

**TYRONE TOWNSHIP REGULAR BOARD MEETING
PARKIN LANE ROAD IMPROVEMENT PROJECT PUBLIC HEARING
APPROVED MINUTES – JULY 6, 2010**

CALL TO ORDER

Supervisor Miles called the meeting of the Tyrone Township Board to order with the Pledge of Allegiance on July 6, 2010 at 7:00 p.m. at the Tyrone Township Hall.

ROLL CALL

Present: Supervisor Brian Miles, Treasurer Dave Kurtz, Trustees Steve Hasbrouck and Don Peitz. Absent: Clerk Keith Kremer and Trustee Sue Anderson.

PUBLIC HEARING – PARKIN LANE ROAD IMPROVEMENT PROJECT

Supervisor Miles closed the regular meeting and opened the public hearing at 7:03 p.m.

Steve Nagy of Gould Engineering was present to answer questions.

Supervisor Miles explained the costs of the road improvement project and asked if there were any objections to the special assessment tax roll. The final assessment cost is not to exceed \$1,503.67 per parcel.

PUBLIC COMMENT

Bob Beckemeyer (parcel 4704-02-300-040) asked questions about the final costs, whether anyone held interest in L&M Landscaping, Inc., and if the road construction went out for bids. Final cost questions were discussed. Steve Nagy, engineer for the project, replied that the project went out for bids, there were 6 bidders, L&M was the lowest bid, and that there is no conflict of interest with L&M.

Diana Beckemeyer (parcel 4704-02-300-040) asked if the final assessment included driveway approaches. Mr. Nagy answered only if it necessary for drainage.

Jackie Van Leuven (parcel 4704-02-300-024) asked if the road was breaking up because of the way it was originally built. Mr. Nagy said the company who built the road originally is well known and well respected. It was not verified how the road was exactly built; however, he felt it was mostly asphalt over sand, paved as a private road by the person who owned all the parcels at that time. Ms. Van Leuven said she doesn't want a ditch and wondered how the water will be taken care of. Mr. Nagy said there will be drainage pipes if needed.

Evert Agelink (parcel 4704-02-300-037) said if the new road gets salted like it did last year, it will fall apart in less than 10 years.

Cheryl Andrysiak (parcel 4704-03-400-020) agreed the road was oversalted. She said the committee in charge has determined they need a better way of managing or monitoring it.

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Terry Andrysiak (parcel 4704-03-400-020) said that anyone is welcomed to help with road maintenance.

Mike Scheiven (parcel 4704-03-401-002) said although he doesn't like the cost, the road needs to be done.

Bob Beckemeyer (parcel 4704-02-300-040) asked why the house on the corner of Parkin Lane and Hartland Rd. was in the special assessment district. Treasurer Kurtz replied that the home has a driveway off Parkin Lane and therefore uses the road. Mr. Beckemeyer also commented that residents can appeal to the Michigan Tax Tribunal and questioned the authenticity of the signatures on the petition. Treasurer Kurtz said the township does not circulate the petition and it does not verify signatures. When the tax roll was created, the owners of record were correct.

Richard Johnson (4704-03-401-003) asked if telephone lines have been looked into and if there is a cap on this project. Steve Nagy said the contractor is required to call Miss Dig to locate all utilities lines. Utilities will not be part of the cost and once the cost is established it cannot exceed it.

Mike Scheiven (parcel 4704-03-401-002) referred to a news article and asked about the financial risk. Mr. Nagy said they insure with bonding companies.

Bob Beckemeyer (parcel 4704-02-300-040) asked if there had ever been a Plan B, where the road would just be patched. Treasurer Kurtz said it had been looked into, but the road is too damaged.

Jackie Van Leuven (parcel 4704-02-300-024) asked when the project will begin. Mr. Nagy stated there is a 30-day appeal time and bonds won't be purchased until then. They will schedule after that, but it will probably begin in the month of August and take approximately 2 months.

Diana Beckemeyer (parcel 4704-02-300-040) asked if the township would be able to get a loan. Treasurer Kurtz said there would be no problem with the township obtaining a loan.

Evert Agelink (parcel 4704-02-300-037) asked what the thickness of the asphalt will be.

Lawrence Sefa (4704-02-300-026) asked out interest payments and if all driveways would get culverts. He also asked whether a maintenance agreement would be required. The Treasurer said the fixed principal is on the unpaid balance. The township does not require that special assessment to be paid off when the house is sold. Only the

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driveways that need culverts will get one. The township cannot force residents to have a road maintenance agreement, but suggested that they do so.

