

**TYRONE TOWNSHIP REGULAR BOARD
APPROVED MINUTES – FEBRUARY 21, 2006**

CALL TO ORDER

Supervisor Lewis called the meeting of the Tyrone Township Board to order with the Pledge of Allegiance on February 21, 2006 at 7:00 p.m. at the Tyrone Township Hall.

ROLL CALL

Present: Supervisor Michael Lewis, Clerk David Kuzner, Treasurer David Kurtz,
Trustees: Robert Byerly, Lynn Thompson, Steven Nagy, and Andrew Schmidt.

PUBLIC REMARKS FOR NON-AGENDA ITEMS

Arlene Arledge of 10254 Center Road questioned the location of a Sheriff sub-station.

APPROVAL OF AGENDA – OR CHANGES

Treasurer Kurtz moved to approve the agenda as modified. (Trustee Nagy seconded.) The motion carried.

The modifications are as follows:

Added Fire Authority Report
Added Miscellaneous Business #1 Mid-Decade Census.

APPROVAL OF CONSENT AGENDA

Approval of Regular Board Meeting Minutes – January 17, 2006
Approval of Special Board Meeting Minutes – January 24, 2006
Approval of Special Board Meeting Minutes – January 28, 2006
Approval of Special Board Meeting Minutes – February 1, 2006
Approval of Clerk's Warrants and Bills – February 7, 2006 and February 21, 2006

Trustee Nagy moved to approve the consent agenda as modified. (Trustee Thompson seconded.) The motion carried.

The modifications are as follows:

Removed Regular Board Meeting Minutes – January 17, 2006

Trustee Nagy moved to approve the January 17, 2006 Regular Board Meeting Minutes with the modifications made. (Trustee Thompson seconded.) The motion carried.

The modifications are as follows:

Under New Business #2:

*Add the word “**file**” after the word “**on**” to make the statement read; Trustee Nagy moved to receive and place on **file** the Fire Authority 2006-07 proposed budget.*

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COMMUNICATIONS

- #1 December 2005 Livingston County Sheriff's Report.
- #2 November 22, 2005 Approved Planning Commission Regular Meeting Minutes.
- #3 November 22, 2005 Approved Planning Commission Meeting Minutes for Varcoe Shared Driveway Easement Public Hearing.
- #4 November 22, 2005 Approved Planning Commission Meeting Minutes for Stenz-Velliky Shared Driveway Easement Public Hearing.
- #5 December 13, 2005 Approved Planning Commission Work Session Minutes.
- #6 December 20, 2005 Approved Planning Commission Special Meeting Minutes.
- #7 January 2006 Zoning Administrator's Written Report.
- #8 January 31, 2006 Hartland Senior Citizen Advisory Council Meeting Minutes.
- #9 January 2006 Livingston County Sheriff's Report.

Trustee Nagy moved to receive and place on file Communications #1 – 9 as presented. (Treasurer Kurtz seconded). The motion carried.

PUBLIC REMARKS FOR AGENDA ITEMS

None.

FIRE AUTHORITY REPORT

Trustee Thompson moved to deny the Amendments to the 2005-06 Budget adopted by the Hartland, Deerfield, Tyrone Fire Authority on February 16, 2006. (Trustee Byerly seconded). The motion carried.

UNFINISHED BUSINESS

None.

NEW BUSINESS

- #1 Livingston County Sheriff visit.**

No action taken.

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#2 Monthly sewer invoices.

Treasurer Kurtz moved to approve the monthly sewer invoices in the amount of \$12,893.60 to be paid by the Livingston County BPW. (Trustee Nagy seconded). The motion carried.

#3 Request of Daniel Polidan for Land Use Permit Extension for property at 12169 Jeffers Lane, parcel #04-02-101-006.

Clerk Kuzner moved to approve the request of Daniel Polidan for Land Use Permit Extension for property at 12169 Jeffers Lane, parcel #04-02-101-006 for a period of 4 months. (Treasurer Kurtz seconded). The motion carried.

#4 Request of Gary Edwards for state statute land division of property with frontage on McGuire Road, parcel #04-30-100-017.

Trustee Nagy moved to accept the recommendation of the Planning Commission and approve the request of Gary Edwards for state statute land division of property with frontage on McGuire Road, parcel #04-30-100-017, as presented to create a new parcel of approximately 4.06 acres as shown in the Livingston Engineering Site drawing revised 1/08/06. Required open space will remain with the Parent Parcel and the new land division will become the McGuire Ravine Site Condominium, with the following acknowledgements and conditions:

1. The Tyrone Township Planning Commission has reviewed the proposed land division in accordance with the provision of Tyrone Township Zoning Ordinance Number 36 as amended and the related Township Land Division Provisions and recommended the proposed land division.
2. The applicant has submitted the appropriate permits from the Livingston County Road Commission.
3. The Township acknowledges that while the land division appears meets the existing Township, County and State requirements this does not guarantee the parcel is usable as a building site because of existing deed restriction, private road restrictions or other conditions not brought forth in the Township's review;
4. The applicant is hereby notified that where these restriction, known or not, are not enforced by the Township but through appropriate civil actions.
5. The applicant must complete the conditions placed on the land division by the Planning Commission on January 26, 2006 to the satisfaction of the Zoning Administrator before any land use permits will be issued.
6. The approval is based on the drawings and parcel descriptions submitted by the applicant showing the concept drawings by Livingston Engineering dated 1/08/06.

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7. A copy of this motion, the approval letter to the applicant and the full Board packet shall be submitted to the Township Assessor.

(Trustee Byerly seconded.) The motion carried.

#5 Request of Gary Edwards for McGuire Ravine Site Condominium concept plan approval to create four R-1 condominiums on a portion of a vacant parcel with frontage on McGuire Road, parcel #04-30-100-017.

