

**TYRONE TOWNSHIP
REGULAR BOARD MEETING
APPROVED MINUTES – JUNE 16, 2015**

CALL TO ORDER

Supervisor Cunningham called the meeting of the Tyrone Township Board to order with the Pledge of Allegiance on June 16, 2015 at 7:00 p.m. at the Tyrone Township Hall.

ROLL CALL

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

APPROVAL OF AGENDA – OR CHANGES

Clerk Kremer moved to approve the agenda as amended. (Treasurer Bunting-Smith seconded.) The motion carried; all ayes.

The modification was as follows:

Removed New Business #1 Request of Tim Ricketts to waive his fire service fee.

Added New Business #1 Resolution to Approve Second Amendment to the Lake Tyrone Sewer Improvement Act 185 Contract.

APPROVAL OF CONSENT AGENDA

**Regular Board Meeting Minutes – June 2, 2015
Treasurer's Report
Clerk's Warrants & Bills**

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

COMMUNICATIONS

- 1. Revenue & Expenditure Report – May 31, 2015**
- 2. Planning Commission Approved Meeting Minutes – May 12, 2015**
- 3. Planning Commission Approved Meeting Minutes – May 26, 2015**
- 4. Planning Commission Meeting Synopsis & Update – June 9, 2015**
- 5. Letter from J&B Saule re. Gravel Pit Extension – June 1, 2015**

Trustee Gonzalez moved to receive and place on file Communications #1-5 as presented. (Treasurer Bunting-Smith seconded.) The motion carried; all ayes.

PUBLIC REMARKS

None.

UNFINISHED BUSINESS

None.

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NEW BUSINESS

1. Resolution to Approve Second Amendment to the Lake Tyrone Sewer Improvement Act 185 Contract.



10408 Center Road • Fenton, Michigan 48430-9439 • (810) 629-8631 or 629-1486 • Fax (810) 629-0047

**RESOLUTION #150602
TYRONE TOWNSHIP, LIVINGSTON COUNTY
SECOND AMENDMENT TO ACT 185 CONTRACT**

At a regular meeting of the Township Board of the Township of Tyrone, Livingston County, Michigan, held on June 16, 2015.

WHEREAS, the Clerk presented to the Township Board the following:

A. The Second Amendment to Livingston County Lake Tyrone Sanitary Sewer Drain Improvements Contract, dated as of July 1, 2015 (the "Second Amendment"), among the County of Livingston (the "County"), acting through its Board of Public Works, the Township of Hartland, Livingston County, Michigan ("Hartland"), and the Township of Tyrone, Livingston County, Michigan (the "Township"), relative to the acquisition, construction and financing of improvements to the existing Lake Tyrone Sanitary Sewer Drain consisting of connection to the Livingston Regional Sanitary Sewer System (the "Regional System") by constructing a pump station and connecting forcemain, and replacing undersized portions of the existing forcemain and abandoning the existing treatment system (collectively, the "Project") to serve property in Hartland and the Township. The cost of the Project includes (1) the cost of constructing and abandoning the aforementioned facilities (the "Construction Portion") and (2) the cost of acquiring capacity in the Regional System in order to accommodate the additional flow from the Lake Tyrone Sanitary Sewer Drain (the "Capacity Portion"). The Second Amendment amends the Livingston County Lake Tyrone Sanitary Sewer Drain Improvements Contract, dated as of November 1, 2014, as amended by the First Amendment to Livingston County Lake Tyrone Sanitary Sewer Drain Improvements Contract, dated as of May 1, 2015 (as amended, the "Contract"), among the County, acting through its Board of Public Works, Hartland and the Township.

THEREFORE, BE IT RESOLVED by the Township of Tyrone, Livingston County, Michigan, as follows:

1. The Township Board hereby approves the Second Amendment, which Second Amendment provides, among other things, (a) that the Township's share of the cost of the Project consists of \$979,110 for the Construction Portion and \$652,036 for the Capacity Portion, (b) that the County will issue a series of bonds in the aggregate principal amount not to exceed \$2,365,000 (the "Bonds") to finance the cost of Construction Portion of the Project in anticipation of payments to be made by Hartland and the Township which payments will be sufficient to pay the principal of and interest on the Bonds and other costs of the Project not eligible to be financed from the proceeds of the Bonds, if any, (c) that the Capacity Portion of the Project will be defrayed by annual payments to be made by Hartland and the Township to the County which payments will be sufficient to pay the Capacity Portion of the Project, and (d) that

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for the making of it share of said payments for the Construction Portion and the Capacity Portion, the Township will pledge its full faith and credit. Taxes levied by the Township will be subject to statutory and constitutional tax limitations.

