

**TYRONE TOWNSHIP REGULAR BOARD MEETING
APPROVED MINUTES – MAY 7, 2009**

CALL TO ORDER

Clerk Kremer called the meeting of the Tyrone Township Board to order with the Pledge of Allegiance on April 21, 2009 at 7:00 p.m. at the Tyrone Township Hall.

ROLL CALL

Present: Clerk Keith Kremer, Treasurer Dave Kurtz, Trustees Steve Nagy, Brian Miles, Suzanne Anderson and Steve Hasbrouck. Absent: Supervisor Andrew Schmidt.

PUBLIC REMARKS FOR NON-AGENDA ITEMS

Scott Dietrich (13505 White Lake Rd.) complained that Heavenly Scent was violating the township ordinance. A discussion took place regarding the enforcement of violations.

Treasurer Kurtz moved to reinstate the personnel committee reviews of the Zoning Administrator for the remaining fiscal year. (Trustee Miles seconded).
The motion carried; all ayes.

Evert Agelink (12259 Parkin Lane) complained that people travel down the gravel pit road at high speeds and fears an accident can occur; asked if the township can close the road. (The road is privately owned; the township has no jurisdiction over it.)

APPROVAL OF AGENDA – OR CHANGES

Trustee Nagy moved to approve the agenda as amended. (Clerk Kremer seconded). The motion carried; all ayes.

The changes are as follows:

Removed the FACT Committee report.

Added the request of Paul White for a site approval for a Class B Used Vehicle Dealer License.

Added Tyrone Woods Sanitary Closure Plan Development meeting.

APPROVAL OF CONSENT AGENDA

Regular Board Meeting Minutes – April 21, 2009
Clerk's Warrants and Bills

Treasurer Kurtz moved to approve the consent agenda as presented. (Trustee Hasbrouck seconded). The motion carried; all ayes.

**TYRONE TOWNSHIP REGULAR BOARD MEETING
APPROVED MINUTES – MAY 7, 2009 – PAGE 2**

COMMUNICATIONS

- #1 Zoning Administrator's report.
- #2 Planning Commission Approved Meeting Minutes – March 10, 2009.
- #3 Planning Commission Approved Meeting Minutes – March 24, 2009.
- #4 Livingston County Sheriff's report – March 2009.

Clerk Kremer moved to receive and place on file Communications #1-4 as presented. (Trustee Nagy seconded). The motion carried; all ayes.

PUBLIC REMARKS FOR AGENDA ITEMS

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

#1 Local Solutions municipal management presentation.

Mike Senyko of Local Solutions gave a presentation on municipal management and outlined the wide range of services his firm offers such as simple goal setting, strategic planning, internal relations and economic development.

#2 Request of Phil Somerville to appeal his fire service bill.

Treasurer Kurtz moved to dismiss Mr. Somerville's fire charge if, after reviewing Genesee County 911 tapes, it could be proved that he requested no emergency vehicles other than a tow truck. If the township could not prove that Mr. Somerville called to request no emergency vehicles, the charges should stand. (Trustee Anderson seconded). The motion failed; 3 ayes, 3 nays.

Trustee Miles moved to dismiss the charges because a police car was at the scene, prior to the fire truck's arrival, and left the scene because it was not an emergency. No second. The motion failed.

Clerk Kremer moved to charge Mr. Somerville. (Trustee Nagy seconded). The motion failed; 3 ayes, 3 nays.

Trustee Nagy moved to table Mr. Somerville's appeal until further information may be obtained to verify if a 911 call had been made by Mr. Somerville. (Trustee Anderson seconded). The motion carried; all ayes.

**TYRONE TOWNSHIP REGULAR BOARD MEETING
APPROVED MINUTES – MAY 7, 2009 – PAGE 3**

#3 Request of Meagen Tregilgas to appeal her fire service bill.

Resident Paul White volunteered to pay the fire service bill of Meagen Tregilgas in the amount of \$300.

#4 Request of Greg Duberg and Jim Soldan for an Outdoor Recreation Special Land Use Permit to develop a Paint Ball Course in Section 4 with frontage on White Lake Road, parcel 04-300-006.

Trustee Hasbrouck moved to approve the request of Greg Duberg and Jim Soldan for an Outdoor Recreation Special Land Use Permit to develop a Paint Ball Course in Section 4 with frontage on White Lake Rd., parcel 04-300-006 with the following conditions as outlined by the Planning Commission at their meeting on April 28, 2009:

