

**TYRONE TOWNSHIP  
PUBLIC HEARING & REGULAR BOARD MEETING  
APPROVED MINUTES – SEPTEMBER 21, 2010**

**CALL TO ORDER**

Supervisor Cunningham called the meeting of the Tyrone Township Board to order with the Pledge of Allegiance on September 21, 2010 at 7:00 p.m. at the Tyrone Township Hall.

**ROLL CALL**

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

**PUBLIC HEARING- POLICE & FIRE PROTECTION SPECIAL ASSESSMENT**

Supervisor Cunningham opened the Public Hearing at 7:03 p.m. The purpose of the Public Hearing was to hear any objections to the proposed Police and Fire Protection Special Assessment District. Costs will not exceed \$150.00 for residential parcels, \$75.00 for vacant parcels, and \$250.00 for commercial parcels.

Clerk Kremer read five letters into the record:

1. Milford Excavating (re. Tyrone Hills Preserve) stated they protest and appeal the assessment on several parcels.
2. Jerry Stockman and Roy Mackey (Charmack Partnership) wrote that they protest the special assessment on several parcels on Windy Hill Drive and requested that they be exempt from the assessment.
3. Ron Gordon (Cloverleaf Development, Inc.) stated that, although he is not opposed to the police & fire protection special assessment, he feels it is unfair to individually assess 45 vacant lots, in one location, with one owner.
4. Carol Elkins (13220 Rohn Rd.) wrote that the special assessment impacts senior citizens negatively and suggested the assessment be split over the winter and summer tax bill.
5. Kimberly Bracken (11051 East Rd.) wrote that she objects to the special assessment because of financial impact.

The Supervisor asked for comments from the audience.

Irvin Ridenour (9189 Hogan Rd.) asked if the entire township was in the special assessment district. Clerk Kremer replied that it is. Mr. Ridenour said he protests the assessment because he owns acreage.

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John Simpson (7344 Denton Hill Rd.) also has acreage and protests the special assessment.

Dan Ryan (11518 Balfour Dr.) asked when he can talk about property value. The Clerk informed him that is a Board of Review issue.

Unidentified (did not state name) asked how long the assessment lasts. He was told 5 years.

Jack Cantrell (8327 Hartland Rd.) said he has an old house that, if it caught on fire, would be gone before a fire department got to it, therefore he protests the assessment.

Mike Morris (9106 Hartland Rd.) protests the special assessment because he also has an old house and feels the assessment is unfair to farmers with acreage. Board members explained that individual parcels will be assessed; having a lot of acreage does not necessarily mean a higher assessment.

The Supervisor closed the public hearing at 7:12 p.m.

**APPROVAL OF AGENDA – OR CHANGES**

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

**APPROVAL OF CONSENT AGENDA**

**Public Hearing & Regular Board Meeting Minutes- September 7, 2010.  
Closed Session Meeting Minutes– September 7, 2010.  
Treasurer’s Report  
Clerk’s Warrants & Bills**

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

**COMMUNICATIONS**

**#1 Revenue and Expenditure Report ending August 31, 2010.  
#2 Fire Billing Activity Report – August 2010.**

Clerk Kremer moved to receive and place on file Communication #1-2 as presented. (Trustee Peitz seconded). The motion carried; all ayes.

**PUBLIC REMARKS**

John Simpson (7344 Foley Rd.) asked if the special assessment money will be collected solely for fire and police protection and nothing else. Clerk Kremer confirmed that those funds can only be used for fire and police protection.

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Mike Morris (9106 Hartland Rd.) asked if the township would be building its own fire department. The Clerk explained building a fire department would cost far more than the special assessment; the township contracts with three fire departments so residents are within a 5 mile radius of a fire department.

Rob Mossing (8455 Bellaview Dr.) asked why a flat fee is charged to the township for every emergency incident. Trustee Kolhoff said the fire departments determine their charges and the Public Safety Committee revised the 911 system to determine what the correct response should be to an emergency call.

Hod Morton (11250 Foley Rd.) asked what recourse residents have to protest the assessment. Clerk Kremer said residents need to protest to the State of Michigan tax tribunal.

State Representative Cindy Denby introduced herself and said she was available for questions.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

**#1 Police & Fire Protection Resolution #100903 Distribution of Levy.**

**TYRONE TOWNSHIP  
LIVINGSTON COUNTY**

**RESOLUTION #100903**

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

**DISTRIBUTION OF LEVY UPON LAND IN SPECIAL ASSESSMENT DISTRICT**

WHEREAS, the Tyrone Township Board, after due and legal notice, held a public hearing upon a proposed assessment roll prepared by the Supervisor and assessing officer of the Township for the purpose of defraying the expenses of the special assessment district; and

WHEREAS, that public hearing was preceded by proper notice in the TriCounty Times 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

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WHEREAS, comments were received from those present at the public hearing concerning the assessment roll and an opportunity was given to all present to be heard on the matter; 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; and

