

**TYRONE TOWNSHIP
PUBLIC HEARING & REGULAR BOARD MEETING
APPROVED MINUTES – SEPTEMBER 7, 2010**

CALL TO ORDER

Supervisor Cunningham called the meeting of the Tyrone Township Board to order with the Pledge of Allegiance on September 7, 2010 at 7:06 p.m. at the Tyrone Township Hall.

ROLL CALL

Present: Supervisor Mike Cunningham, Clerk Keith Kremer, Treasurer Dave Kurtz, Trustees Jim Kolhoff and Don Peitz. Absent: Trustees Steve Hasbrouck and Sue Anderson.

PUBLIC HEARING

The Supervisor opened the Public Hearing at 7:03 p.m. Clerk Kremer read the public notice and noted that it contained an error: the correct amount of the assessment for a parcel containing a structure is \$150.00 annually, not \$175 as was incorrectly printed. The Supervisor asked for comments from the audience.

Chuck Wardlaw (10044 Locust Dr.) said wording in the notice states that the board could change “any and all” assessment costs. Clerk Kremer said it states the amount is “not to exceed” and the board cannot exceed the stated amount.

Don Merry (6288 McGuire Rd.) asked about the data of the police contract costs and if the amount of crime in the area justifies the extra police service. Clerk Kremer said the police contract was negotiated a few years ago and explained that the contract guarantees an officer to be in Tyrone and Hartland Township—(with whom Tyrone shares an officer)--12 hours per day in each township, 7 days a week. He said costs have risen for the sheriff’s department as it has for everyone. He also explained that since the township is easily accessible by the expressway it needs extra protection.

Herman Ferguson (12197 Alcoy Dr.) asked if a person’s car goes into a ditch, would that person have to pay \$1100 when the special assessment goes into effect. The Clerk said if a resident went into the ditch, he would not have to pay the cost, but non-residents will still be charged for the EMS/fire service.

Suzanne Zayan (10222 Gordon Rd.) said she is concerned that the assessed cost for businesses is not high enough. She indicated, because some businesses could have a larger fire (propane fuel or hazmat costs) than a home fire, the cost seems disproportionate. The board explained that fire service is a flat fee no matter what kind of fire it is or how long it burns. They also said all contracts will be renegotiated before April 1, 2011.

Trustee Kolhoff said the fire departments provide the cost of their service and that cost is established internally. Clerk Kremer reminded residents that fire service costs will still be charged to residents before April 1, 2011.

**TYRONE TOWNSHIP
PUBLIC HEARING & REGULAR BOARD MEETING
APPROVED MINUTES – SEPTEMBER 7, 2010– PAGE 2**

Arden Scofield (11360 Greenview Dr.) asked why the sewer bond issues “fell off the cliff.” The Clerk explained that the special assessment will free up the General Fund by loaning—not giving—money to the sewer fund. Mr. Scofield asked the value of the loan; Treasurer Kurtz replied it is about \$225,000 a year.

[Unidentified] commented that he believed the police patrol is probably not shared 50/50 with Hartland Township; Hartland probably uses the service more. The Clerk said he did not have the data to answer that at that time, but he would ask the sheriff about it.

[Unidentified] asked if the expressway is patrolled. Clerk Kremer said the State Police patrols the expressways, but the county sheriff patrols the township roads. With the ordinance in place, the county sheriff may stop vehicles for traffic violations and the township receives a portion of those violation fees.

Mr. Scofield asked if the sheriff provides monthly reports. Treasurer Kurtz said they did, but some information cannot be given out due to privacy. Mr. Scofield said the township should be able to prove that it needs the extra police coverage.

Dennis Husse (Tyrone Hill Golf Course) said they’ve had an increase in break-ins and attempts recently. They had to increase security and alarms at the business.

Tom Beadle [address not identified] asked if the special assessment could be written off at the end of the year and if the General Fund will be \$530,000 richer. Treasurer Kurtz said special assessments cannot be written off. Trustee Kolhoff said the money used by the sewer fund is as a loan only. Trustee Kurtz added the special assessment is for five years and can be re-evaluated at that time.

