

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JULY 15, 2019**

**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, Reid, 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 stated that, due to the absence of the Township Supervisor, a temporary chairperson needs to be appointed for this evening's meeting.

Motion to appoint Clerk Krug as chairman pro-tem.

Motion by: Goupil

Seconded: Lorraine

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

Nays: None

Absent: Mathis

Motion carried.

APPROVAL OF AGENDA:

Motion to approve the 7/1/19 Fenton Township Board Meeting agenda as presented.

Motion by: Tucker

Seconded: Lorraine

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

Nays: None

Absent: Mathis

Motion carried. The agenda is approved.

MEETING MINUTES:

The minutes for the 7/15/19 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$516,286.05 for payment as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Absent: Mathis

Motion carried.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JULY 15, 2019**

PUBLIC HEARINGS:

**Proposed Street Improvement Special Assessment - Silver Ridge Subdivision/
Hearing on Creation of Special Assessment District**

Chairman Krug opened a public hearing for a proposed special assessment district for the resurfacing of all streets in the Silver Ridge subdivision. The total estimated cost of the project is \$1,300,000.00. The petitions submitted for the special assessment contain signatures representing over 62% of the frontage in the proposed district. The board will accept public comment regarding 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 preliminary plans for the improvement
5. The estimated costs for the improvement

Public comment:

Pat Martin, 4098 Split Rail Lane

Ms. Martin stated that she spoke to a resident from North Shore Drive and they were able to complete their project for less than the Genesee County Road Commission (GCRC) estimate and received a 25-year guarantee. She also referenced a paving project on Lake Shannon and the Four Lakes paving project as projects approved for significantly less cost per property than what is proposed for Silver Ridge.

Operations Manager Broecker clarified that the North Shore Drive project was completed as a permitted project through GCRC and bid out through a private engineer. The final cost was significantly less than the original GCRC estimate, although the difference was primarily due to a reduction in the scope of work. Mr. Broecker also stated that the North Shore project did not include any guarantee. The expected life of that new surface is 10-12 years. He also cautioned against trying to compare other paving projects to the proposed Silver Ridge project. Factors such as scope of work, age of the existing pavement, private streets vs. public, etc. make each project different and not necessarily comparable.

Margaret O'Riley, 4072 Split Rail Lane

Ms. O'Riley stated that these roads are terrible and need to be replaced. She believes improving the streets will increase their property values. She urged the board to move the project forward.

Bob Bennett, 16040 Silverwood Drive

Upon return from Florida this past spring, Mr. Bennett observed huge holes up and down their streets, some up to 6 inches deep. He took it upon himself to obtain the cost estimates and special assessment petitions from the Township, and circulated the petitions himself. He supports moving the project forward.

Steve Nagy, 4036 Pine Ridge Court

Mr. Nagy stated that the streets are in horrible condition. The property owners in Silver Ridge have a major investment in their homes and the current road conditions detract from their value. He believes poor roads reflect badly on the neighborhood. He is strongly in favor of the paving project.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JULY 15, 2019**

Dave Westphal, 16014 Silverwood Drive

Mr. Westphal stated that he is troubled by a comment made by GCRC Engineer Richard Hill at last week's informational meeting. Mr. Hill confirmed that GCRC pre-bid estimates are provided to potential project bidders. Mr. Westphal believes this may inflate the bids unnecessarily. Operations Manager Broecker pointed out that the pre-bid estimate is a public document subject to disclosure under the Freedom of Information Act. Additionally, he believes contractors will base their bids on actual cost plus their own profit margin and not necessarily on the pre-bid estimate.

There was no further public comment. Chairman Krug closed the public hearing.

Operations Manager Broecker presented the following resolution:

RESOLUTION NO. 2019-21

WHEREAS, the township board of the Charter Township of Fenton received petitions signed by more than 50% of the total road frontage of the proposed special assessment district described hereinafter, and accordingly, 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 street improvement project to schedule a public hearing upon the same for this date, and

WHEREAS, the plans, estimates of cost and proposed special assessment district were filed with the Township Clerk for public examination and notice of the 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 July 2019 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 determine that the petitions for the Silver Ridge Street Improvement Special Assessment District were properly signed by the record owners of land whose road frontage constitutes more than 50% of the total road frontage upon the proposed special assessment district.*
- 2. That this township board does hereby approve the preliminary plans for the resurfacing of Silverwood Drive, Amberwood Lane, Autumn View Court, Pebble Ridge Court, Pine Ridge Court, Shadow Oak Court, Silverwood Court and Split Rail Lane, and the estimate of costs for the completion thereof of \$1,300,000 (including financing costs).*
- 3. That this township board does hereby create, determine and define as a special assessment district to be known as the Silver Ridge Street Improvement Special*

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JULY 15, 2019**

Assessment District, within which the costs of such improvements shall be assessed according to the benefits, the following described area within said township:

***All parcels of land in the plats of
Silver Ridge No. 1, Silver Ridge No. 2 and Silver Ridge No. 3***

4. *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 special assessment district as the benefit to the parcel of land bears to the total benefit to all parcels of land in the special assessment district. When the same has been completed, the Supervisor or 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.*

5. *That all resolutions and parts of resolutions insofar as they conflict with the provisions of the within resolution be and the same are hereby rescinded.*

Motion to adopt Resolution No. 2019-21 as presented.