Cheryl Andrysiak (parcel 4704-03-400-020) asked if the road maintenance agreement was another special assessment. The Treasurer said road agreements do not go through the township and are not special assessments.

Finally, residents were reminded that all Parkin Lane Special Assessment documents may be reviewed at the township hall or may be requested, via the Freedom of Information Act (FOIA), for personal copies.

Supervisor Miles closed the Public Hearing and reopened the Regular Meeting at 8:03 p.m.

APPROVAL OF AGENDA – OR CHANGES

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

APPROVAL OF CONSENT AGENDA

**Regular Board Meeting Minutes- June 15, 2010
Clerk's Warrants & Bills**

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

COMMUNICATIONS

#1 Cromaine Library Board of Trustees vacancy announcement- June 17, 2010.

#2 Zoning Administrator's Report- June 2010.

#3 Planning Commission Report- June 2010.

Treasurer Kurtz moved to receive and place on file Communication #1-3 as presented. (Trustee Peitz seconded). The motion carried; all ayes.

REMARKS

Nabia Sefa (12065 Parkin Lane) said this is the first meeting without Supervisor Andrew Schmidt since he passed away and that he will be greatly missed.

UNFINISHED BUSINESS

None.

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NEW BUSINESS

#1 Interview candidates and appoint a trustee.

Treasurer Kurtz moved to appoint Jim Kolhoff as trustee to the Tyrone Township Board of Trustees to fill the term vacated by Brian Miles. The term expires November 2012. (Trustee Peitz seconded). The motion carried; all ayes.

#2 Supervisor's appointment of Planning Commission member.

Treasurer Kurtz moved to approve the Supervisor's appointment of Brandon Peabody and the reappointment of Deborah Lee to the Planning Commission. Brandon's appointment is to fill the remaining term vacated by Gary Butler until August 31, 2010; he will then serve a full three year term expiring August 31, 2013. Deborah Lee's current term expires August 31, 2010 and she is reappointed to serve a full three year term until August 31, 2013. (Trustee Peitz seconded). The motion carried; all ayes.

#3 Resolution #100701 Parkin Lane Confirming Special Assessment Roll.

[Resolution #6 – Parkin Lane Road Improvement Project (2010)]

**TOWNSHIP OF TYRONE
RESOLUTION #100701**

At a regular meeting of the Board of Trustees of the Township of Tyrone, Livingston County, Michigan, (the "Township") held in the Township Offices on July 6, 2010, at 7:00 p.m., there were

PRESENT: Hasbrouck, Miles, Kurtz, Peitz.

ABSENT: Anderson, Kremer.

The following preamble and resolution were offered by Supervisor Miles and seconded by Treasurer Kurtz:

**RESOLUTION
CONFIRMING SPECIAL ASSESSMENT ROLL**

WHEREAS, the Township Board has taken the necessary actions under Act No. 188, Public Acts of Michigan, 1954, as amended ("Act 188") for the design, installation, construction, and financing the cost of certain road improvements in the Township's Parkin Lane Subdivision (the "Project"), and for the establishment of the Tyrone Township Parkin Lane Subdivision Road Improvement Project (2010) Special Assessment District (the "Special Assessment District");

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WHEREAS, the Township Board has tentatively determined to finance the project by issuing bonds (the “Bonds”) in accordance with Act 188;

WHEREAS, the Township Board has determined that it is necessary to cause special assessments to be levied against the lands especially benefited by the Project to pay the Township’s obligations on the Bonds;

WHEREAS, the Township Board has directed the Township Supervisor to prepare a proposed special assessment roll (the “Special Assessment Roll”) against the lands especially benefited by the Project;

WHEREAS, the Township Supervisor has prepared the Special Assessment Roll and has filed the Special Assessment Roll with the Township Clerk;

WHEREAS, the Township Board has scheduled a public hearing on the Proposed Roll and notice of the hearing has been properly provided;

WHEREAS, the Township Board conducted the public hearing on the Proposed Roll on July 6, 2010.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Roll Confirmed. In accordance with Act No. 188 and the laws of the State of Michigan, the Township Board hereby confirms the special assessment roll for the Tyrone Township Parkin Lane Subdivision Road Improvement Project (2010) (the “Roll”).

2. Future Installments - Principal. The Township Board determines that each special assessment may be paid in ten (10) equal installments. The first installment shall be due on December 1, 2010. Each subsequent installment shall be due at intervals 12 months from the due date of the first installment.

