nays: None

Absent: Mathis

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes for the 10/29/18 regular meeting and the 11/14/18 special meeting stand approved as presented.

EXPENDITURES:

Treasurer Tucker questioned the CCTV invoice from Unified Telecommunication, asking if this is the integrated security system approved by the township board for both fire stations. Trustee Goupil, chairman of the Public Safety Committee, confirmed that it is. Motion to approve invoices and expenditures for all funds totaling \$657,261.65 for payment as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Absent: Mathis

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF NOVEMBER 19, 2018**

Motion carried.

PUBLIC HEARINGS:

Community Development Block Grant Community Needs Public Hearing

Chairman Krug opened the public hearing and reported that Fenton Township will receive approximately \$82,000 in Community Develop Block Grant (CDBG) funds for the 2019-21 funding cycle. The purpose of the hearing is to discuss potential uses of the funds. The public may express community development needs, propose projects and/or comment on past CDBG projects. Once the public comment has concluded, the board will conduct further discussions.

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

The board continued the discussion, which included the following potential projects:

Street Improvements – Pave 100’ from intersection

- Old Linden Road at Thompson

Street Improvements – Limestone or gravel resurfacing; ditching; culvert replacement

- Odell Road – Lahring Road to Linden Road
- Fairbanks Road
- Jennings Road – Thompson Road to Ray Road
- Ray Road – Linden Road to US-23 (boundary road; requires participation by Mundy Township)

Street Improvements – Asphalt resurfacing, crack sealing or repairs/maintenance; ditching; culvert replacement

- Thompson Road – Linden Road to US-23
- Jennings Road – Lahring Road to Thompson Road
- Lahring Road – Linden Road to US-23 (north side only)

Barrier-Free improvements

- Fenton Township Park / Dog Park
- 3095 Thompson Road
- Podunk House

Scholarships for SLPR program fees

Parks & Recreation Plan Update

Fenton Area Resources and Referral Network, Inc. (FARR)

Demolition of blighted structures (if owned by Township or Land Bank).

Winterization & other home improvements through Genesee County “HOME” program.

Loose Senior Citizen Center operations.

Loose Senior Citizen Center capital improvements.

Senior Safety Program

Recommendations for project pre-applications will be considered later in this meeting.

REPORTS:

Public Safety Update

Trustee Goupil reported that the installation of security systems at both fire stations is nearing completion. Station 2 has been completed and Station 1 will be completed once

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF NOVEMBER 19, 2018**

a few doors are replaced. Trustee Goupil also reported that the Public Safety Committee reviewed a proposed site plan for the proposed fire department training tower. The plan calls for the structure to be placed approximately 300-400 feet north of DPW building on Silver Lake Road.

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

Proposed Zoning Ordinance Amendment - Accessory Buildings/2nd Reading

Chairman Krug reviewed a proposed Zoning Ordinance amendment to revise provisions relating to accessory structures, which was introduced at the 11/14/18 special meeting.

Treasurer Tucker stated that, while the ordinance updates and revises some of the general provisions relating to accessory buildings, the primary purpose of the amendment is to allow, by special use permit, the construction of an accessory building on a lot without a principal structure, if the lot is across the street from the principal residence. The need for this amendment arose when Genesee County determined they would no longer allow the combination of two parcels across the road from each other. The Planning Commission has devoted a considerable amount of time to this amendment, which has gone through many changes during the process. There was no further discussion.

Motion to adopt Ordinance No. 804, an amendment to Zoning Ordinance No. 594 to revise provisions relating to accessory buildings, as presented.

Motion by: Lorraine

Seconded: Kesler

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

Nays: None

Absent: Mathis

Motion carried. Ordinance declared adopted.

UNFINISHED BUSINESS:

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.

For 2012 through 2018, the township board selected the 80/20 cost sharing option to comply with this statute. These approvals were each effective for one year and the board needs to review this decision annually.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF NOVEMBER 19, 2018**

The 80/20 option is again recommended for 2019. A flat percentage is the most equitable approach for all employees, and it will be more easily adaptable if the township changes plans in the future.

Treasurer Tucker stated he supports the 80/20 approach. The hard cap option would create a disproportionate cost allocation among the employees. Trustee Lorraine asked if alternate plans were considered. Operations Manager Broecker stated that several alternative plans were reviewed, however the only ones that would save money for the township would result in either reduced benefits and/or higher costs for the employees. The current collective bargaining agreement requires that the union must agree to any change in plan, therefore the existing plan was renewed.

Motion to continue the optional 80/20 rules for 2019 to comply with the Publicly Funded Health Insurance Contribution Act, Public Act 152 of 2011.