Clerk Kremer read two letters into the record: Mr. Robert Sovis, 12288 Overlook Dr., wrote that he is not opposed to the special assessment, but suggested the assessment be split over two tax periods to help with the extra cost. Mr. Gerald Ray, 9250 Bennett Lake Rd., opposes the special assessment.

Dennis Husse asked what tax bill the special assessment will be attached. The Treasurer replied that it will be on the winter tax bill.

Dave Domas, County Commissioner, said public safety is the most important thing government can provide; a safe environment needs to be provided. He said he wishes to make himself available to residents; if anyone wants to see what the county sheriff does, he’ll set it up so they can ride in a patrol car.

The Supervisor closed the public hearing at 7:45 p.m.

**TYRONE TOWNSHIP
PUBLIC HEARING & REGULAR BOARD MEETING
APPROVED MINUTES – SEPTEMBER 7, 2010– PAGE 3**

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- August 17, 2010
Clerk's Warrants & Bills**

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

COMMUNICATIONS

- #1 Planning Commission Approved Meeting Minutes - July 13, 2010.**
- #2 Department of Treasury letter re: compliance with auditing procedures – August 13, 2010.**
- #3 Fire Billing Activity Report – July 2010.**
- #4 Zoning Administrator's Report – August 2010.**

Treasurer Kurtz moved to receive and place on file Communication #1-4 as presented. (Trustee Peitz seconded). The motion carried; all ayes.

PUBLIC REMARKS

Dane Morris- introduced himself as the Democratic candidate running for Livingston County Commissioner.

Suzanne Zayan (10222 Gordon Rd.) asked who decides which roads get redone or resurfaced. Treasurer Kurtz answered that the County Road Commission decides.

Hod Morton (11250 Foley Rd.) suggested that Ms. Zayan speak with the LC Commissioner regarding problems with the roads.

Ken Maxwell (7461 S. Linden Rd.) commented that there have been many break-ins in the area recently.

UNFINISHED BUSINESS

None.

**TYRONE TOWNSHIP
PUBLIC HEARING & REGULAR BOARD MEETING
APPROVED MINUTES – SEPTEMBER 7, 2010– PAGE 4**

NEW BUSINESS

#1 Police and Fire Protection Special Assessment Resolution.

**TYRONE TOWNSHIP
LIVINGSTON COUNTY**

RESOLUTION #100901

**POLICE AND FIRE PROTECTION SPECIAL ASSESSMENT DISTRICT NO.
X0082**

ESTABLISHMENT OF BOUNDARY OF SPECIAL ASSESSMENT DISTRICT;
DETERMINATION OF LEVY FOR POLICE AND FIRE PROTECTION;
ESTABLISHMENT AND NOTICE FOR PUBLIC HEARING.

WHEREAS, there exists a need for Police and Fire Protection Services in Tyrone Township; and

WHEREAS, Section 1(3) of Act 33, Public Acts of Michigan, 1951, as amended (“Act 33”) provides that the Tyrone Township Board may proceed to defray the cost of purchasing and housing equipment, for the operation of the equipment, or both, for Police and Fire protection, by special assessment on the lands and premises in Tyrone Township except lands and premises exempt from the collection of taxes under the general property tax act, Act 206, Public Acts of Michigan, 1893; and

WHEREAS, Section 1(3) of Act 33 provides that the question of raising money to defray the cost of purchasing and housing equipment, for the operation of the equipment, or both, for Police and Fire protection by special assessment may be submitted to the electors of the Township by the Township Board at any general or special election called for that purpose; and

WHEREAS, the question of raising money to defray the cost of purchasing and housing equipment, for the operation of the equipment, or both, for Police and Fire protection by special assessment was submitted to the electors of Tyrone Township on August 3, 2010; and

WHEREAS, the question of raising money to defray the cost of purchasing and housing equipment, for the operation of the equipment, or both, for Police and Fire protection by special assessment was approved by the electors of Tyrone Township on August 3, 2010; and