Trustee Nagy moved to accept the recommendation of the Planning Commission and approve the request of Gary Edwards for McGuire Ravine Site Condominium concept plan approval to create four R-1 condominiums on a portion of a vacant parcel with frontage on McGuire Road, parcel #04-30-100-017, as presented. The site condominium units will be contained within the parcel separated from 20-100-017(G) by land division, with the following acknowledgements and conditions:

1. The Tyrone Township Planning Commission has reviewed the proposed land division in accordance with the provision of Tyrone Township Zoning Ordinance Number 36 as amended and the related Township Land Division Provisions and recommended the proposed land division.
2. The applicant has submitted the appropriate permits from the Livingston County Road Commission.
3. The Township acknowledges that while the land division appears meets the existing Township, County and State requirements this does not guarantee the parcel is usable as a building site because of existing deed restriction, private road restrictions or other conditions not brought forth in the Township's review;
4. The applicant is hereby notified that where these restriction, known or not, are not enforced by the Township but through appropriate civil actions.
5. The applicant must complete the conditions placed on the land division by the Planning Commission on January 26, 2006 to the satisfaction of the Zoning Administrator before any land use permits will be issued.
6. The approval is based on the drawings and parcel descriptions submitted by the applicant showing the concept drawings by Livingston Engineering dated 1/18/06.
7. A copy of this motion, the approval letter to the applicant and the full Board packet shall be submitted to the Township Assessor.

(Trustee Byerly seconded.) The motion carried.

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#6 Request of Shannon Ridge, represented by Brent LaVanway, for Shannon Ridge Site Condominium concept approval.

Trustee Nagy moved to table the request of Shannon Ridge, represented by Brent LaVanway, for Shannon Ridge Condominium concept approval. (Trustee Byerly seconded). The motion carried.

#7 Request of Michael and Cathy Brown for state statute shared driveway land division for property at 8497 Allen Road, parcel #04-31-400-016.

Trustee Nagy moved to accept the recommendation of the Planning Commission and approve the request of Michael and Cathy Brown for state statute shared driveway land division for property at 8497 Allen Road, RE parcel #04-31-400-016 to create 4 parcels. Parent Parcel 1 will be accessed by an existing driveway from Allen Road. Parcels 2, 3, and 4 will be accessed by a new shared driveway with access from Allen Road as shown in the site drawings dated 10/05/05, pages 1 through 6, with the following acknowledgements and conditions:

1. The Tyrone Township Planning Commission has reviewed the proposed land division in accordance with the provision of Tyrone Township Zoning Ordinance Number 36 as amended and the related Township Land Division Provisions and recommended the proposed land division.
2. The applicant has submitted the appropriate permits from the Livingston County Road Commission.
3. The Township acknowledges that while the land division appears meets the existing Township, County and State requirements this does not guarantee the parcel is usable as a building site because of existing deed restriction, private road restrictions or other conditions not brought forth in the Township's review;
4. The applicant is hereby notified that where these restriction, known or not, are not enforced by the Township but through appropriate civil actions.
5. The applicant must complete the conditions placed on the land division by the Planning Commission to the satisfaction of the Zoning Administrator before any land use permits will be issued.
6. The approval is based on the drawings and parcel descriptions submitted by the applicant showing the concept drawings by Boss Engineering dated 10/05/05.
7. A copy of this motion, the approval letter to the applicant and the full Board packet shall be submitted to the Township Assessor.

(Treasurer Kurtz seconded.) The motion carried.

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#8 Request of Planning Commission to forward letter to the Register of Deeds regarding recording of Land Divisions and Access Easements.

Trustee Nagy moved to table the request of Planning Commission to forward letter to the Register of Deeds regarding recording of Land Divisions and Access Easements. (Treasurer Kurtz seconded). The motion carried.

#9 Appointment of Planning Commission members.

Treasurer Kurtz moved to accept the resignation of Planning Commission member Dick Hartigan effective February 22, 2006. (Trustee Nagy seconded). The motion carried.

Clerk Kuzner moved to accept the recommendation of Supervisor Lewis and appoint Mark Meisel to the Planning Commission effective February 22, 2006 for the remainder of Mr. Hartigan's term. (Trustee Nagy seconded). The motion carried.

Clerk Kuzner moved to appoint Trustee Bob Byerly as the Township Board Representative to the Planning Commission. (Trustee Thompson seconded). The motion carried.

#10 Drury invoice discussion.

Trustee Nagy moved to table the Drury invoice discussion. (Treasurer Kurtz seconded). The motion carried.

#11 Tyrone Woods and Landon Corporation litigation settlements.

Trustee Nagy moved to authorize the approval of the Amended Consent Judgment pursuant to the terms and conditions addressed at the Township Board meeting held on February 21, 2006, with same provisions in Contract Rezoning Agreement and authorize the Supervisor and Clerk to sign said agreements. (Treasurer Kurtz seconded). The motion carried.

MISCELLANEOUS BUSINESS

#1 Mid-Decade Census

No action taken.

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BILLS FOR APPROVAL AND CLERK'S REPORT

The following checks (No.15002-15004, 15006-15013, 15015-15022, 15024-15032, 15035-15043, 15045-15051, 6726, 6728-6730, 6735, 6739, 6741-42, and 6744) have been paid since our last regular meeting and are submitted for approval which includes a total of **\$59,571.18** from the **GENERAL FUND**, **\$1,410.00** from **JAYNE HILL FARMS WASTE REMOVAL**, and **\$31,698.50** from **SEWER 2003 O&M OPERATIONS**.

ADJOURNMENT

The meeting ended at 11:08 p.m.