3. Future Installments - Interest. All unpaid installments shall bear interest, payable annually on each installment due date, at a rate equal to one percent (1%) above the average rate of interest borne by bonds issued to finance the Project, or such lesser amounts as may be determined by the Township Board. Interest on such unpaid installments shall accrue from September 1, 2010, or such later date as may be determined by the Township Board.

4. Warrant. The Township Clerk is hereby directed to attach a warrant (in the form of Exhibit B to this resolution) to the Roll and to deliver such warrant and the Roll to the Township Treasurer, who shall thereupon collect the special assessments in accordance with the terms of this resolution, the Clerk’s warrant and the statutes of the State of Michigan.

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5. Inconsistent Prior Resolutions. All previously adopted resolutions that are in conflict with this resolution are repealed to the extent of such conflict.

A vote on the foregoing resolution was taken and was as follows:

YES: Hasbrouck, Miles, Kurtz, Peitz.
NO: None.
ABSENT: Anderson, Kremer.

CLERK'S CERTIFICATE

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Township Board at a regular meeting, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

Date: July 13, 2010

Keith Kremer
Tyrone Township Clerk

Exhibit A

Description of the Project

The project (the "Project") will consist of repaving the entire length of Parkin Lane, approximately 4800 feet. The work will include repairing the existing failed asphalt (HMA), resurfacing with two 1.5" lifts of HMA (including the cul-de-sac, but excluding the concrete portion), adding aggregate shoulders, limited edge drain, and replacing driveway approaches (5ft. from the edge of the road).

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Exhibit B

Warrant

WARRANT

TO: Treasurer
Tyrone Township
Livingston County, Michigan

I certify that attached to this Warrant is a true copy of the special assessment roll for the Tyrone Township Parkin Lane Subdivision Road Improvement Project (2010) confirmed by the Township Board on July 6, 2010 (the “Confirming Resolution”). You are hereby directed to proceed to collect the amounts due on such roll in accordance with this Warrant, the Confirming Resolution and the statutes of the State of Michigan.

Keith Kremer
Tyrone Township Clerk

**Special Assessment Roll
Tyrone Township Parkin Lane Road Improvement Project (2010)**

Parcel No.	Owner of Record	Property Address	Assessment
4704-03-401-001	Spotts, Michael & Denise	11791 Parkin Lane	\$15,625.00
4704-03-401-002	Scheiven, Michael & Geralyn	11685 Parkin Lane	\$15,625.00
4704-03-401-003	Johnson, Richard & Lynn	11675 Parkin Lane	\$15,625.00
4704-03-401-004	Self, Roesner & Theresa	11661 Parkin Lane	\$15,625.00

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Parcel No.	Owner of Record	Property Address	Assessment
4704-03-401-005	Wright, Jerry & Lynda	11680 Parkin Lane	\$15,625.00
4704-03-401-006	Borg, Keenan & Ann	11870 Parkin Lane	\$15,625.00
4704-03-400-010	Schlenke, Robert & Deborah	11951 Parkin Lane	\$15,625.00
4704-03-400-015	Simpson, Lyle & Peggy	11940 Parkin Lane	\$15,625.00
4704-03-400-016	Johnson, Ronald & Heather	11950 Parkin Lane	\$15,625.00
4704-03-400-017	Evo, Matthew & Nicole	12022 Parkin Lane	\$15,625.00
4704-03-400-018	Evo, Matthew & Nicole	Parkin Lane	\$15,625.00
4704-03-400-019	Applin, Richard & Janet	11911 Parkin Lane	\$15,625.00
4704-03-400-020	Andrysiak, Terrence & Cheryl	11831 Parkin Lane	\$15,625.00
4704-02-300-019	Estep, Shirley	408 S. Lemen St.	\$15,625.00
4704-02-300-020	Ireland, Andrew	12101 Parkin Lane	\$15,625.00
4704-02-300-021	Sefa, Nabiha	12065 Parkin Lane	\$15,625.00
4704-02-300-024	Van Leuven, Bradley & Jackie	12036 Parkin Lane	\$15,625.00
4704-02-300-025	Kay, William	12044 Parkin Lane	\$15,625.00
4704-02-300-026	Sefa, Lawrence	12051 Parkin Lane	\$15,625.00
4704-02-300-027	Mullinix, Darrel & Shirley	12035 Parkin Lane	\$15,625.00
4704-02-300-030	Walter, Geoffrey & McInroy	12074 Parkin Lane	\$15,625.00