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

Motion carried.

**Requests to Assume Ownership & Maintenance of Type I Water Supply Systems -
Lake Fenton Estates, East Bay & Loon Lake Estates Mobile Home
Communities**

Chairman Krug stated that, as reported at the October 29 board meeting, a new owner has purchased the three mobile home communities formerly owned by SMHC LLC (Ralph Scofield). Each of the three mobile home communities are served by a private type 1 well system that provides water to their residents. Because these mobile home communities have changed ownership, state law requires that they offer the ownership of and operation/maintenance responsibilities for the water systems to the local unit of government. The past practice of the township board has been to decline such offers since we do not currently own or maintain any water systems within the Township.

The board postponed action on this issue at the 10/29/18 board meeting to allow time for additional investigation. The board again reviewed the issue at the 11/14/18 special meeting and, after receiving additional information from the Township Engineer, voted to discontinue any further investigation and not pursue ownership of private well systems. Resolutions have been prepared to formally decline ownership of the water systems for the Lake Fenton Estates, East Bay and Loon Lake Estates mobile home communities.

Operations Manager Broecker presented the following resolutions:

RESOLUTION NO. 2018-39

WHEREAS, Lake Fenton Estates LLC owns and operates a drinking water system serving the Lake Fenton Estates Mobile Home Community located at 2366 North Long Lake Road, Section 2, T5N R6E, and

WHEREAS, Lake Fenton Estates LLC possesses the ability and willingness to continue effective operation and maintenance of said system, and

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF NOVEMBER 19, 2018**

WHEREAS, the Charter Township of Fenton recognizes the need for effective and continued operation and maintenance of said system to protect the public health, and

WHEREAS, the Charter Township of Fenton deems it impractical for the Township to own, operate and administer this particular drinking water supply;

NOW, THEREFORE, BE IT RESOLVED, that the Charter Township of Fenton hereby declines to accept ownership of or operation, maintenance and administrative responsibilities for said particular drinking water supply. The Charter Township of Fenton endorses the application of Lake Fenton Estates LLC to continue these responsibilities under state permit.

Motion to adopt Resolution No. 2018-39 as presented.

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

Motion carried. Resolution declared adopted.

RESOLUTION NO. 2018-40

WHEREAS, East Bay MHC owns and operates a drinking water system serving the East Bay Mobile Home Community located at 14320 North Road, Section 22, T5N R6E, and

WHEREAS, East Bay MHC possesses the ability and willingness to continue effective operation and maintenance of said system, and

WHEREAS, the Charter Township of Fenton recognizes the need for effective and continued operation and maintenance of said system to protect the public health, and

WHEREAS, the Charter Township of Fenton deems it impractical for the Township to own, operate and administer this particular drinking water supply;

NOW, THEREFORE, BE IT RESOLVED, that the Charter Township of Fenton hereby declines to accept ownership of or operation, maintenance and administrative responsibilities for said particular drinking water supply. The Charter Township of Fenton endorses the application of East Bay MHC to continue these responsibilities under state permit.

Motion to adopt Resolution No. 2018-40 as presented.

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

Motion carried. Resolution declared adopted.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF NOVEMBER 19, 2018**

RESOLUTION NO. 2018-41

WHEREAS, Loon Lake Estates LLC owns and operates a drinking water system serving the Loon Lake Estates Mobile Home Community located at 13265 Jennings Road, Section 15, T5N R6E, and

WHEREAS, Loon Lake Estates LLC possesses the ability and willingness to continue effective operation and maintenance of said system, and

WHEREAS, the Charter Township of Fenton recognizes the need for effective and continued operation and maintenance of said system to protect the public health, and

WHEREAS, the Charter Township of Fenton deems it impractical for the Township to own, operate and administer this particular drinking water supply;

NOW, THEREFORE, BE IT RESOLVED, that the Charter Township of Fenton hereby declines to accept ownership of or operation, maintenance and administrative responsibilities for said particular drinking water supply. The Charter Township of Fenton endorses the application of Loon Lake Estates LLC to continue these responsibilities under state permit.

Motion to adopt Resolution No. 2018-41 as presented.

Motion by: Goupil

Seconded: Lorraine

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

Nays: None

Absent: Mathis

Motion carried. Resolution declared adopted.

NEW BUSINESS:

Resolution No. 2018-42, Liquor License Application - Sherrow Banquets, LLC

The board reviewed a request from Sherrow Banquets, LLC for a resolution supporting their application for a new Class C liquor license and associated permits for their banquet facility on North Long Lake Road.

