

**TYRONE TOWNSHIP
REGULAR BOARD MEETING
APPROVED MINUTES – JULY 16, 2013**

CALL TO ORDER

Supervisor Cunningham called the meeting of the Tyrone Township Board to order with the Pledge of Allegiance on July 16, 2013 at 7:00 p.m. at the Tyrone Township Hall.

ROLL CALL

Present: Supervisor Mike Cunningham, Treasurer Marna Bunting-Smith, Clerk Keith Kremer, Trustees Soren Pedersen, Chuck Schultz, David Walker, and Cam Gonzalez.

APPROVAL OF AGENDA – OR CHANGES

Trustee Walker moved to approve the agenda as presented. (Trustee Gonzalez seconded.) The motion carried; all ayes.

APPROVAL OF CONSENT AGENDA

**Regular Board Meeting Minutes – June 18, 2013
Treasurer’s Report – June 30, 2013
Clerk’s Warrants & Bills**

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

COMMUNICATIONS

- 1. Economic Development Council Committee Meeting Minutes – April 16, 2013**
- 2. Tyrone Township Community Profile**
- 3. Planning Commission Meeting Synopsis – July 9, 2013**
- 4. Revenue and Expenditure Report – June 30, 2013**

Treasurer Bunting-Smith moved to receive and place on file Communications #1-4 as presented. (Trustee Walker seconded.) The motion carried; all ayes.

PUBLIC REMARKS

Joe and Jeanie Perez (12461 Foley Rd.) asked to be placed on the next agenda to request the township board to display the motto “In God We Trust” in the meeting room.

UNFINISHED BUSINESS

None

NEW BUSINESS

- 1. Plante Moran’s presentation of the township’s 2012-13 fiscal year audit.**

Tadd Harburn and Chrystal Simpson from Plante Moran presented results of the township’s audit. There were no noted deficiencies in the township financial procedures.

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2. Public Safety Committee's recommendation regarding the sheriff contract.

Clerk Kremer moved to enter into the contract with the Livingston County Sheriff Department for extra township police coverage pending legal review. (Trustee Walker seconded.) The motion carried; all ayes. The board discussed concerns such as the contract term, an unemployment clause, and response time.

3. Tyrone Woods Agreement.

**RESOLUTION #130701
TYRONE TOWNSHIP, LIVINGSTON COUNTY**

**RESOLUTION TO APPROVE THE AGREEMENT WITH TYRONE
WOODS FOR MODIFICATION OF THE EXISTING JUDGMENTS
IN CASES 69-1022-CZ AND 04-20892-CK, BOTH ENTITLED
TYRONE WOODS, LLC V. TOWNSHIP OF TYRONE.**

It is resolved that the Tyrone Township Board of Trustees approves the terms and conditions of the Agreement with Tyrone Woods, LLC, which provides for the modification of the existing Judgments in cases 69-1022-CZ and 04-20892-CK, both entitled Tyrone Woods, LLC v. Township of Tyrone.

It is further resolved that the Supervisor and Clerk are authorized to sign all documents and pleadings necessary to implement the terms of the Agreement.

It is further resolved that the Township Attorney is authorized to prepare the remaining documents necessary to implement the terms of the Agreement.

RESOLVED BY: Treasurer Bunting-Smith

SUPPORTED BY: Trustee Gonzalez

VOTE: Cunningham, yes; Kremer, yes; Bunting-Smith, yes; Gonzalez, yes; Pedersen, yes; Schultz, yes; Walker, yes.

ADOPTION DATE: July 16, 2013

CERTIFICATION OF THE CLERK

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 adopted by the Township Board at a regular meeting, held on July 16, 2013, 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

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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.



Keith L. Kremer
Township Clerk

5. Adoption of fireworks ordinance amendments.

Amendments, such as enforcement, noise, and time restrictions, to the current fireworks ordinance were discussed. No motion was made.

5. Township Depository Resolution.

**RESOLUTION #130702
TYRONE TOWNSHIP, LIVINGSTON COUNTY**

DEPOSITORY RESOLUTION

WHEREAS, the Board of Tyrone Township, Livingston County, in exercising its fiduciary responsibilities desires to safeguard the funds of the Township that may be invested from time to time, and

WHEREAS, Public Act 77 of 1989, MCL 41.77, requires that the Township Board designate the banks or depositories for the money belonging to the Township, including the time for which the deposits shall be made and all details for carrying into effect the authority given in this act, and

WHEREAS, Public Act 196 of 1997, MCL 129.91, et seq., requires Township Boards, in consultation with the Township Treasurer, to adopt an investment policy, now

THEREFORE BE IT RESOLVED, that this policy is applicable to all public funds belonging to Tyrone Township and in the custody of the Township Treasurer.

BE IT RESOLVED, that the Board approves the following financial institutions as depositories of township funds: The State Bank of Fenton, Flagstar Bank FSB and CDARS, JPMorgan Chase Bank NA, FirstMerit Bank NA, Michigan Class Pool, The Private Bank and CDARS, Fifth Third Bank, Comerica Bank & Trust NA, Huntington National Bank, Level One Bank, First Place Bank, and Tri Pointe Community Credit Union.