**TYRONE TOWNSHIP
PUBLIC HEARING & REGULAR BOARD MEETING
APPROVED MINUTES – SEPTEMBER 7, 2010– PAGE 5**

WHEREAS, the Tyrone Township Board authorized the preparation of estimates of the cost and expense of providing Police and Fire protection and that estimate was filed with the Tyrone Township Clerk and was available for public inspection; and

WHEREAS, the Tyrone Township Board tentatively designated a special assessment district known as the Tyrone Township Police and Fire Protection Special Assessment District (“Special Assessment District”) consisting of all lots and parcels of property located within the boundaries of Tyrone Township for purposes defraying the cost of purchasing and housing equipment, for the operation of the equipment, or both, for Police and Fire protection; and

WHEREAS, the Tyrone Township Board scheduled a public hearing for this date at the Tyrone Township Hall located at 10408 Center Road, Fenton, Michigan 48430 to hear and consider comments and objections to the estimate of cost, the creation of a special assessment district, the special assessment district tentatively designated herein, and defraying the expenses of the special assessment district on the properties benefiting, except lands and premises exempt from the collection of taxes under the general property tax act, Act 206, Public Acts of Michigan, 1893; and

WHEREAS, such public hearing was preceded by proper notice in the Tri County Times, a newspaper of general circulation in the Township, and by first-class mail notice to each property owner of record within the District and upon the assessment roll: and

WHEREAS, the Tyrone Township Board held the public hearing on this date at the Tyrone Township Hall and heard and considered comments and objections to the estimate of cost of purchasing and housing equipment, for the operation of the equipment, or both, for Police and Fire protection, the creation of a special assessment district, the special assessment district tentatively designated herein, and defraying the expenses of the special assessment district on the properties benefiting, except lands and premises exempt from the collection of taxes under the general property tax act, Act 206, Public Acts of Michigan, 1893; and

WHEREAS, a record of those present to protest, and of written protests submitted at or before the public hearing was made a part of the minutes of the hearing.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Tyrone Township Board determines that the boundaries of the Special Assessment District be the boundaries of Tyrone Township and encompassing all lands within Tyrone Township.

**TYRONE TOWNSHIP
PUBLIC HEARING & REGULAR BOARD MEETING
APPROVED MINUTES – SEPTEMBER 7, 2010– PAGE 6**

2. The Tyrone Township Board determines that the amount of the special assessment levy for Police and Fire Protection Services against the taxable lots and parcels of land located within the Special Assessment District shall be \$583,650.00.

3. The Tyrone Township Supervisor shall spread the special assessment levy on all of the lands and premises in the special assessment district benefiting from Police and Fire protection, except lands and premises exempt from the collection of taxes under the general property tax act, Act 206, Public Acts of Michigan, 1893 to defray the expense of Police and Fire Protection.

4. The Tyrone Township Board shall hold a public hearing on September 21, 2010 at 7:00 pm at the Tyrone Township Hall located at 10408 Center Road, Fenton, Michigan 48430 to hear and consider comments and objections to the distribution of the special assessment levy for Police and Fire Protection.

5. The Tyrone Township Clerk shall cause to be published in a newspaper of general circulation in the proposed Special Assessment District a notice stating the time, place, and purpose of the meeting. This notice shall be published not less than 5 days before the hearing. Proof of publication of the notice shall be filed with the Tyrone Township Clerk.

6. The Tyrone Township Clerk Notice shall also provide notice stating the time, place, and purpose of the meeting to each owner of, or party in interest in, property to be assessed whose name appears upon the last local tax assessment records by mailing by first class mail addressed to that owner or party at the address shown on the tax records at least 10 days before the date of the hearing.

7. The form of the Notice of the Public Hearing to be mailed and published, as required herein, shall be substantially as set forth in Exhibit A, attached, with such changes as are approved by the Tyrone Township Supervisor.

RESOLVED BY: Clerk Kremer

SUPPORTED BY: Trustee Kolhoff

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

ADOPTION DATE: September 7, 2010

**TYRONE TOWNSHIP
PUBLIC HEARING & REGULAR BOARD MEETING
APPROVED MINUTES – SEPTEMBER 7, 2010– PAGE 7**

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 7th day of September, 2010.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 8th day of September, 2010.



