

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF APRIL 1, 2019**

**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, Goupil, Kesler, Reid, Attorney Belzer and Operations  
Manager Broecker.

Absent: Tucker, Lorraine

**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 4/1/19 Fenton Township Board Meeting agenda as presented.

Motion by: Goupil

Seconded: Reid

Ayes: Mathis, Krug, Goupil, Kesler, Reid

Nays: None

Absent: Tucker, Lorraine

Motion carried. The agenda is approved.

**MEETING MINUTES:**

The minutes for the 3/18/19 regular meeting stand approved as presented.

**EXPENDITURES:**

Motion to approve invoices and expenditures for all funds totaling \$383,304.12 for payment as presented.

Motion by: Reid

Seconded: Kesler

Ayes: Mathis, Krug, Goupil, Kesler, Reid

Nays: None

Absent: Tucker, Lorraine

Motion carried.

**PUBLIC HEARINGS:**

None

**REPORTS:**

**Road Update**

Supervisor Mathis reported that the Genesee County Road Commission will lift the seasonal weight restrictions on public roads as of 4/8/19.

**COMMUNICATIONS:**

**Letter from Valerie McDonald**

The board briefly reviewed a letter from recently retired employee Valerie McDonald thanking them for the retirement celebration and the resolution adopted to honor her years of service.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF APRIL 1, 2019**

**ADOPTION OF ORDINANCES:**

**Proposed Updated Vehicle Code Ordinance/2<sup>nd</sup> Reading**

The board reviewed a proposed updated Vehicle Code Ordinance to adopt the updated version of the Michigan Vehicle Code and related statutes, which was introduced at the 3/18/19 meeting. Attorney Belzer confirmed that this is a routine update to incorporate changes to the state codes. When adopted, this ordinance will replace the previous ordinance, which was adopted in 2017. There was no further discussion.

Motion to adopt Ordinance No. 614-19 as presented.

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

Motion carried. Ordinance declared adopted.

**UNFINISHED BUSINESS:**

**Election Commission Meeting - April 15, 2019**

Clerk Krug reported that the Election Commission will meet at 6:15 p.m. on 4/15/19 to appoint election inspectors for the May 7, 2019 Special Election.

**NEW BUSINESS:**

**2019 Local Road Projects**

Operations Manager Broecker reviewed the following local road improvement projects for board consideration:

**Asphalt Paved Approach (Apron)**

Odell Road at Linden Road - north side  
Ray Road at Linden Road - east side (Cost shared with Mundy Township)  
Ray Road at Linden Road - west side (Cost shared with Mundy Township)

The board reviewed the Genesee County Road Commission (GCRC) cost estimates for each project. After applying 50/50 allocation funds from GCRC and 50% participation from Mundy Township on the Ray Road projects, the total estimated cost to the Township for all three projects is \$30,634.91.

Operations Manager Broecker also noted that Fenton Township was recently notified that the Department of Housing and Urban Development (HUD) has updated its Low-Moderate Income Maps based on updated census income data. As a result of this update, the area of Fenton Township that was identified as *Low-Moderate Income* is no longer so designated. Therefore, the three road related CDBG projects submitted for this area are not eligible for funding. The crack-sealing project for Jennings Road has already been approved by the township board and it is recommend that this project still be completed. The other two projects, a paved apron on Old Linden Road at Thompson Road and ditching & culvert replacement for Odell, Fairbanks and Ray Roads, have been removed from the potential project list. HUD has provided an updated map that identifies a different area of Fenton Township as *Low-Moderate Income*, (map attached). This will provide new opportunities for CDBG funded road projects in 2020.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF APRIL 1, 2019**

Based on the cost estimates from GCRC and the available budget for local road improvements, the three proposed projects are recommended for approval.

Motion to approve the following local road projects for 2019, as presented:

Asphalt Approach - Odell Road at Linden Road (north side)

Asphalt Approach - Ray Road at Linden Road (east side)

Asphalt Approach - Ray Road at Linden Road (west side)

Motion by: Kesler

Seconded: Krug

Ayes: Mathis, Krug, Goupil, Kesler, Reid

Nays: None

Absent: Tucker, Lorraine

Motion carried.

**Approval of Updated Freedom of Information Act Documents**

Operations Manager Broecker reviewed proposed updates to the Township's Freedom of Information Act (FOIA) *Procedures & Guidelines* and *Public Summary*. The revisions are a result of changes to the FOIA law, specifically to require complete name and address information for requestors and to consider requests abandoned after 45 days if a required deposit is not paid.

Motion to adopt the following updated documents in compliance with the Michigan Freedom of Information Act, as presented:

FOIA Procedures & Guidelines

FOIA Public Summary

Motion by: Goupil

Seconded: Kesler

Ayes: Mathis, Krug, Goupil, Kesler, Reid

Nays: None

Absent: Tucker, Lorraine

Motion carried.

