

**CHARTER TOWNSHIP OF FENTON
MINUTES FOR REGULAR TOWNSHIP BOARD MEETING
NOVEMBER 15, 2021**

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

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

PLEDGE OF ALLEGIANCE:

Supervisor Lorraine led the pledge of allegiance to the flag.

ROLL CALL:

Operations Manager Broecker called the roll.

Present: Lorraine, Tucker, Goupil, Katrak, Kesler, Reid

Absent: Krug

Also Present: Attorney Belzer, Operations Manager Broecker

Present via Zoom: Zoning Administrator Deem, Engineers Allen & Melissa Lawrence

APPROVAL OF AGENDA:

Motion to approve the 11/15/21 Fenton Township Board Meeting agenda as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Absent: Krug

Motion carried. The agenda is approved.

MEETING MINUTES:

Treasurer Tucker noted a minor typographical error in the minutes regarding the private road snow removal agreement. The minutes for the 11/1/21 regular meeting stand approved as corrected. The minutes for the 11/3/21 special meeting stand approved as presented.

EXPENDITURES:

Trustee Reid questioned the Canever Chevrolet invoice for transmission repair. Operations Manager Broecker confirmed that the transmission on the Fire Chief's Tahoe required extensive work. Motion to approve invoices and expenditures for all funds totaling \$397,967.81 for payment as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Absent: Krug

Motion carried.

PUBLIC HEARINGS:

Proposed Street Improvement Special Assessment District - Golden Shores; 1st Hearing

Supervisor Lorraine opened a public hearing on the creation of a special assessment district for the repaving of Golden Shores Drive, Golden Circle and Golden Court. The total estimated cost of the project is approximately \$456,000.00. The board will accept public comment on the following:

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1. The creation of the special assessment district
2. The proposed boundaries of the district
3. The necessity of the improvement
4. The plans for the improvement
5. The cost estimates for the improvement

Public comment:

Dan Porter, 1328 Golden Circle

Mr. Porter asked if there are any grants available to help with the cost of the project. Treasurer Tucker stated that grants are generally not available for residential streets. Genesee County funds improvements for primary roads, the Township funds improvements for local roads, leaving property owners to pay for improvements to residential streets. Operations Manager Broecker noted that the Genesee County Road Commission does provide design, engineering and inspection services without passing on those costs.

Vickie Hall, 2437 Golden Shore Drive

Ms. Hall asked if there are any Community Development Block Grant (CDBG) funds available for this project. Treasurer Tucker noted that the streets proposed for improvement are not within a designated "low-moderate income" area. Therefore, the project would not be eligible for CDBG funding.

Jeff Boley, 13240 Golden Circle

Mr. Boley expressed concern regarding potential cost increases if conditions under the existing pavement are worse than expected. Treasurer Tucker stated that the Township does not have the expertise to answer detailed questions regarding the proposed improvement. The Township relies on GCRC to accurately estimate the costs. It was also pointed out that the GCRC cost estimate includes approximately \$41,000 in contingencies, which would hopefully cover any increases. Operations Manager Broecker stated that an informational meeting could be scheduled after bids are received to have GCRC engineers available to answer questions, if needed.

The board also reviewed an email received from Paul Tattershaw at 13178 Golden Shores Drive. Mr. Tattershaw expressed frustration and general dissatisfaction with the maintenance of the street over the years, but also indicated support for the special assessment.

Supervisor Lorraine closed the public hearing.

Operations Manager Broecker presented the following resolution:

RESOLUTION NO. 2021-38

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

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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 convened on this 15th day of November 2021, 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 Golden Shores 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 repaving of Golden Shores Drive, Golden Circle and Golden Court, and the estimate of costs for the completion thereof of \$456,000.*
- 3. That this township board does hereby create, determine and define as a special assessment district to be known as the Golden Shores Street Improvement Special Assessment District, within which the costs of such improvements shall be assessed according to the benefits, the following described area within said township:*

***All properties fronting on Golden Shores Drive,
Golden Circle and Golden Court***

- 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.*

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Motion to adopt Resolution No. 2021-38 as presented.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Absent: Krug

Motion carried. Resolution declared adopted.

The next step in the process will be an agreement between the Township and the Genesee County Road Commission to begin the project. Design, engineering and bidding of the project should take place during the winter. Construction would be sometime in 2022.

REPORTS:

None

COMMUNICATIONS:

Mass Transportation Authority Customer Appreciation Day

Operations Manager Broecker reviewed a notice from the Genesee County Mass Transportation Authority regarding their Customer Appreciation Day on Thursday 11/18/21 at the Northrup/Abrams Transportation Center in downtown Flint.

ADOPTION OF ORDINANCES:

None

UNFINISHED BUSINESS:

Emergency Medical Services Agreement - Medstar, Inc.

Supervisor Lorraine noted that the board approved this same Emergency Medical Services Agreement at the 11/1/21 meeting, with a revision to the indemnity language. After further review and discussion with the Township Attorney, it has been determined that the revision is not necessary. Therefore, the board is being asked to "re-approve" the agreement. There was no further discussion

Motion to approve the Emergency Medical Services Agreement with Medstar, Inc. as presented.

