

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF AUGUST 17, 2020**

**MEETING HELD BY TELEPHONE CONFERENCE CALL  
PER MICHIGAN EXECUTIVE ORDER 2020-154**

Supervisor Mathis called the meeting to order at 7:30 p.m.

Present: Mathis, Krug, Tucker, Goupil, Kesler, Lorraine, Reid

Absent: None

Also Present: Attorney Belzer, Operations Manager Broecker, Fire Chief Volz, Township Engineer Allen Lawrence

**OPENING PRAYER:**

Trustee Goupil offered the opening prayer.

**APPROVAL OF AGENDA:**

Motion to approve the 8/17/20 Fenton Township Board Meeting agenda as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Motion carried. The agenda is approved.

**MEETING MINUTES:**

The minutes for the 7/27/20 regular meeting stand approved as presented.

**EXPENDITURES:**

Motion to approve invoices and expenditures for all funds totaling \$517,559.81 for payment as presented.

Motion by: Tucker

Seconded: Krug

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

Nays: None

Motion carried.

**PUBLIC HEARINGS:**

None

**REPORTS:**

**CARES Act Funding – Grant Application Update**

Operations Manager Broecker reported that the Township has applied for CARES Act funding through the Michigan Department of Treasury. Two different grant applications have been submitted for reimbursement of public safety payroll for the months of April and May, and for reimbursement of hazard pay premiums. If approved, Fenton Township will receive approximately \$43,000 in CARES Act funding.

**COMMUNICATIONS:**

None

**ADOPTION OF ORDINANCES:**

None

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**UNFINISHED BUSINESS:**

**Next Meeting Reminder – August 31, 2020**

Supervisor Mathis reminded the board that the next regular township board meeting would be held Monday 8/31/20.

**NEW BUSINESS:**

**Proposed Agreement – Deer Run Soccer Facility**

Treasurer Tucker reviewed a proposed sub-license agreement between the Township and the Deer Run Soccer Authority (DRSA), an organization comprised of AYSO, LaForza and Nationals Genesee soccer groups. The proposed sub-license extends the provisions of the previous sub-license with AYSO, with minor revisions, to DRSA through June 30, 2021. Mr. Tucker noted that one significant change to the document is the addition of a provision requiring insurance by the sub-licensee.

Attorney Belzer expressed concern that the proposed agreement limits the uses too much. Trustee Kesler stated the use of the property should not be limited to just the soccer organizations. Trustee Lorraine asked if the sub-license is consistent with Genesee County's requirements that the property remain a park open to the general public. Treasurer Tucker noted that is addressed in the "Uses" section of the agreement and incorporates those requirements from the existing license agreement between the Township and the County.

Rick Miracle (DRSA) stated there are people on the property right now playing catch, lacrosse and football. Such uses would be welcome anytime the soccer fields are not in use and may take place in other areas of the park when the fields are in use.

Pat Lockwood (SLPR) stated that there may be opportunities for several other uses for the property in the future and urged the board to remain open to the concept of SLPR eventually managing the property. She thanked Trustee Lorraine for his commitment to involve SLPR in future discussions.

Motion to approve the park property sub-license agreement with the Deer Run Soccer Authority as presented.

Motion by: Tucker

Seconded: Lorraine

Ayes: Mathis, Krug, Tucker, Lorraine

Nays: Goupil, Kesler, Reid

Motion carried.

**Resolution No. 2020-13, Proposed Street Improvement Special Assessment District for Audubon Meadows**

Operations Manager Broecker reported that property owners in the Audubon Meadows condominium subdivision have filed petitions to create a street improvement special assessment district to resurface their streets. The signatures on the petitions submitted represent 68.71% of the total frontage in the proposed district, with 25 of 35 property owners signing the petition. The next step in the process is to conduct a public hearing on the creation of the special assessment district. Clerk Krug presented the following resolution:

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**RESOLUTION NO. 2020-13**

*WHEREAS, the Charter Township of Fenton has accepted petitions from owners of properties benefiting from the proposed improvement of streets in the Audubon Meadows condominium subdivision to create a special assessment district under the authority of Michigan Public Act 188 of 1954, as amended, for the purpose of asphalt resurfacing Audubon Drive, Rolling Meadow Drive and Waterside Drive, all private streets in Fenton Township, and*

*WHEREAS, it has been determined that the petition has been signed by property owners constituting more than 50% of the road frontage of the proposed special assessment district, and*

*WHEREAS, preliminary plans and estimated costs for the foregoing street improvements have been placed on file in the office of the Township Clerk,*

*NOW, THEREFORE, BE IT RESOLVED, that the Fenton Township Board does hereby tentatively declare its intent to resurface Margaret Drive and Ruth Drive, and*

*BE IT FURTHER RESOLVED, that the Fenton Township Board does tentatively designate the special assessment district against which the costs of the improvements are to be assessed as the Audubon Meadows Street Improvement Special Assessment District, which shall include the lands and premises more particularly described as follows:*

***Units 1-13 and 15-36 of the Audubon Meadows Condominium Subdivision  
and***

*BE IT FURTHER RESOLVED, that a hearing on any objections to the petitions, 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 31, 2020 at a regular meeting of the township board to be held via telephone conference call, commencing at 7:30 p.m., and*

*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. 2020-13 as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Motion carried. Resolution declared adopted.

**Legal Action to Abandon Platted Roadway – Swanee Beach Plat**

Attorney Belzer briefly reviewed legal documents filed by property owner Ridgeway White to have a platted roadway abandoned. Mr. Belzer explained that Mr. White owns property on both sides of the platted roadway, which was never constructed as a road. Since the

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roadway was never turned over to Genesee County, legal action is the only way for Mr. White to obtain title to the land. The Township and other property owners in the Swanee Beach Plat are “necessary defendants” in this litigation, however it is really just a formality. He does not recommend that the board take any action.

**BOARD COMMENT:**

None

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

None

**ADJOURN:** Meeting adjourned at 8:10 p.m.

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Bonnie Mathis, Supervisor

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Robert Krug, Clerk

**Minutes Posted 08/18/20**