

**CHARTER TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN
MINUTES FOR REGULAR TOWNSHIP BOARD MEETING
JANUARY 4, 2022**

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

Supervisor Lorraine called the meeting to order at 6:30 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, Reid

Absent: Kesler

Also Present: Attorney Belzer, Operations Manager Broecker, Assessor Wilson

Present via Zoom: Fire Chief Volz, Township Engineers Allen & Melissa Lawrence

APPROVAL OF AGENDA:

Motion to approve the 1/4/22 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 12/20/21 regular meeting stand approved as presented.

EXPENDITURES:

Motion to approve invoices and expenditures for all funds totaling \$177,608.14 for payment as presented.

Motion by: Tucker

Seconded: Goupil

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

Nays: None

Absent: Kesler

Motion carried.

PUBLIC HEARINGS:

None

REPORTS:

None

COMMUNICATIONS:

Change to Recycling Collection Calendar - Republic Services

The board reviewed information regarding a change to the recycling calendar for part of the Township. To balance their collections, Republic Services is changing the area north of Silver Lake Road, south of Lahring Road and west of US-23 from the "yellow" schedule to the "blue" schedule for every-other-week recycling collection. The end result is that this

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area was collected on December 31 and will be collected again on January 7, and every two weeks thereafter. Republic Services did mail out a postcard to the affected residents, however the information in the postcard has created additional confusion. The Township will work through the transition in the weeks to come.

ADOPTION OF ORDINANCES:

None

UNFINISHED BUSINESS:

Special Meeting Reminder - January 13, 2022

Supervisor Lorraine reminded the board of the upcoming special meeting with Planning Commission to review and discuss the development of the Thompson Road Corridor. The meeting will be held on Thursday 1/13/22 at 6:30pm, or immediately following the Planning Commission's regular meeting.

NEW BUSINESS:

Resolution No. 2022-01, Notice of Intent - Issuance of Capital Improvement Bonds

The board reviewed a proposed resolution to authorize publication of a *Notice of Intent* to issue capital improvement bonds and declaration of intent to reimburse, which has been prepared the Township's bond counsel. The resolution declares the Township's intent to issue capital improvement bonds in an amount not to exceed \$5,000,000 to finance the costs of municipal water system infrastructure. The resolution serves two purposes:

1. Publication of Notice of Intent - The Revised Municipal Finance Act, Act 34, Public Acts of Michigan, 2001, as amended, requires the Township to notify the Township's electors of its intent to issue the bonds by publishing a notice in the newspaper which gives the voters a referendum right on the issuance of the bonds. The form of Notice is set forth on Exhibit A of the resolution and must be published as a display advertisement at least one-quarter (1/4) page in size. Adoption of the resolution does not obligate the Township to issue the bonds, but instead indicates the intention of the Township to issue bonds pledging its limited tax full faith and credit as security and authorizes the publication of a notice of intent to issue bonds.
2. Declaration of Intent to Reimburse - The resolution's second purpose is to meet the requirements of the federal tax law regulations pertaining to tax-exempt bonds. Treasury Regulation § 1.150-2 provides in effect that an issuer of municipal bonds may reimburse itself for expenditures made prior to the issuance of bonds only if it has declared its intention to do so in advance. The resolution covers expenditures made up to 60 days prior to the date of the resolution.

It was pointed out that \$5 million is a "not to exceed" amount. Even though the anticipated bond issue amount is in the \$2-3 million range, the general rule of thumb is to approve a higher amount for purposes of the notice of intent to eliminate the need to adopt another resolution if the bond amount needed to be increased.

There was no further discussion. Clerk Krug presented the following resolution:

RESOLUTION NO. 2022-01

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WHEREAS, the Township Board of the Charter Township of Fenton, County of Genesee, State of Michigan (the "Township"), intends to issue and sell general obligation capital improvement bonds, pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), in an amount not to exceed Five Million Dollars (\$5,000,000), in one or more series, for the purpose of paying part of the cost of acquiring, constructing, furnishing and equipping municipal water system infrastructure, together with all necessary interests in land, and all related sites, structures, equipment, appurtenances and attachments thereto (the "Project"), and

WHEREAS, a notice of intent to issue bonds must be published before the issuance of the bonds in order to comply with the requirements of Section 517 of Act 34, and

WHEREAS, the Township intends at this time to state its intention to be reimbursed from proceeds of the bonds for any expenditures undertaken by the Township for the Project prior to issuance of the bonds;