Motion by: Goupil

Seconded: Tucker

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

Nays: None

Absent: Krug

Motion carried.

NEW BUSINESS:

Universal Video Service Local Franchise Agreement - Comcast

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Operations Manager Broecker reviewed a proposed video service franchise agreement with Comcast. The agreement, which is a state-mandated form, is required for Comcast to provide any video services within the Township.

Ben Miller, Comcast Government Affairs Director, stated that Comcast already has business commitments within the Township and is in the early stages of installing facilities. The franchise agreement is required before they can actually provide services.

Motion to approve the Universal Video Service Local Franchise Agreement with Comcast of Flint, Inc. as presented.

Motion by: Tucker

Seconded: Katrak

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

Nays: None

Absent: Krug

Motion carried.

Thompson Road Corridor Water Improvements Agreement - Engineering Design

Supervisor Lorraine provided a brief history of the municipal water project for Fenton Township. The next step in the process is to approve the design contract for the first phase of the project. The board reviewed a proposed agreement with the Water & Waste Services division of the Genesee County Drain Commissioner's office. The agreement includes the distribution of engineering design costs for the Thompson Road water project, which will formally commence the first phase of the project. Fenton Township's share of the \$382,000 total cost is \$263,580.

Trustee Katrak asked if the Township has estimates of how much revenue the water system will generate. Operations Manager Broecker explained that the Township's Financial Advisor, Baker Tilly, has provided a rate study proposal, which will be presented to the board at the 12/6/21 meeting. The rate study will provide revenue & expense estimates to build the financial model for the system.

Motion to approve the 2021 Thompson Road Corridor Water Improvements Agreement for engineering design costs, as presented.

Motion by: Tucker

Seconded: Kesler

Ayes: Lorraine, Tucker, Katrak, Kesler, Reid

Nays: Goupil

Absent: Krug

Motion carried.

Resolution No. 2021-39, Relocation of Enid Boulevard Right-of-Way

Treasurer Tucker explained that he has been working on legal action to relocate the Enid Boulevard right-of-way to match the existing road. The Attorney General is requiring a resolution from the Township that they support this action.

Operations Manager Broecker presented the following resolution:

RESOLUTION NO. 2021-39

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WHEREAS, legal action has been initiated to relocate the public right-of-way for Enid Boulevard, a public street in the Charter Township of Fenton, to align with the existing roadway, and

WHEREAS, the Charter Township of Fenton has no objection to the proposed right-of-way relocation;

NOW, THEREFORE, BE IT RESOLVED, that, pursuant to the provisions of MCL 560.226, the Charter Township of Fenton hereby agrees with and supports the relocation of the Enid Boulevard road right-of-way as requested by the Plaintiff in Easler v. Dickerson et. al. 21-115599-CH, which is currently pending in the Genesee County Circuit Court before the Honorable Celeste Bell.

Motion to adopt Resolution No. 2021-39 as presented.

Motion by: Reid

Seconded: Goupil

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

Nays: None

Absent: Krug

Motion carried. Resolution declared adopted.

Proposed 2022 Fenton Township Meeting Schedule

The board reviewed a proposed meeting schedule for 2022. As discussed at a recent special meeting, the Township Board meetings would move to the 1st and 3rd Wednesday of each month and begin at 6:30 p.m. Zoning Board of Appeals meetings will remain on the 4th Tuesday at 7:00 p.m. and the Planning Commission meetings will remain on the 2nd Thursday at 6:00 p.m.

Trustee Kesler stated that Wednesdays will not work well for him. After additional discussion, the board agreed to change the schedule to the 1st and 3rd Tuesday of each month, with meetings starting at 6:30 p.m. It was noted that any meeting dates falling on election days would be moved.

Motion to adopt the 2022 Fenton Township Meeting Schedule as revised.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Absent: Krug

Motion carried.

Schedule Public Hearing - 2022 Fenton Township Budget

Operations Manager Broecker reported that preliminary draft version of the 2022 Fenton Township Budget was distributed to the Township Board on September 1, 2021. Included in this meeting packet is an updated "preliminary public hearing draft" of the budget. Mr. Broecker is requesting that the Township Board schedule a public hearing on the proposed 2022 budget for the 12/6/21 meeting. A final public hearing draft budget, which may or may not include further revisions, will be provided with the 12/6/21 board packet.

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Motion to schedule a public hearing on the 2022 Fenton Township Budget to be held at the December 6, 2021 township board meeting.

Motion by: Tucker

Seconded: Kesler

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

Nays: None

Absent: Krug

Motion carried.

BOARD COMMENT:

None

PUBLIC COMMENT – AGENDA OR NON-AGENDA ITEMS:

None

ADJOURN: Meeting adjourned at 8:22 p.m.

Vince Lorraine, Supervisor

Thomas Broecker, Deputy Clerk

Minutes Posted 11/16/21