

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF AUGUST 16, 2021**

**FENTON TOWNSHIP CIVIC COMMUNITY CENTER  
12060 MANTAWAUKA DRIVE, FENTON, MICHIGAN**

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

**OPENING PRAYER / PLEDGE OF ALLEGIANCE:**

Trustee Goupil offered the opening prayer. Supervisor Lorraine led the pledge of allegiance to the flag.

**ROLL CALL:**

Clerk Krug called the roll.

Present: Lorraine, Krug, Tucker, Goupil, Katrak, Kesler (arrived 7:39 p.m.), Reid

Absent: None

Also Present: Attorney Belzer, Operations Manager Broecker, Fire Chief Volz

Present via Zoom: Zoning Administrator Deem, Assessor Wilson and Township Engineer  
Allen Lawrence

**APPROVAL OF AGENDA:**

Motion to approve the 8/16/21 Fenton Township Board Meeting agenda as presented.

Motion by: Tucker

Seconded: Goupil

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

Nays: None

Absent: Kesler

Motion carried. The agenda is approved.

**MEETING MINUTES:**

The minutes for the 8/2/21 regular meeting and the 8/5/21 workshop meeting stand approved as presented.

**EXPENDITURES:**

Motion to approve invoices and expenditures for all funds totaling \$617,153.45 for payment as presented.

Motion by: Tucker

Seconded: Reid

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

Nays: None

Absent: Kesler

Motion carried.

**PUBLIC HEARINGS:**

None

**REPORTS:**

None

**COMMUNICATIONS:**

None

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF AUGUST 16, 2021**

**ADOPTION OF ORDINANCES:**

**Proposed Zoning Ordinance Amendment - Brewpub, Small Distiller & Winery  
Special Uses**

Zoning Administrator Deem reviewed a proposed Zoning Ordinance amendment to define the uses *Brewpub*, *Small Distiller* and *Winery*, and to make each of these uses permitted by special use permit in the C-1, C-2 and C-3 zoning districts. Breweries and similar operations are currently classified as industrial uses, which does not take into account these smaller, less intense uses. The proposed amendment is will help clarify the ordinance by making these smaller scale uses subject to a special use permit in commercial zoning districts.

Treasurer Tucker agreed, adding that the Planning Commission generally favors the special use permit approach so that conditions can be imposed, if appropriate.

There was no public comment. The second reading of the proposed ordinance will be conducted at the 8/30/21 meeting.

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

**Thompson Road Corridor Water Improvements Agreement - Engineering Costs**

Supervisor Lorraine reported that, as discussed at the 8/5/21 workshop meeting, Fenton Township is pursuing American Rescue Plan Act (ARPA) grant funding from Genesee County to bring municipal water to the Thompson Road area. Although final funding decisions have not been made, approval of preliminary engineering expenses by the three communities involved in the *Southwest Water Loop* project, (Fenton, Mundy & Grand Blanc Townships), is necessary to keep this potential infrastructure plan on schedule.

The board reviewed the *2021 Thompson Road Corridor Water Improvements Agreement*, provided by the Water & Waste Services division of the Genesee County Drain Commissioner (GCDC-WWS), which outlines the project and allocates \$55,000 in preliminary engineering costs to Fenton Township.

Motion to approve the *2021 Thompson Road Corridor Water Improvements Agreement* with the Genesee County Drain Commissioner, as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: Goupil

Motion carried.

**Resolution No. 2021-17, Supporting Grant Funding for Southwest Water Loop**

Supervisor Lorraine reviewed a proposed resolution to support the Southwest Water Loop project, and to request \$6.5 million in ARPA funding from Genesee County to be put toward the project.

Clerk Krug presented the following resolution:

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF AUGUST 16, 2021**

**RESOLUTION NO. 2021-17**

*WHEREAS, the Southwest Loop of the Genesee County Water System (the "Project") will serve Fenton Township, Mundy Township and Grand Blanc Township, and*

*WHEREAS, the Project will improve public health and safety by providing water to areas that do not currently have public water and have significant levels of arsenic in the ground water, and*

*WHEREAS, the Project will improve public health and safety by providing water to areas that do not currently have public water for fire suppression, and*

*WHEREAS, the County of Genesee received significant funding from the American Rescue Plan Act of 2021, which is intended for the construction of water, sewer and broadband infrastructure, and*

*WHEREAS, the Water & Waste Services division of the Genesee County Drain Commissioner ("GCDC-WWS") has prepared preliminary routing and cost estimates (attached), and the three townships have entered into a Design Agreement with GCDC-WWS for preliminary design, and*

*WHEREAS, the entire Project is estimated to cost \$23,400,000, and*

*WHEREAS, the first phase of the Project will be shovel-ready in the spring of 2022;*

*NOW, THEREFORE, BE IT RESOLVED that Fenton Township, Mundy Township and Grand Blanc Township hereby proclaim their support for the Project and request that the Genesee County Board of Commissioners provide up to \$6,500,000 in grant funding to the townships for the purpose of construction of the first phase of the Southwest Water Loop.*

Motion to adopt Resolution No. 2021-17 as presented.