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BE IT FURTHER RESOLVED, that the Treasurer may invest Township funds in certificates of deposit, savings accounts, deposit accounts, or depository receipts of a bank but only if the bank, savings and loan association or credit union meet all criteria as a depository of public funds contained in state law. The standard of prudence to be used shall be the "fiduciary" standard and shall be applied in context of managing an overall portfolio.

BE IT FURTHER RESOLVED, that the prior approval of the Township Board, shall be required for the Treasurer to invest in any other lawful investment instruments. The Township Board's standard of prudence shall be the "fiduciary" standard, which shall be applied in context of managing an overall portfolio. The Township Board may authorize the Treasurer to invest in the following:

- (a) Bonds, securities, and other obligations of the United States or an agency or instrumentality of the United States. Commercial paper rated at the time of purchase within the 2 highest classifications established by not less than 2 standard rating services and that matures not more than 270 days after the date of purchase.
- (b) Repurchase agreements consisting of instruments listed in subdivision (a).
- (c) Bankers' acceptances of United State banks.
- (d) Obligations of this state or any of its political subdivisions that at the time of purchase are rated as investment grade by not less than 1 standard rating service.
- (e) Mutual funds registered under the Investment Company Act of 1940, Title I of chapter 686, 54 Stat. 789, 15 U.S.C. 80a-1 to 80a-3 and 80a-4 to 80a-64, with authority to purchase only investment vehicles that are legal for direct investment by a public corporation. However, a mutual fund is not disqualified as a permissible investment solely by reason of either of the following:
 - (i) The purchase of securities on a when-issued or delayed delivery basis.
 - (ii) The ability to lend portfolio securities as long as the mutual fund receives collateral at all times equal to at least 100% of the value of the securities loaned.
 - (iii) The limited ability to borrow and pledge a like portion of the portfolio's assets for temporary or emergency purposes.

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- (f) Obligations described in subdivisions (a) through (g) if purchased through an interlocal agreement under the Urban Cooperation Act of 1967, Public Act 7 of 1967 (Ex Sess), MCL 124.501, et seq.
- (g) Investment pools organized under the Surplus Funds Investment Pool Act, Public Act 367 of 1982, MCL 129.111, et seq.
- (h) The investment pools organized under the Local Government Investment Pool Act, Public Act 121 of 1985, MCL 129.141, et seq.

BE IT FURTHER RESOLVED, that decisions and actions involving the Township's investment portfolio shall meet the following criteria:

Safety: Safety of principle is the foremost objective of Tyrone Township's investment practices.

Diversification: The investments shall be diversified by avoiding over concentration in securities from a specific issuer or business sector (excluding U.S. Treasury securities and insured certificates of deposits).

Liquidity: The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated.

Return on Investment: Return of investment is of secondary importance compared to safety and liquidity objectives. Investments shall be selected to obtain a market average rate of return. The core of investments is limited to relatively low risk securities.

BE IT FURTHER RESOLVED, that the Treasurer may elect to have certificates and other evidence of investments held by a financial institution, provided that the financial institution presents to the Township Treasurer **on a quarterly basis**, sufficient documentation and acknowledgement of the investment instruments held on behalf of the Township. **(P.A. 213 of 2007 updated)**

BE IT FURTHER RESOLVED, that the Township will comply with all applicable statutes related to public fund investments. Any provision of this resolution in conflict with applicable statutes is void.

RESOLVED BY: Trustee Walker

SUPPORTED BY: Trustee Gonzalez

VOTE: Cunningham, yes; Kremer, yes; Bunting-Smith, yes; Gonzalez, yes; Pedersen, yes; Schultz, yes; Walker, yes.

ADOPTION DATE: July 16, 2013

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CERTIFICATION OF THE CLERK

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 adopted by the Township Board at a regular meeting, held on July 16, 2013, 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.



Keith L. Kremer
Township Clerk

6. Delinquent property tax sale strategy.

The board discussed if the township should bid and potentially purchase delinquent properties at tax sale. No motion was made.

7. Approval for road bed testing on Hartland Road.

Trustee Walker moved to test the road bed on Hartland Road with Tyrone Township to pay \$5000 and the Livingston County Road Commission to pay the excess. (Trustee Shultz seconded.) The motion carried; all ayes. The estimated cost of the road evaluation is \$8,000-\$10,000.

8. Request of the Historical Society to take ownership of historic items in old hall.

Clerk Kremer moved to transfer ownership of items found in storage in the old hall to the Tyrone Historical Society. (Trustee Schultz seconded.) The motion carried; all ayes.

9. Approval for Deputy Treasurer training with BS&A for the Delinquent Property Tax Program.

Trustee Walker moved to approve the software training for the Deputy Treasurer with BS&A for the Delinquent Property Tax Program at the cost of \$195. (Trustee Schultz seconded.) The motion carried; all ayes.

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MISCELLANEOUS BUSINESS

Trustee Walker suggested the board may want to consider adopting a review policy concerning ordinances.

PUBLIC REMARKS

Don Lovasco (12482 Orchard Wood Dr.) asked if the Bastille Day promoters had applied for a permit from the township to use township roads for their race. Clerk Kremer said the township had been notified in the past, but had not been for the last several years. Supervisor Cunningham said he would look into why the township was not notified.

ADJOURNMENT

Trustee Walker moved to adjourn. (Trustee Schultz seconded.) The motion carried; all ayes. The meeting adjourned at 8:45 p.m.