2. The Supervisor and the Clerk are authorized and directed to execute and deliver the Second Amendment for and on behalf of the Township (in such number of counterparts as may be desirable).

3. A copy of the Second Amendment presented to the Township Board on this date and herein approved and authorized to be executed and delivered shall be attached to the minutes of this meeting and made a part thereof and shall be placed on file with the Clerk and made available for examination by any interested person during normal business hours. The Contract, as amended by the Second Amendment, is ratified and confirmed.

4. The Supervisor is authorized, if necessary, to file with the Michigan Department of Treasury an application for approval of the Bonds under Act 34, Public Acts of Michigan, 2001, as amended.

5. The Supervisor and/or the Clerk are each authorized to execute and deliver such certificates and documents relating to the Bonds as are requested by the County, including without limitation the Supplemental Agreement among Hartland, the Township, the County, the Michigan Finance Authority and the State of Michigan, acting through the Michigan Department of Environmental Quality ("MDEQ"), and any other documents related to the MDEQ's State Revolving Fund Program, and to do all other things that are necessary to effectuate the sale and delivery of the Bonds.

6. All resolutions and part of resolutions, insofar as the same may be in conflict with the provisions of this resolution, be and the same hereby are rescinded.

RESOLVED BY: Trustee Gonzalez


SUPPORTED BY: Trustee Schultz

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

ADOPTION DATE: June 16, 2015

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 June 16, 2015, 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

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2. Request of Bill and Mary Ann West for a land division.

Treasurer Bunting-Smith moved to approve the request of Bill and Mary Ann West for land division of parcel 4704-22-200-002 at 11346 Center Rd., as recommended by the Planning Commission. (Clerk Kremer seconded). The motion carried; all ayes.

3. Close out Jayne Hill paving assessment.

Clerk Kremer moved to close the Jayne Hill paving assessment fund and move the remaining balance (approximately \$6.00) to the General Fund. (Treasurer Bunting-Smith seconded.) The motion carried; all ayes.

4. Discussion to resolve software error on special assessment payoffs.

The Treasurer explained to the board that a software error was made on special assessment payoffs. The BS&A software randomly created duplicates, affecting six parcels, which created a \$5,500 shortage for the township. The township audit confirmed the township was not responsible for making the error. Ways to resolve the error were discussed; no motion was made.

5. Permission to have records searched to determine if there is an easement for the property going to tax sale.

Clerk Kremer moved to have records searched, at a cost up to \$90, to determine if there is an easement on a particular property going to tax sale. (Trustee Schultz seconded.) The motion carried; all ayes.

6. Special Land Use Permit fees for outdoor growing.

The board discussed creating an annual inspection fee for medical marijuana outdoor growing facilities. Township Planner, Sally Hodges, confirmed an inspection fee is permitted by the ordinance and said \$200 is comparable to other permits and would be reasonable. Treasurer Bunting-Smith moved to adopt an annual renewal inspection fee of \$200 for medical marijuana outdoor growing facilities. (Trustee Schultz seconded.) The motion carried.

7. Request to receive proposals from collection agencies.

The board discussed hiring a collection agency. The Treasurer asked if the board would allow companies to give a short presentation to see how they do service. One suggestion was to redefine the current in-house collection policy and then determine if hiring a company was necessary. No motion was made.

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8. Request to transfer general fund loan in the sewer O&M fund to the sewer debt fund.

Clerk Kremer moved to authorize the transfer of the general fund loan, in the Sewer O&M fund, to the sewer debt fund, pending a “good health” audit report in August. (Trustee Schultz seconded.) The motion carried; all ayes.

9. Request to extend the Sheriff contract.

Trustee Schultz moved to extend the existing Livingston County Sheriff’s contract through March 31, 2019. (Treasurer Bunting-Smith seconded.) The motion carried; all ayes.

10. Request to cap the sewer connection rates.

The board discussed the high cost of the township’s sewer connection rates and the need for a cap. Trustee Schultz moved to cap the sewer rates at \$14,500 per REU and \$1,500 per connection fee. (Treasurer Bunting-Smith seconded.) The motion carried; all ayes.

11. Request to purchase cemetery management software.

Clerk Kremer moved to purchase cemetery management software from Pontem Software at a cost of \$2,250 and amend the technology budget to reflect the purchase. (Trustee Schultz seconded.) The motion carried; all ayes.

MISCELLANEOUS BUSINESS

None.

PUBLIC REMARKS

None.

ADJOURNMENT

Trustee Pedersen moved to adjourn. (Treasurer Bunting-Smith seconded.) The motion carried; all ayes. The meeting adjourned at 8:05 p.m.