Motion by: Krug

Seconded: Tucker

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

Nays: Goupil

Motion carried. Resolution declared adopted.

**Resolution No. 2021-18, Accelerated Foreclosure on Abandoned Property**

Operations Manager Broecker noted that, for the past several years, based on a recommendation from the Genesee County Treasurer, the Township has adopted a resolution to allow accelerated foreclosure on abandoned tax delinquent properties. If a property is truly abandoned, faster foreclosure proceedings will help get the property back on the active tax roll sooner. This resolution must be adopted once each year.

Trustee Goupil asked if there are any reasons not to adopt such an ordinance – is there a "down side". Operations Manager Broecker confirmed there are no negatives associated with adopting the ordinance. There was no further discussion.

Clerk Krug presented the following resolution:

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF AUGUST 16, 2021**

**RESOLUTION NO. 2021-18**

*WHEREAS, Township Board of the Charter Township of Fenton determines that parcels of abandoned tax delinquent property exist, and*

*WHEREAS, abandoned tax delinquent property has the potential to contribute to crime, blight and decay within the Charter Township of Fenton, and*

*WHEREAS, the certification of tax delinquent abandoned property as certified abandoned property will result in the accelerated forfeiture and foreclosure of certified abandoned property under the General Property Tax Act and return abandoned property to productive use more rapidly, thereby potentially reducing crime, blight and decay within the Township.*

*NOW, THEREFORE, BE IT RESOLVED, that the Charter Township of Fenton hereby notifies residents and owners of property within the Township that abandoned tax delinquent property will be identified and inspected, and may be certified as certified abandoned property under the **Certification of Abandoned Property for Accelerated Forfeiture Act** and subject to accelerated forfeiture and foreclosure under the **General Property Tax Act**.*

Motion to adopt Resolution No. 2021-18 as presented.

Motion by: Krug

Seconded: Goupil

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

Nays: None

Motion carried. Resolution declared adopted.

**Resolution No. 2021-19, GCRC Permit for LFHS Homecoming Parade**

Supervisor Lorraine reported that Lake Fenton High School wishes to hold their annual Homecoming Parade along Torrey Road between North Long Lake Road and Lahring Road on Friday 10/8/21. The Genesee County Road Commission requires the issuance of a permit for this type of activity. A resolution has been prepared to authorize Lake Fenton Community Schools to apply for that permit on behalf of the Township.

Clerk Krug presented the following resolution:

**RESOLUTION NO. 2021-19**

*WHEREAS, Lake Fenton Community Schools wishes to make application to the Genesee County Board of Road Commissioners for a permit to hold a Homecoming Parade within the road right-of-way of Torrey Road, and*

*WHEREAS, approval of the local unit of government, by resolution, is required to obtain said permit;*

*NOW, THEREFORE, BE IT RESOLVED, that Lake Fenton Community Schools is hereby authorized to make application to the Genesee County Road Commission on*

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF AUGUST 16, 2021**

*behalf of the Charter Township of Fenton in the county of Genesee, Michigan for the necessary permit(s) to:*

***Hold a Homecoming Parade on Friday October 8, 2021, between the hours of 4:00 p.m. and 6:00 p.m.***

***within the right-of-way of Torrey Road between North Long Lake Road and Lahring Road, as requested.***

Motion to adopt Resolution No. 2021-19 as presented.

Motion by: Krug

Seconded: Reid

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

Nays: None

Motion carried. Resolution declared adopted.

**Resolution No. 2021-20, Proposed Erosion Control Special Assessment District for Cottage Cove**

Operations Manager Broecker reported that property owners in the Cottage Cove development have filed petitions to create an erosion control improvement special assessment district to have a new seawall constructed for their subdivision. The signatures on the petitions submitted represent 86.14% of the total land area in the proposed district, with 19 of 22 property owners signing the petition (86.36%).

The next step in the process is to conduct a public hearing on the creation of the special assessment district. Resolution No. 2021-20 has been prepared to schedule the public hearing for the 8/30/21 meeting. Clerk Krug presented the following resolution:

**RESOLUTION NO. 2021-20**

*WHEREAS, the Charter Township of Fenton has accepted petitions from owners of properties in the Cottage Cove condominium subdivision to create a special assessment district under the authority of Michigan Public Act 188 of 1954, as amended, for the purpose of constructing a new seawall to provide erosion control, and*

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

*WHEREAS, preliminary plans and estimated costs for the foregoing drainage 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 construct a seawall along the shoreline of Lake Ponemah in the Cottage Cove condominium subdivision, 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 Cottage Cove Erosion Control Improvements Special Assessment District, which shall include the lands and premises more particularly described as follows:*

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF AUGUST 16, 2021**

***Units 1-22 in the Cottage Cove 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 30, 2021 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*

*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. 2021-20 as presented.