WHEREAS, the Township Board has duly inspected the proposed assessment roll and considered all the comments and proposed amendments thereto and has found the proposed assessment roll to be correct, just and reasonable:

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The assessment roll submitted by the Supervisor and assessing officer of the Township shall hereafter be designated as POLICE AND FIRE PROTECTION SPECIAL ASSESSMENT DISTRICT NO. X0082 and shall hereby be confirmed as the assessment roll for the district.
2. The assessments in the district shall be as follows: on a qualifying vacant lot or parcel the assessment will be \$75.00 annually, for each qualifying lot or parcel containing a structure other than a commercial structure, the assessment will be \$150.00 annually, and for each qualifying lot or parcel containing a commercial structure the assessment will be \$250.00 annually.
3. Future due installments of an assessment against any parcel of land may be paid to the Township Treasurer any time in full with interest accrued through the month in which the final installment is paid in accordance with the Michigan Public Act 33 of 1951, as amended. If any installment of a special assessment is not paid when due, then the installment shall be considered to be delinquent and there shall be collected, in addition to interest as provided in this section, a penalty at the rate of 1 percent for each month, or fraction of a month, that the installment remains unpaid before being reported to the Township Board for reassessment upon the Township tax roll, also in accordance with PA 33.
4. The assessments made in the special assessment roll are hereby ordered and directed to be collected by the Township Treasurer, and the Township Clerk shall deliver the special assessment roll to the Treasurer with his warrant attached, commanding the Treasurer to collect the assessments in accordance with the direction of the Township Board and PA 33.

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5. All resolutions and parts of resolutions in conflict with the provisions of this resolution be and the same are hereby rescinded.

**RESOLVED BY:** Clerk Kremer

**SUPPORTED BY:** Jim Kolhoff

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

**ADOPTION DATE:** September 21, 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 21st day of September, 2010.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 22nd day of September, 2010.



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Keith L. Kremer  
Tyrone Township Clerk

**#2 Planning Commission recommended amendments to Zoning Ordinance No. 36: Article 19-Extractive Industrial and Article 20-Schedule of Regulations.**

**TYRONE TOWNSHIP  
LIVINGSTON COUNTY**

**RESOLUTION #100904**

**TO ADOPT AMENDMENTS TO ZONING ORDINANCE #36:  
ARTICLE 19-EXTRACTIVE INDUSTRIAL  
AND  
ARTICLE 20-SCHEDULE OF REGULATIONS**

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**RESOLVED BY:** Jim Kolhoff  
**SUPPORTED BY:** Keith Kremer

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

**ADOPTION DATE:** September 21, 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 21<sup>st</sup> day of September, 2010.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 22<sup>nd</sup> day of September, 2010.



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Keith L. Kremer  
Tyrone Township Clerk

**#3 Appointment of Deputy Supervisor.**

Supervisor Cunningham moved to appoint Brian Miles as Deputy Supervisor to perform outlined duties on special projects as follows:

- The long-term strategic plan of the township.
- Future sewer initiatives.
- Public Safety Committee
- Organizing files and documents of the Supervisor.

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

**#4 Fenton School PEG Fund Request.**

Clerk Kremer moved to release PEG fees in the amount of \$17,260.19 to the FACT Consortium. (Trustee Kolhoff seconded). The motion carried; all ayes.

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**#5 Energy bid update.**

Clerk Kremer updated the board of the status of the energy grant bids.

**MISCELLEOUS BUSINESS**

None.

**PUBLIC REMARKS**

John Simpson (7344 Denton Hill Rd.) asked what the term limit is for the Deputy Supervisor. Supervisor Cunningham said the deputy serves under him for the time he is in office.

Mike Hiler (11336 Chriswood Dr.) introduced himself as an applicant for the Trustee position.

Hod Morton (11250 Foley Rd.) asked why the Supervisor needs a deputy. Deputy Supervisor Miles replied he is only working on the board-approved special projects. Mr. Morton questioned the board why they were doing business with just a quorum of only one elected official and three appointed members. Clerk Kremer said it is legal to conduct board business with a quorum and regardless if members of the board are appointed or elected.

Ken Maxwell (7461 Linden Rd.) asked if anyone pays taxes to Hartland Schools. The board told him portions of Tyrone Township do pay taxes to Hartland Schools.

Bob Byerly (8215 Linden Rd.) introduced himself as an applicant for the Trustee position.

Jan Bennett (6173 Denton Hill Rd.) said she also agrees that township business should not be conducted with three absent board members.

Linda McFarland (7485 Hartland Rd.) also wondered why three board members were absent and thinks a fine should be implemented.

Bob Byerly agreed that there are members that miss too many meetings.

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**BILLS FOR APPROVAL AND CLERK’S REPORT**

The following checks (No.17850 - 17879) and one ACH payment have been paid since the last regular meeting and have been submitted for approval which includes a total of **\$161.85** from the **STREET LIGHTING FUND** and **\$41,877.28** from the **GENERAL FUND**.

**ADJOURNMENT**

The meeting adjourned at 8:21 p.m.