Motion by: Tucker

Seconded: Lorraine

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

Nays: None

Absent: Mathis

Motion carried. Resolution declared adopted.

Operations Manager Broecker stated that the Genesee County Road Commission will provide a formal agreement for the project for township board approval at a future meeting. Once that agreement is approved, the design of the project will begin.

REPORTS:

Fire Department 2nd Quarter Report

Fire Chief Ryan Volz presented first quarter statistics for the Fenton Township Fire Department.

Total alarms	180 (13 in Tyrone Twp.)
Fires/Explosions	13
EMS	107
Hazardous conditions	5
Service calls	8
Good intent calls	38
False alarms	9

Chief Volz also reported that the emergency sirens at both fire stations are experiencing problems. They should be resolved soon.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JULY 15, 2019**

Trustee Goupil asked how this year's call volume compares to 2018. Chief Volz confirmed that the 2019 volume is about 85 calls below last year.

Trustee Goupil also asked about the weather radios that ABC12 has promoted in the past, and if we have information on how citizens can obtain these radios. Chief Volz will contact ABC12 for more information.

The board thanked Chief Volz for his report.

COMMUNICATIONS:

None

ADOPTION OF ORDINANCES:

Rezoning #R19-002, Loreta Vaughn, part of parcel 06-22-528-007 (14214 Eastview Drive); R-MH to R-5: Ordinance Introduction/1st Reading

The board reviewed a proposed Zoning Ordinance amendment to rezone part of the property at 14214 Eastview Drive from R-MH to R-5. Treasurer Tucker explained that the property in question is the Lake Ponemah Mobile Home Park. The owner wants to split off the single family home located on the property as a separate parcel, which requires rezoning. The Planning Commission has conducted a public hearing on the proposed rezoning and unanimously recommended approval. It was also noted that the Zoning Board of Appeals has already granted the necessary variance to allow the land division.

Denise Fish, attorney representing the property owner

Ms. Fish confirmed that the owner is simply asking to rezone and split off existing home. There will be no new construction or any other changes to the property.

There was no public comment. The proposed ordinance will be brought back for a second reading and vote by the Township Board at the 8/5/19 meeting.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Resolution No. 2019-22, Proposed New Lake Improvement Special Assessment District for Lake Fenton

Operations Manager Broecker explained that the most recently approved lake improvement special assessment for Lake Fenton expired after the 2018 property tax roll. The lake association has submitted a new proposal to continue the program for another five years. This will require the creation of a new special assessment district. A resolution has been prepared to initiate the special assessment process and schedule a public hearing on the creation of the new special assessment district.

Trustee Lorraine and Trustee Reid both reported that they live within the proposed special assessment district and requested to be allowed to abstain from voting on all actions related to this special assessment due to a conflict of interest.

Motion to allow Trustee Lorraine to abstain from voting on all actions, in this and future meetings, relating to the proposed lake improvement special assessment district for Lake Fenton due to a conflict of interest.

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JULY 15, 2019**

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

Motion to allow Trustee Reid to abstain from voting on all actions, in this and future meetings, relating to the proposed lake improvement special assessment district for Lake Fenton due to a conflict of interest.

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

Operations Manager Broecker presented the following resolution:

RESOLUTION NO. 2019-22

WHEREAS, the township board of the Charter Township of Fenton has determined to proceed under the authority of Michigan Public Act 188 of 1954, as amended, to create a special assessment district for the purpose of continuing a lake improvement project for Lake Fenton, and

WHEREAS, plans and estimates of costs for the foregoing lake improvements have been placed on file in the office of the Township Clerk;

NOW, THEREFORE, BE IT RESOLVED, that this township board does hereby tentatively declare its intent to continue the lake improvement program for Lake Fenton, consisting of the eradication and/or control of aquatic weeds and plants and services related thereto, and

BE IT FURTHER RESOLVED, that this township board does tentatively designate the special assessment district against which the costs of the improvements are to be assessed as Lake Fenton Improvement Special Assessment District No. 2, which shall include the lands and premises more particularly described as follows:

All parcels of land with frontage on, or riparian access to, Lake Fenton
and

BE IT FURTHER RESOLVED, that a hearing on any objections to the improvement, the estimate of costs, and to the special assessment district proposed to be established for the assessment of the cost of such improvement, shall be held on Monday August 5, 2019 at a regular meeting of the township board at the Fenton Township Civic Community Center, 12060 Mantawauka Drive, Fenton, Michigan, commencing at 7:30 p.m., and

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES
MINUTES FOR REGULAR MEETING OF JULY 15, 2019**

BE IT FURTHER RESOLVED, that the Township Clerk is instructed to give proper notice of such hearing by mailing and publication in accordance with law and statute provided, and

BE IT FINALLY RESOLVED, 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. 2019-22 as presented.

Motion by: Goupil

Seconded: Tucker

Ayes: Krug, Tucker, Goupil, Kesler

Nays: None

Absent: Mathis

Abstaining: Lorraine, Reid

Motion carried. Resolution declared adopted.

BOARD COMMENT:

None

PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

None

ADJOURN: Meeting adjourned at 7:59 p.m.

Robert Krug, Chairman Pro-Tem

Thomas Broecker, Deputy Clerk

Minutes Posted 7/16/19