Matt & Ginny Sherrow, owners of Fenton Winery & Brewery, explained that they currently have a Small Winemakers License and Micro Brewer License, which allows them to sell beer and wine produced on the premises. They are separating the front building as a banquet facility business, and a Class C License will allow them to sell and serve liquor at wedding receptions and similar events.

Operations Manager Broecker presented the following resolution:

RESOLUTION NO. 2018-42

WHEREAS, Sherrow Banquets, LLC has requested that the Township Board of the Charter Township of Fenton recommend approval of their application to the Michigan Liquor Control Commission for a new Class C Liquor License and associated permits for their business located at 1370 North Long Lake Road;

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF NOVEMBER 19, 2018**

NOW, THEREFORE, BE IT RESOLVED, that the application from Sherrow Banquets, LLC for the following licenses:

*New Class C Liquor License
Banquet Permit
Catering Permit
Sunday Sales Permit (A.M. & P.M.)
Dance & Entertainment Permit
Banquet Facility Permit*

*to be located at 1370 North Long Lake Road, Building 1, Fenton, MI 48430, Fenton Township, Genesee County, be considered for **approval**.*

It is the consensus of this legislative body that it recommends this application be considered for approval by the Michigan Liquor Control Commission.

Motion to adopt Resolution No. 2018-42 as presented.

Motion by: Lorraine

Seconded: Kesler

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

Nays: None

Absent: Mathis

Motion carried. Resolution declared adopted.

2019-21 Community Development Block Grant Program - Approval of Project Pre-Applications

Operations Manager Broecker reported that, based on a review of potential projects with Genesee County Community Development staff, consultation with the Township Engineer and input received at the public needs hearing, recommendations for 2019-21 Community Development Block Grant (CDBG) project pre-applications have been prepared.

For each project approved by the board, Genesee County requires that a project "Pre-Application" be submitted by November 21, 2018. Once project eligibility has been confirmed, the board will be able to approve the final list of project applications in early 2019. Since all Genesee County communities are under the same schedule, it is possible that additional funds will become available if not all communities submit projects.

The recommended projects are:

1. Demolition of Blighted Structure

As you know, the potential lease of the property at 3095 Thompson Road is still being researched. If the lease arrangement does not materialize, I believe it would be in the best interests of the township to consider demolishing the building to reduce property tax liability. CDBG funds may be used to demolish the structure and clean up the property. The estimate cost for this project is \$50,000.00.

2. Street Improvements - Paved Intersection Approach: Old Linden Road at Thompson Road

As previously discussed, the sections of unpaved roads near intersections with paved roads tend to be more difficult to maintain due to the amount of braking and accelerating by vehicles. Paving 100 feet at such intersections greatly improves those roads. Four

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF NOVEMBER 19, 2018**

similar projects were completed with 2016-18 CDBG funds, however there wasn't enough money to complete the fifth one. Therefore, we are adding Old Linden at Thompson to our 2019-21 project list. This intersection is located inside an area designated as low-moderate income by HUD and is eligible for funding. The estimate cost for this project is \$28,000.00.

3. Barrier-Free Improvements - Thompson Road Regional Dog Park

While the Thompson Road Regional Dog Park has been a great addition to our community, access can still be difficult for handicapped dog owners. We are proposing a project to construct two paved handicapped parking spaces in the existing parking lot, with a paved or concrete pathway from the parking spaces into each side of the enclosed areas, plus a concrete platform in each enclosure. This would greatly improve the accessibility of the dog park. The estimated cost for this project is \$35,000.00.

4. Street Improvements – Ditching & Culvert Replacement: Unpaved Roads

This project includes ditching and culvert replacement as needed on Odell Road, Fairbanks Road, Jennings Road (north of Thompson), and the south side of Ray Road (Linden Road to US-23). These roads are located within the boundaries of the designated low-moderate income area and are, therefore, eligible projects. The estimated cost for this project is \$50,000.00.

5. Street Improvements – Crack Sealing: Jennings Road

Jennings Road between Thompson Road and Lahring Road handles a very high volume of traffic due to the location of Lake Fenton High School. The road was paved in 2010 and there are some areas that need to be crack sealed. This will help extend the useful life of the pavement. The estimated cost for this project is \$15,000.00

6. Barrier-Free Improvements – 3095 Thompson Road

If the former oil change facility at 3095 Thompson Road can be renovated for public use, the building and site are in need of barrier free improvements, specifically for the restrooms, parking lot and building entrances. The estimated cost for these improvements is \$25,000.00.

After board discussion, the following projects were added to the pre-application list:

- Scholarships for Southern Lakes Parks & Recreation program fees
- Senior safety program (smoke alarms, carbon monoxide detectors, etc.)

