

**TYRONE TOWNSHIP REGULAR BOARD MEETING
APPROVED MINUTES – AUGUST 15, 2006**

CALL TO ORDER

Supervisor Schmidt called the meeting of the Tyrone Township Board to order with the Pledge of Allegiance on August 15, 2006 at 7:05 p.m. at the Tyrone Township Hall.

ROLL CALL

Present: Supervisor Andrew Schmidt, and Clerk David Kuzner; Trustees: Robert Byerly, Horace Morton, and Steve Nagy.

Absent: Treasurer Dave Kurtz and Trustees Lynn Thompson and Steve Nagy.

PUBLIC REMARKS FOR NON-AGENDA ITEMS

None.

APPROVAL OF AGENDA – OR CHANGES

Trustee Morton moved to approve the agenda as presented. (Trustee Byerly seconded.) The motion carried.

APPROVAL OF CONSENT AGENDA

Approval of Regular Board Meeting Minutes – July 18, 2006.

Approval of Special Board Meeting Minutes – July 20, 2006.

Clerk's Warrant and Bills.

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

Removed the Clerk's Warrant and Bills.

COMMUNICATIONS

#1 July 2006 Zoning Administrator's Written Report.

Trustee Morton moved to receive and place on file the communications as presented. (Trustee Byerly seconded). The motion carried.

PUBLIC REMARKS FOR AGENDA ITEMS

None.

UNFINISHED BUSINESS

#1 Kurt Scarberry permit extension.

Trustee Morton moved to grant a one year permit extension to Kurt Scarberry provided he present the Township with a detailed plan to bring the property in compliance within the one year extension period. The plan is to be submitted to the Zoning Administrator by August 30, 2006. (Clerk Kuzner seconded). The motion carried.

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NEW BUSINESS

#1 Tetra Tech monthly sewer invoices.

Clerk Kuzner moved to approve payment of the Tetra Tech monthly sewer invoices in the amount of \$8,445.93 to be paid by the Livingston County BPW. (Trustee Morton seconded). The motion carried.

Clerk Kuzner moved to approve Pay Estimate #3 in the amount of \$18,335.80 to be forwarded to the Livingston County BPW for payment. (Trustee Morton seconded). The motion carried.

Clerk Kuzner moved to recommend approval to forward the Tyrone Township Sanitary Sewer Improvements, Engineering Services Amendment Number 16, Runyan Lake Force Main Improvements proposed by Tetra Tech. (Trustee Morton seconded). The motion carried.

Clerk Kuzner moved to approve Tetra Tech proposal for Crown Enterprises/Tyrone Woods litigation request to Change Authorization Number 2, PO 227098.90 as presented, provided an expense report is submitted. (Trustee Morton seconded). The motion carried.

Trustee Nagy arrived at 8:00 p.m.

#2 FundBalance annual maintenance agreement.

Trustee Morton moved to approve the annual FundBalance Software Maintenance Agreement for the amount of \$1,153.00. (Trustee Nagy seconded). The motion carried.

#3 Ordinance violation at 8101 Old US 23.

Trustee Morton moved to authorize the Zoning Administrator to take appropriate action to collect fines from Aquamarine Pools and Spas. (Trustee Byerly seconded). The motion carried.

#4 Second Amendment to Consent Judgment for VLS Enterprises Gravel Pit Operation.

Trustee Morton moved to approve the Second Amendment to Consent Judgment for VLS Enterprises Gravel Pit Operation as presented and dated July 31, 2006, and authorize the Supervisor and Clerk to sign the agreement. (Trustee Byerly seconded). The motion carried.

#5 Rezoning referendum ballot language.

Clerk Kuzner moved to forward the suggestions to the Township Attorney and to work with the resident representative Marvin Frankel to come up with the final ballot language. (Trustee Nagy seconded). The motion carried. 4 ayes, 1 nay.

Trustee Nagy moved to hold a Special Board Meeting on August 29, 2006 to approve the referendum ballot language. (Trustee Morton seconded). The motion carried.

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#6 Closed session to discuss pending litigation.

RESOLUTION #060802 CLOSED SESSION

Trustee Morton resolved to go into closed session to discuss material regarding pending litigation that may have an economic impact on the Township. (Trustee Morton seconded). The motion carried.

Roll Call: Byerly, yes; Thompson, absent; Kuzner, yes; Kurtz, absent; Morton, yes; Nagy, yes; Schmidt, yes.

*******Closed Session Minutes*******

Trustee Nagy moved to reconvene in open session. (Trustee Morton seconded.) The motion carried.

Trustee Nagy moved to approve the First Amendment to the Consent Judgment with Tyrone Woods and authorize the Supervisor to sign it. (Trustee Morton seconded). The motion carried.

MISCELLANEOUS BUSINESS

#1 Fiscal year 2005-06 Report.

Clerk Kuzner informed the Board that the final audit presentation was not ready in time for tonight's meeting. The report will be presented at the first meeting in September.

ADJOURNMENT

The meeting ended at 10:00 p.m.