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1. The Township Clerk is hereby authorized and directed to publish a notice of intent to issue bonds in the Tri-County Times, a newspaper of general circulation in the Township.*
- 2. Said notice of intent shall be published as a one-quarter (¼) page display advertisement in substantially the form set forth in Appendix A hereto and by this reference made a part hereof.*
- 3. The Township Board does hereby determine that the form of notice of intent to issue bonds set forth in Appendix A to this resolution and the manner of publication directed is the method best calculated to give notice to the Township taxpayers and electors of this Board's intent to issue the bonds, the maximum amount of bonds to be issued, the purpose of the bonds, the source of payment, and the right of referendum relating thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.*
- 4. The Township makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:*
 - (a) As of the date hereof, the Township reasonably expects to reimburse itself for the expenditures described in (b) below with proceeds of debt to be incurred by the Township.*
 - (b) The expenditures described in this paragraph (b) are for the costs of acquiring and constructing the Project which were paid subsequent to sixty (60) days prior to the date hereof or which will be paid prior to the issuance of the bonds from the general fund or water supply fund of the Township.*
 - (c) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$5,000,000.*

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5. *The Supervisor, Clerk, and Treasurer are authorized and directed to take other steps as necessary or convenient to carry out the purposes of this resolution.*
6. *The Township Board hereby confirms the retention of Miller, Canfield, Paddock and Stone, P.L.C. as bond counsel in connection with the issuance of the bonds.*
7. *The Township Board hereby confirms the retention of Baker Tilly Municipal Advisors, LLC as municipal advisor in connection with the issuance of the bonds.*
8. *All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.*

Motion to adopt Resolution No. 2022-01 as presented.

Motion by: Krug
Seconded: Tucker
Ayes: Lorraine, Krug, Tucker, Katrak, Reid
Nays: Goupil
Absent: Kesler

Motion carried. Resolution declared adopted.

Schedule Public Hearing - 2022 Local Road Improvements

Supervisor Lorraine stated that, in keeping with past practice of the board, he is recommending that the board schedule a local road improvement public hearing for the 1/18/22 township board meeting. This hearing will give the board an opportunity to obtain citizen input regarding potential local road improvement projects prior to compiling a potential project list for 2022.

Motion to schedule a public hearing for January 18, 2022 to obtain citizen input regarding potential local road improvement projects for 2022.

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

Motion carried.

Resolution No. 2022-02, Support for Southern Lakes Parks & Recreation Master Plan

Supervisor Lorraine reported that the Southern Lakes Regional Metropolitan Parks and Recreation District (SLPR) has advised they have drafted a new 5-year parks & recreation plan. As a member of the regional district, SLPR has requested a resolution of support for the proposed new plan from the Fenton Township Board. The Township Board adopted a similar resolution for SLPR's previous 5-year plan.

Clerk Krug noted that any district-wide projects initiated by or through SLPR are funded primarily by Fenton Township taxpayers.

Clerk Krug presented the following resolution:

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RESOLUTION NO. 2022-02

WHEREAS, the Charter Township of Fenton is a member of the Southern Lakes Regional Metropolitan Parks & Recreation District, and

WHEREAS, Fenton Township supports the mission of Southern Lakes Parks & Recreation to establish, maintain and operate recreational facilities and programming, and

WHEREAS, Southern Lakes Parks & Recreation has drafted a new proposed five year parks & recreation master plan, and

WHEREAS, the parks & recreation plan provides a solid foundation for the development of recreational facilities and continued improvements in recreational programs to support a healthy, desirable quality of life for the residents throughout the Southern Lakes region;

NOW, THEREFORE, BE IT RESOLVED that the Township Board of the Charter Township of Fenton hereby declares its support for the Southern Lakes Parks & Recreation 2022-2027 Five Year Parks & Recreation Master Plan.

Motion to adopt resolution No. 2022-02 as presented:

Motion by: Goupil

Seconded: Reid

Ayes: Lorraine, Tucker, Goupil, Katrak, Reid

Nays: Krug

Absent: Kesler

Motion carried. Resolution declared adopted.

Staff Resignation

Supervisor Lorraine reported that Deputy Treasurer Kelly Borg has decided to retire from employment with Fenton Township after 24 years to pursue other career opportunities. Kelly has been a valuable asset to the Township over the years and, while she will be missed, we all certainly wish her well as she begins the next chapter in her career. Formal action by the board is required to accept Kelly's letter of resignation.

Clerk Krug and the entire board commended Ms. Borg for her years of service.

Motion to accept, with regret, the resignation of Kelly Borg as of January 6, 2022.

Motion by: Krug

Seconded: Tucker

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

Nays: None

Absent: Kesler

Motion carried.

BOARD COMMENT:

None

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PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

Mary Hood, Genesee County Family Court Attorney/Referee

Ms. Hood introduced herself to the board as a current Attorney/Referee in the Genesee County Circuit Court (Family Court Division), who is planning to run for one of the Circuit Court judge positions in 2022. She provided a brief career background and thanked the board for the opportunity to address them.

ADJOURN: Meeting adjourned at 6:56 p.m.

Vince Lorraine, Supervisor

Robert Krug, Clerk

Minutes Posted 01/05/22