1. Noise shall not exceed the limits set forth in Section 21.16;
2. All games shall cease or be moved to the eastern portion of the property during funeral ceremonies if notified in advance by the cemetery to minimize disturbance;
3. In the event a paintball strays onto cemetery property, the applicant agrees to install additional netting or take other measures to prevent additional paintballs from entering the cemetery property;
4. Sales and rentals shall be limited to paintballs, paintball guns and accessories, hats, T-shirts, pre-packaged foods and beverages, pizza delivery, and similar minor items accessory to the use;
5. The Special Land Use Permit shall expire on 3/31/2010 but is subject to renewal prior to its expiration conditioned on a review of the 2009 activities and resolution of any complaints or concerns arising by the Planning Commission;
6. Compliance with the other terms and conditions set forth throughout drawing Sheets 01-11 dated April 10, 2009 (4/17/09 rev.);
7. No permanent structures shall exist on site without additional review and approval by the Planning Commission;
8. Amend note 7 on drawing Sheet 01 to list off season removal of the trash container, netting, tent, and porta-johns only;
9. Delete Note 13 on drawing Sheet 01;
10. Delete the 8:00 a.m. to 7:00 p.m. hours of operation note at the middle right on drawing Sheet 01;
11. Provide trees, evergreen or deciduous, along the northwest portion of the driveway easement spaced leaf to leaf or of some other overlapping density to provide adequate screening as discussed;
12. Extend the tree buffer further west across the northern portion of the parking lot to provide additional screening as discussed;

**TYRONE TOWNSHIP REGULAR BOARD MEETING
APPROVED MINUTES – MAY 7, 2009 – PAGE 4**

13. Agree to replace the portion of fencing owned by Mr. Schupbach if he removes his fencing;
14. Remove the trees shown within the driveway surface on the site drawings;
15. Modify Note 9 on Sheet 01 to state the capacity of the site is limited to 50 cars rather than 100 persons;
16. Provide a “rules of play” disclosure to all players either separately or included in the liability waiver;
17. Any bonding requirement shall be at the discretion of the Township Board;
18. All onsite and offsite drainage must be approved by the LCDC;
19. The use shall not remain temporary for more than four years;
20. The Planning Commission finds the applicant to otherwise be in compliance with Sections 22.05.R and 22.06 of our Zoning Ordinance (Ordinance #36) upon adherence to the conditions above; and
21. The Planning Commission advises that the applicant may wish to seek relief from the ZBA for the B-2 paved parking and driveway requirement due to the temporary nature of the use and to the fence height requirement along the easterly portion of the property to allow a point for deer ingress and egress to minimize deer wandering onto White Lake road which are standards the Planning Commission is not permitted to deviate from.

In addition the board required the following:

1. All unpaid taxes must be paid in full within 120 days.
2. A bond or letter of credit in the amount of \$3000 must be submitted to the township by the applicants.

(Trustee Miles seconded). The motion carried; all ayes.

#5 Permission for the Supervisor and Treasurer to sign the 2009 Summer Tax Collection Agreements for Fenton, Linden, Hartland, GISD, and LESA.

Clerk Kremer moved to approve, and authorize the Supervisor and the Treasurer to sign, the 2009 Summer Tax Collection Agreements for Fenton, Linden, Hartland, GISD, and LESA. (Trustee Anderson seconded). The motion carried; all ayes.

#6 Nominate subcommittee for initial review of the engineering RFP responses.

Trustee Nagy abstained from the vote because his firm will be submitting a quote.

**TYRONE TOWNSHIP REGULAR BOARD MEETING
APPROVED MINUTES – MAY 7, 2009 – PAGE 5**

Clerk Kremer moved to appoint Sue Anderson, Steve Hasbrouck, and Dave Kurtz as subcommittee members for the initial review of the engineering RFP responses. (Trustee Miles seconded). The motion carried; all ayes.

#7 Clarify board policy regarding tax payments for property development.

The board reestablished the policy that property taxes must be current and paid before each new phase of a project approval process.

#8 Discussion and review of draft burn ordinance for legal review.

Clerk Kremer moved to amend the draft burn ordinance as discussed. Restrictions were added on burn dates and methods for notification of state-imposed burn restrictions will be reviewed. (Treasurer Kurtz seconded). The motion carried; all ayes.

#9 Request of Paul White for a site approval for a Class B Used Vehicle Dealer License.

Clerk Kremer moved to approve the request of Paul White for a site approval for a Class B Used Vehicle Dealer license based on his request that no vehicles will be parked at the site, and that a full site plan review will be required for renewal next year. (Treasurer Kurtz seconded). The motion carried: 5 ayes, 1 nay.

#10 Tyrone Woods Sanitary Closure Plan Development meeting.

Trustee Miles moved to appoint Steve Nagy and Steve Hasbrouck to represent the township at the MDEQ meeting regarding the closure of the Tyrone Woods sewer system. (Clerk Kremer seconded). The motion carried; all ayes.

MISCELLANEOUS BUSINESS

None.

BILLS FOR APPROVAL AND CLERK'S REPORT

The following checks (No. 17042-17051, 17053-17059) and one ACH payment have been paid since the last regular meeting and have been submitted for approval which includes a total of **\$42,795.82** from the **GENERAL FUND** and **\$1,599.00** from the **JAYNE HILL FARMS SUBDIVISIONS WASTE REMOVAL FUND**.

ADJOURNMENT

The meeting adjourned at 10:10 p.m.