Motion by: Krug

Seconded: Tucker

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

Nays: None

Motion carried. Resolution declared adopted.

**Resolution No. 2021-21, New Lake Improvement Special Assessment District - Pine Lake**

Noting that the most recently approved lake improvement special assessment for Pine Lake expired after the 2020 property tax roll, Operations Manager Broecker reported that the lake association has submitted a new proposal to continue the program for another three years. This will require the creation of a new special assessment district.

Resolution No. 2021-21 has been prepared to initiate the special assessment process and schedule a public hearing on the creation of the new special assessment district. Clerk Krug presented the following resolution:

**RESOLUTION NO. 2021-21**

*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 Pine Lake, 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 Pine Lake, consisting of the eradication and/or control of aquatic weeds and plants and services related thereto, and*

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF AUGUST 16, 2021**

*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 Pine Lake 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 Pine Lake***

*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 30, 2021 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*

*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. 2021-21 as presented.

Motion by: Krug

Seconded: Kesler

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

Nays: None

Motion carried. Resolution declared adopted.

**Resolution No. 2021-22, Schedule Public Hearing on Revised Roll - Loon Lake Improvement Special Assessment District No. 2**

Operations Manager Broecker noted that the Fenton Township Board confirmed a 5-year special assessment roll for Loon Lake Improvement Special Assessment District No. 2 in 2019. The board reviewed a letter from David Weber of the Friends of Loon Lake Association, requesting an increase to the assessment for the final three years, (2021, 2022 and 2023), to cover additional costs they have determined to be necessary to effectively treat the lake for the next three years. Aquatic Nuisance Plant Control has submitted a revised proposal for the years 2022-2024, and a revised special assessment roll has been created and certified. A public hearing on the proposed special assessment roll is required before the board can take action. Resolution No. 2021-22 has been prepared to schedule the hearing. Clerk Krug presented the following resolution:

**RESOLUTION NO. 2021-22**

*WHEREAS, the Fenton Township Board confirmed Special Assessment Roll 2019-06 for Loon Lake Improvement Special Assessment District No. 2 on September 16, 2019, covering the years 2019 through 2024, and*

*WHEREAS, the Friends of Loon Lake Association has submitted a revised cost proposal for the 2022 through 2024 treatment seasons, and has determined that the assessments in years 2021 through 2023 of said Special Assessment Roll No. 2019-06*

**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF AUGUST 16, 2021**

*will not be sufficient to cover the cost of the final three years of treatments necessary for Loon Lake, and*

*WHEREAS, the Supervisor and assessing officer of Fenton Township has, in accordance with the laws and statutes pertinent thereto, prepared a special assessment roll in the total amount of \$107,376.61 for the years 2021 through 2023, covering all parcels of land within Loon Lake Improvement Special Assessment District No. 2, according to the relation of the benefit to each parcel of land to the total benefit to all parcels of land in such special assessment district and has affixed thereto her Certificate as required by said laws and statutes;*

*NOW, THEREFORE, BE IT RESOLVED as follows:*

- 1. That said special assessment roll shall be filed with the Township Clerk and shall be available for public examination during regular working hours of regular working days from the present date until the public hearing upon the same and shall further be examined at such public hearing.*
- 2. That the Fenton Township Board shall meet at 7:30 p.m. on August 30, 2021 at the Fenton Township Civic Community Center, located at 12060 Mantawauka Drive, within the township, to review such special assessment roll and hear any objections thereto.*
- 3. That the Township Clerk shall cause notice of such hearing and the filing of such assessment roll to be published twice in the Tri-County Times, a newspaper of general circulation in the township prior to the date of the hearing, with the first publication being not less than 10 days prior to the hearing and shall further cause notice of such hearing to be mailed by first class mail to all owners of or persons having an ownership interest in property within Loon Lake Improvement Special Assessment District No. 2 as shown on the current assessment roll of the township also at least ten (10) days prior to said hearing, all in accordance with the law and statute provided.*
- 4. All resolutions and parts of resolutions insofar as they conflict with the provisions of the within resolution are hereby rescinded.*

Motion to adopt Resolution No. 2021-22 as presented.

Motion by: Krug

Seconded: Tucker

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

Nays: None

Motion carried. Resolution declared adopted.

**BOARD COMMENT:**

None

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

Dave Weber, Friends of Loon Lake Association

Mr. Weber thanked the board for moving forward their revised special assessment roll. New invasive species and new EGLE restrictions on herbicides has increased the cost of



**CHARTER TOWNSHIP OF FENTON BOARD OF TRUSTEES  
MINUTES FOR REGULAR MEETING OF AUGUST 16, 2021**

necessary treatments for their lake. The increased assessments will allow them to better maintain the quality of Loon Lake.

**ADJOURN:** Meeting adjourned at 8:01 p.m.

---

Vince Lorraine, Supervisor

---

Robert Krug, Clerk

**Minutes Posted 08/17/21**