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Parcel No.	Owner of Record	Property Address	Assessment
4704-02-300-031	Burden, Robin & Theresa	12058 Parkin Lane	\$15,625.00
4704-02-300-033	Young, Scott & Annette	12180 Parkin Lane	\$15,625.00
4704-02-300-035	Loria, Marc & Melani	12240 Parkin Lane	\$15,625.00
4704-02-300-036	Clor, Matthew & Sharon	12124 Parkin Lane	\$15,625.00
4704-02-300-037	Agelink, Evert & Pamela	12259 Parkin Lane	\$15,625.00
4704-02-300-039	Cummings, Robert & Jan	12113 Parkin Lane	\$15,625.00
4704-02-300-040	Beckemeyer, Rob, Diana & Ray	Parkin Lane	\$15,625.00
4704-02-300-041	Miller, Dale & Mary	12362 Parkin Lane	\$15,625.00
4704-02-300-042	Johnson, Walter & Carleen	12368 Parkin Lane	\$15,625.00
4704-02-300-044	Beckemeyer, Rochelle	11347 Hartland Rd.	\$15,625.00
4704-02-300-001	Hancock, Clint & Jamie	11367 Hartland Rd.	\$15,625.00

I, the undersigned, Supervisor of Tyrone Township, Livingston County, Michigan (the “Township”), acting pursuant to a resolution duly adopted by the Township Board of the Township on June 15, 2010 (the “Resolution”) certify that (1) the attached special assessment roll for the Tyrone Township Parkin Lane Road Improvement Project (2010) Special Assessment District, to which this Certificate is affixed, was made pursuant to the Resolution and (2) in making such roll, I have, according to my best judgment, conformed in all respects to the directions contained in the Resolution and the statutes of the State of Michigan, including Act No. 188, Public Acts of Michigan, 1954, as amended.

Dated: June 15, 2010

Brian K. Miles
Township Supervisor

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#4 Resolution #100702 Establishing the 2010 Operating Tax Millage Rate.

**RESOLUTION #100702
ESTABLISHING 2010 OPERATING TAX MILLAGE RATE
AS DIRECTED BY THE HEADLEE ROLLBACK CALCULATION**

WHEREAS, the Tyrone Township Board has carefully examined the financial circumstances of the Township for the 2010-2011 fiscal year, including estimated expenditures, estimated revenues and state equalized valuation of property located within the Township;

NOW, THEREFORE, BE IT RESOLVED, that the Tyrone Township Board has complete authority and hereby establishes .9067 mils to be levied for operating purposes in 2010 from within its authorized millage rate.

RESOLVED BY: Treasurer Kurtz

SUPPORTED BY: Trustee Peitz

VOTE: Hasbrouck, yes; Anderson, absent; Miles, yes; Kremer, absent; Kurtz, yes; Peitz, yes.

ADOPTION DATE: July 6, 2010

CERTIFICATION OF THE CLERK

I, the undersigned, the duly qualified Clerk of Tyrone Township of Livingston County, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Tyrone Township Board of Trustees at a regular meeting held on the 6th day of July, 2010.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 7th day of July, 2010.

Keith L. Kremer
Tyrone Township Clerk

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#5 Discussion regarding township fire rating.

Supervisor Miles explained the township's ISO current rating. ISO testing will begin within the next 30 days. If the rating improves, residents' homeowners insurance rates should drop significantly.

#6 Memorial tree for Andrew Schmidt.

Supervisor Miles moved to spend up to \$500 for a memorial tree to be planted at the township hall in honor of Supervisor Andrew G. Schmidt. (Treasurer Kurtz seconded). The motion carried; all ayes.

Trustee Hasbrouck asked whether the township could accept a donated tree. The board agreed that it would accept and donated tree.

MISCELLANEOUS BUSINESS

None.

PUBLIC REMARKS

Russ Spencer (8178 Driftwood Dr.) suggested that the board put out a press release regarding the Public Safety Public Assessment ballot.

Lynn Thompson (8464 Carole Lane) wondered how the ISO rating could be proven since there are no hydrants in the township. Supervisor Miles said the rating is based more on flow and the township has the use of more tankers. He said there won't be more dry hydrants.

BILLS FOR APPROVAL AND CLERK'S REPORT

The following checks (No.17687-17722) and one ACH payment have been paid since the last regular meeting and have been submitted for approval which includes a total of **\$158.33** from the **STREET LIGHTING FUND** and **\$53,759.83** from the **GENERAL FUND**.

ADJOURNMENT

The meeting adjourned at 8:32 p.m.