Keith L. Kremer
Tyrone Township Clerk

#2 Energy Efficiency bids.

Clerk Kremer said he has a consulting firm to review the Energy Efficiency Grant bids and they review for no charge. After the consulting firm gives their recommendation, the board can make a decision at a later date. No motion was made.

#3 Supervisor's appointment of alternate ZBA member.

Clerk Kremer moved to accept the Supervisor's recommendation to appointment Laird Landis as the Alternate Zoning Board of Appeals member for a one year term ending August 31, 2011. (Trustee Kolhoff seconded). The motion carried; all ayes.

#4 Approval of floor stripping bid.

Clerk Kremer said he was waiting for another bid for re-tiling and/or carpeting the township hall's floors; when he receives the other bid, the board can make a decision at a later date. No motion was made.

#5 Approval of the Tyrone Woods Closure Plan.

Treasurer Kurtz moved to proceed with the Tyrone Woods Closure Plan as presented. (Clerk Kremer seconded). The motion carried; all ayes.

**TYRONE TOWNSHIP
PUBLIC HEARING & REGULAR BOARD MEETING
APPROVED MINUTES – SEPTEMBER 7, 2010– PAGE 8**

#6 Discussion regarding the renewal of the Genesee District Library contract.

Clerk Kremer moved to have the Supervisor to begin negotiations to renew the Genesee District Library contract, which expires December 31, 2010. (Trustee Peitz seconded). The motion carried; all ayes.

#7 Discussion of the beautification ordinance regarding blight.

The board discussed whether a blight ordinance was needed and what issues might be included. No motion was made.

PUBLIC REMARKS

Treasurer Kurtz moved to amend the agenda by moving Public Remarks before closed session so the audience would not have to wait. (Trustee Kolhoff seconded). The motion carried; all ayes.

Don Merry (6288 McGuire Rd.) thinks the township needs to have a littering law regarding newspapers being thrown on the driveways of vacant homes. The board directed the Clerk or Supervisor to send a letter to the newspapers asking them to stop delivery to vacant homes.

Hod Morton (11250 Foley Rd.), referring to the blight ordinance, said the township has received several written complaints concerning Woody's, which he says is not in compliance with the township ordinance, but the township has done nothing about them.

Arden Scofield (11360 Greenview Dr.) suggested the township contact the mortgage companies and realtors involved with empty homes to notify them of blight problems.

John Simpson (7344 Denton Hill Rd.) asked if his homeowner's insurance will cost less because the new Police and Fire Special Assessment passed. Board members said it may be lower since the rating should change, but he would need to contact his insurance company to be certain.

#8 Closed session to discuss confidential attorney-client communications.

**RESOLUTION 100902
CLOSED SESSION**

Clerk Kremer resolved to convene in closed session to discuss confidential attorney-client communications. (Trustee Kolhoff seconded). The motion carried; all ayes.

**TYRONE TOWNSHIP
PUBLIC HEARING & REGULAR BOARD MEETING
APPROVED MINUTES – SEPTEMBER 7, 2010– PAGE 9**

Roll call: Cunningham, yes; Kremer, yes; Kurtz, yes; Kolhoff, yes; Peitz, yes; Hasbrouck, absent; Anderson, yes.

The board convened in closed session at 8:30 p.m.

*** Closed Session Minutes ***

Treasurer Kurtz moved to reconvene in open session. (Trustee Peitz seconded). The motion carried. The board reconvened in open session at 9:30 p.m.

MISCELLANEOUS BUSINESS

None.

BILLS FOR APPROVAL AND CLERK'S REPORT

The following checks (No.17819 - 17849) and two ACH payments have been paid since the last regular meeting and have been submitted for approval which includes a total of **\$1,599.00** from the **JAYNE HILL FARMS SUBDIVISIONS WASTE REMOVAL FUND** and **\$43,679.70** from the **GENERAL FUND**.

ADJOURNMENT

The meeting adjourned at 9:33 p.m.