

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF MAY 3, 2021**

**MEETING HELD ELECTRONICALLY VIA ZOOM  
PER MICHIGAN PUBLIC ACT 254 OF 2020**

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

**OPENING PRAYER:**

Trustee Goupil offered the opening prayer.

**ROLL CALL:**

Clerk Krug called the roll.

Present: Lorraine (attending remotely from Fenton Township, MI, USA)  
Krug (attending remotely from Fenton Township, MI, USA)  
Tucker (attending remotely from Grand Blanc, MI, USA)  
Goupil (attending remotely from Fenton Township, MI, USA)  
Katrak (attending remotely from Fenton Township, MI, USA)  
Kesler (attending remotely from Fenton Township, MI, USA)  
Reid (attending remotely from Fenton Township, MI, USA)

Absent: None

Also Present: Attorney Belzer, Operations Manager Broecker, Zoning Administrator Deem, Fire Chief Volz, Assessor Wilson, Township Engineer Allen Lawrence.

**APPROVAL OF AGENDA:**

Motion to approve the 5/3/21 Fenton Township Board Meeting agenda as presented.

Motion by: Tucker

Seconded: Krug

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

Nays: None

Motion carried. The agenda is approved.

**MEETING MINUTES:**

The minutes for the 4/19/21 regular meeting stand approved as presented.

**EXPENDITURES:**

Motion to approve invoices and expenditures for all funds totaling \$293,702.73 for payment as presented.

Motion by: Tucker

Seconded: Reid

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

Nays: None

Motion carried.

**PUBLIC HEARINGS:**

**Silvercrest Channel Lake Improvement Special Assessment District No. 2 / Hearing on Special Assessment Roll**

Supervisor Lorraine opened a public hearing on the special assessment roll for Silvercrest Channel Lake Improvement Special Assessment District No. 2 which, if confirmed, will continue weed control and related services for the Silvercrest Channel on Silver Lake for five years. The proposed roll assesses \$228.00 per parcel on the 2021 summer tax bill to pay for 2021 treatments and to reimburse the township for administrative costs. Each

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parcel will be assessed \$136.63 on the winter tax bills for 2021 through 2024 to fund treatments for the years 2022 through 2025.

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.

There was no public comment. Clerk Krug presented the following resolution:

**RESOLUTION NO. 2021-11**

*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 lake improvement project within Silvercrest Channel Lake Improvement Special Assessment District No. 2 as shown on the plans 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*

*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. 2021-02 and shall hereby be confirmed as the special assessment roll for Silvercrest Channel Lake Improvement Special Assessment District No. 2.*
2. *The assessments in said Fenton Township Special Assessment Roll No. 2019-03 shall be divided into five annual installments with the first installment due on or before July 1, 2021 and the following installments to be due on or before the 1<sup>st</sup> day of December of the years 2021 through 2024, 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*

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*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. 2021-11 as presented.

Motion by: Krug

Seconded: Tucker

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

Nays: None

Motion carried. Resolution declared adopted.

**REPORTS:**

None

**COMMUNICATIONS:**

None

**ADOPTION OF ORDINANCES:**

**Rezoning #R21-001, Lake Fenton Community Schools, part of parcel 06-02-300-047, (11425 Torrey Road), Conditional Rezoning from R-4 to C-1; 2<sup>nd</sup> Reading/Vote on Adoption**

Zoning Administrator Deem briefly reviewed the proposed conditional rezoning of a portion of the Lake Fenton Middle School property, which was introduced at the 4/19/21 meeting. The property formerly contained underground fuel storage tanks, which were removed years ago. By rezoning this portion of the property to commercial, EGLE will not require any additional remediation of the site.

Assessor Wilson noted that the newly created parcel will need to have an address assigned. Once the land division is submitted to her office and approved, the Genesee County Road Commission can assign a street address.

There was no further discussion.

Motion to adopt Ordinance No. 823, an amendment to Zoning Ordinance No. 594 to conditionally rezone part of parcel 06-02-300-047 from R-4 to C-1, with the following conditions:

1. No groundwater shall be used for the new parcel.
2. The asphalt parking lot shall be maintained in good condition in the area of impacted soil and/or groundwater impacted by Releases No. C-0843-96 and C-0667-98.

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3. In the area of impacted soil, the construction and/or expansion of an existing closed building will not be allowed.
4. The property will remain in the ownership of Lake Fenton Community Schools, to be used Lake Fenton Community Schools and/or its subcontractors.

Motion by: Krug  
Seconded: Kesler  
Ayes: Lorraine, Krug, Tucker, Goupil, Katrak, Kesler, Reid  
Nays: None  
Motion carried. Ordinance declared adopted.

**Rezoning #R21-002, Empyrean Group, LLC, parcel 06-17-100-008, (SE corner of Linden/Lahring intersection), PUD to AG; 2<sup>nd</sup> Reading/Vote on Adoption**

Zoning Administrator Deem briefly reviewed the proposed rezoning of a 110-acre parcel from PUD to AG, which was introduced at the 4/19/21 meeting. The original PUD included over 200 residential units. The proposed rezoning would allow the owner to divide off five 5-acre parcels and leave the remainder vacant.

Motion to adopt Ordinance No. 824, an amendment to Zoning Ordinance No. 594 rezone parcel 06-17-100-008 from PUD to AG, as presented.

Motion by: Goupil  
Seconded: Tucker  
Ayes: Lorraine, Krug, Tucker, Goupil, Katrak, Kesler, Reid  
Nays: None  
Motion carried. Ordinance declared adopted.

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

**Schedule Public Hearing - Amendment to Existing Industrial Development District**

The board reviewed a memo from Operations Manager Broecker revisiting the Township Board's approval in 2018 a transfer of an existing Industrial Facilities Exemption Certificate (tax abatement) from CFI Medical Solutions to Domico Med-Device, LLC. This facility is located in Industrial Development District No. 13, (14241 Fenton Road), which was created by resolution of the Fenton Township Board in 2002.

Domico Med-Device plans to expand their existing facility and apply for a new tax abatement on this expansion. Although the expansion would be located on the same parcel of land, a part of that property was split off and sold to Dort Federal Credit Union. Therefore, the legal description used in the creation of Industrial Development District No. 13 is no longer accurate. Per the State Tax Commission, a resolution to amend the legal description for the existing IDD would be required before the Township Board can consider a new exemption application. Accordingly, Domico Med-Device has submitted a letter requesting a new/amended Industrial Development District for their property. A public hearing is required before the board can take action on this request.

Motion to schedule a public hearing for May 17, 2021 to consider the request of Domico Med-Device, LLC to amend the boundaries of Industrial Development District No. 13.

Motion by: Tucker

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Seconded: Goupil  
Ayes: Lorraine, Krug, Tucker, Goupil, Katrak, Kesler, Reid  
Nays: None  
Motion carried.

**BOARD COMMENT:**

Supervisor Lorraine announced that the next Township Board meeting on May 17, 2021 is tentatively scheduled to be held in person. Trustee Katrak asked if the public can still attend meetings via Zoom. Operations Manager Broecker confirmed that Zoom would still be utilized to allow members of the public to attend meetings virtually. Once all of the new equipment is installed, a test meeting will be conducted prior to the first “live” meeting.

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

None

**ADJOURN:** Meeting adjourned at 8:02 p.m.

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Vince Lorraine, Supervisor

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Robert Krug, Clerk

**Minutes Posted 05/04/21**