**Request for Tentative Approval - Preliminary Plat of Silver Landings No. 3**

The board reviewed information relating to the Silver Landings development. The owner is prepared to move forward with the third phase of the development and has requested tentative approval of the preliminary plat. This is one of the required steps in the plat process. The original conceptual plan was approved in 1999. The Planning Commission has recommended approval, as has Zoning Administrator Mike Deem.

Clerk Krug, who attended the Planning Commission meeting, affirmed that the requested approval is an early step in the plat process. The detailed site plan will still go through an extensive approval process with the Planning Commission, as well as county and state agencies.

Public Comment:

Cathy Dexter, 4084 Bennett Lake Road

Ms. Dexter stated that the proposed open space in the plan includes wetlands and the Egyptian Drain. This area has many drainage problems and she is concerned that more homes will make the situation worse and possibly flood current residents.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF APRIL 1, 2019**

David Wardin, Kieft Engineering

Mr. Wardin explained that the DEQ approval for Phase 2 of the project included the installation of a weir on the Egyptian Drain to create a detention pond. Phase 3 will also require new approvals from all county and state agencies.

Motion to grant tentative approval for the Preliminary Plat of Silver Landings No. 3, subject to the approval of all required county, state and federal agencies, as presented.

Motion by: Goupil

Seconded: Kesler

Ayes: Mathis, Krug, Goupil, Kesler, Reid

Nays: None

Absent: Tucker, Lorraine

Motion carried.

**Proposed Building Inspection Services Agreement - STSA Construction, LLC**

Operations Manager Broecker explained that contracted Building Official Stuart Worthing has requested that his agreement be revised to make his business a party to the agreement rather than himself as an individual. The board reviewed a proposed new agreement between the Township and STSA Construction, LLC. The proposed agreement also includes a provision to terminate the previous agreement by mutual consent. All other provisions of the agreement remain unchanged.

Trustee Reid suggested revising the language to account for situations where the contractor may have employees other than Mr. Worthing performing the work. Attorney Belzer agreed. Action on the proposed agreement was postponed until the 4/15/19 meeting.

**Law Day Proclamation**

The board reviewed a proposed proclamation to declare May 1, 2019 as Law Day in Fenton Township. This year's Law Day theme is "Free Speech, Free Press, Free Society". Attorney Belzer presented the following proclamation for board consideration:

**2019 LAW DAY PROCLAMATION  
"Free Speech, Free Press, Free Society"**

WHEREAS, Law Day is a day of public acknowledgement of our nation's and our state's heritage of justice, liberty and equality under the law, and

WHEREAS, the United States Congress has statutorily designating May 1 as the annual day for commemoration of Law Day, and

WHEREAS, the American Bar Association has declared the 2019 Law Day theme to be "Free Speech, Free Press, Free Society", and

WHEREAS, this year's theme recognizes the freedom of speech and the press as an important foundation for a free society, and

WHEREAS, "Free Speech, Free Press, Free Society" allows us an opportunity to reflect on these fundamental protections established by our founding fathers in the First Amendment of the United States Constitution, and

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF APRIL 1, 2019**

WHEREAS, Robert M. Carlson, President of the American Bar Association, has declared that this year's theme "invites us to reflect on freedom of speech and freedom of the press as cornerstones of our free society – ones that respect the dignity of the individual and a truly free society."

NOW, THEREFORE, BE IT RESOLVED, that the Township Board of the Charter Township of Fenton does hereby proclaim May 1, 2019 as Law Day. We urge the people of Fenton Township and all of Genesee County to acknowledge the importance of our legal and judicial systems with appropriate ceremonies and activities, and to display the flags of the United States and the State of Michigan in support of this educational observance. We further encourage schools, businesses, media, religious institutions, civic and service organizations to join the members of the bar and bench in commemorating Law Day.

Motion to adopt the 2019 Law Day Proclamation as presented.

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

Motion carried.

**BOARD COMMENT:**

None

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

Kirk Stephens

Mr. Stephens, a captain on the Fenton Township Fire Department, stated he has concerns regarding the administration of the Fire Department. Attorney Belzer clarified that this portion of the meeting is dedicated to public comment. If Mr. Stephens has a complaint or wishes to report a problem, he should do so in writing to the Township Supervisor or Operations Manager.

Mike Johns

Mr. Johns, a member of the Fenton Township Fire Department, stated he has concerns with the actions of the Fire Chief relating to the Firefighters Association. Attorney Belzer clarified that any such association is not part of the township government, and the Township Board has no authority or involvement in it.

**ADJOURN:** Meeting adjourned at 8:18 p.m.

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Bonnie Mathis, Supervisor

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Robert Krug, Clerk

**Minutes Posted 4/2/19**