It was noted that the sum total of all recommended projects far exceeds our anticipated allocation, however the township should submit a pre-application for any potential project, even if the board ultimately does not complete the application.

Motion to approve the submission of CDBG project pre-applications as recommended.

Motion by: Goupil

Seconded: Shumaker

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

Nays: None

Absent: Mathis

Motion carried.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF NOVEMBER 19, 2018**

Schedule Public Hearing - 2019 Fenton Township Budget

Chairman Krug noted that, as required by Michigan law, a preliminary draft version of the 2019 Fenton Township Budget was distributed to the members of the Township Board at the end of August. A revised draft is currently being developed and should be completed within the next few days. The Township Board is being asked to schedule a public hearing on the proposed 2019 budget for the 12/3/18 meeting. The updated public hearing draft of the budget will be provided to the board at least one week prior to the public hearing.

Motion to schedule a public hearing on the 2019 Fenton Township Budget to be held at the December 3, 2018 Township Board meeting.

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

Motion carried.

Resolution No. 2018-43, Genesee County Sewer Bond Debt Obligations for 2019

Chairman Krug noted that the Genesee County Drain Commissioner requires the Township to adopt a resolution each year to designate the source of funds to meet debt service obligations in the next year for bonds issued through Genesee County. A resolution has been prepared for board consideration.

Operations Manager Broecker presented the following resolution:

RESOLUTION NO. 2018-43

WHEREAS, the Charter Township of Fenton has a need to pay to the County of Genesee the sum of \$327,263.58 to meet the principal and interest requirements on all bond obligations for sewer facilities in 2019; and

WHEREAS, there are several means by which the funds can be secured to meet this payment requirement; and

WHEREAS, all various means of securing these funds have been reviewed and considered;

NOW, THEREFORE BE IT RESOLVED, by the Charter Township of Fenton, that the monies to meet the principal and interest requirements on all bond obligations for sewer facilities in 2019 will be secured from the following funds.

<i>Funds Already Available</i>	\$ _____
<i>Tap-In Fees to be Collected</i>	\$ <u>100,000.00</u>
<i>Funds from Monthly Rates for Services</i>	\$ <u>227,263.58</u>
<i>General Fund</i>	\$ _____
<i>Ad-Valorem Levy</i>	\$ _____
<i>Other</i>	\$ _____
Grand Total:	\$ <u>327,263.58</u>

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF NOVEMBER 19, 2018**

BE IT FURTHER RESOLVED, that the Township Clerk is hereby directed to forward one (1) copy of this Resolution to the County Agency, and retain one (1) copy for the Fenton Township records.

Motion to adopt Resolution No. 2018-43 as presented.

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

Motion carried. Resolution declared adopted.

Award of Contract - Private Road Snow Removal Services

Operations Manager Broecker reported that proposals were recently solicited for snow removal services for private roads under special assessment. Only one proposal was received, an analysis of which is included in the meeting packet. Picasso Services, who has had the contract for the past three years, was the lone bidder. Mr. Broecker recommends awarding the contract to Picasso Services LLC.

Trustee Lorraine suggested researching additional options for publicizing requests for proposals. Utilizing the local newspaper and the township's website may not be enough.

Motion to approve the private road snow removal services agreement with Picasso Services, LLC as presented.

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

Motion carried.

Approval to Hire Planning/Zoning Administrator

The board reviewed the resume of one of the two finalists for the Planning/Zoning Administrator position. Based on the board's action at the 11/14/18 special meeting, the position was offered to Christopher Gruba, who initially accepted the position, then changed his mind and declined the position. The second finalist, Michael Deem, is highly qualified and will do an outstanding job for Fenton Township. It was again confirmed that this position would be an exempt, salaried position, employed under an at-will employment agreement.

Motion to authorize an offer of the Planning/Zoning Administrator position to Michael Deem at an annual salary of \$73,000.00, and to approve the hiring of Mr. Deem upon acceptance of the offer.

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

Motion carried.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF NOVEMBER 19, 2018**

BOARD COMMENT:

None

PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

Elaine Kinsman, 13277 Golden Circle

Ms. Kinsman expressed concern with the number of recreational vehicles and commercial vehicles parked in yards in her neighborhood. The Township's Ordinance Enforcement Officer advised her that no violations exist. Ms. Kinsman stated that the City of Linden has enacted ordinances to restrict parking locations for large vehicles. She asked the board to consider similar restrictions in Fenton Township.

ADJOURN: Meeting adjourned at 8:37 p.m.

Robert Krug, Chairman Pro-Tem

Thomas Broecker, Deputy Clerk

Minutes Posted 11/20/18