

**TYRONE TOWNSHIP
REGULAR BOARD MEETING
APPROVED MINUTES – JULY 19, 2016**

CALL TO ORDER

Supervisor Cunningham called the meeting of the Tyrone Township Board to order with the Pledge of Allegiance on July 19, 2016 at 7:00 p.m. at the Tyrone Township Hall.

ROLL CALL

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

APPROVAL OF AGENDA – OR CHANGES

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

APPROVAL OF CONSENT AGENDA

**Regular Board Meeting Minutes – July 5, 2016
Treasurer's Report
Clerk's Warrants & Bills**

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

COMMUNICATIONS

- 1. Livingston County Sheriff Report- June 2016.**
- 2. Notice that Michigan Public Service Commission resumes franchise operations.**
- 3. Revenue Sharing Payment Estimates 2016-2017.**
- 4. Revenue and Expenditure Report Ending June 30, 2016.**

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

PUBLIC REMARKS

John McIntosh (6045 Mabley Hill) asked if there are agencies to help Lake Tyrone residents who have financial hardships because of the sewer charges. Treasurer Bunting-Smith suggested calling 211 for assistance.

UNFINISHED BUSINESS

- 1. Hartland Rd. tree removal project.**

Michigan Tree Service, the company contracted to remove trees on Hartland Rd., said they were not aware the overhead canopy had to be trimmed and the bid they submitted did not cover those costs to complete the project. They asked if the township would be willing to pay an extra \$1000 to finish the job. The total cost, including the additional \$1000, was below the second lowest bid received to do the project. Trustee Gonzalez moved to pay the additional \$1000 to Michigan Tree Service to keep the project on schedule. (Treasurer Bunting-Smith seconded.) The motion carried; 4 ayes, 2 nays (Schultz, Walker).

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NEW BUSINESS

- 1. Revision to the Sewer Use and Rate Ordinance #43 to include sewer Residential Equivalent Units (REU) assignment to wedding barns.**

Valerie Johnson, owner of the Vale Royal Barn & Inn, was informed by the Livingston County Drain Commission that she would need additional REUs for her business (one REU was assigned to the residence). She requested that more REUs be assigned to her business and she needed it done immediately due to her deadline. Wedding barns are currently not classified in the ordinance, but Treasurer Bunting-Smith said the sewer ordinance did not need to be revised and pointed out that the ordinance currently “permits sewer Residential Equivalent Units (REU) to be assigned as determined by the Township Board.”

Trustee Walker moved to assign Vale Royal Barn & Inn 1.5 sewer REUs. (Trustee Gonzalez seconded.) The motion carried; all ayes.

- 2. Establish a policy to permit sewer deferral payments to purchase additional sewer Residential Equivalent Units (REU) as referenced in Sewer Use and Rate Ordinance #43.**

The board discussed establishing a policy to permit sewer deferral payments specifically when purchasing additional sewer REUs. The consensus was a policy was not needed at this time. No motion was made.

- 3. Resolution to Proceed with Shannon Glen Waste Removal Project.**

**RESOLUTION #160701
TYRONE TOWNSHIP, LIVINGSTON COUNTY**

**SHANNON GLEN SUBDIVISION
WASTE REMOVAL PROJECT (2016)**

**RESOLUTION TO PROCEED WITH THE PROJECT AND DIRECTING
PREPARATION OF THE PLANS AND COST ESTIMATES**

WHEREAS, the Board of Trustees of the Township has received a petition signed by property owners in the Shannon Glen Subdivision of the Township requesting that a single waste hauler be established for the collection and disposal of garbage and rubbish along certain roads in the Township as described in Exhibit A (the “Project”);

WHEREAS, the Board of Trustees of the Township desires to establish the Project, and;

WHEREAS, the Board of Trustees of the Township has tentatively determined to proceed with the Project in accordance with Act No. 188, Michigan Public Acts of 1954 as amended, and;

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WHEREAS, the Board of Trustees of the Township has tentatively determined to continue to use special assessment funds to pay the costs of the Project;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. In accordance with Act No. 188, Michigan Public Acts of 1954, as amended, and the laws of the State of Michigan, the Township Supervisor is directed to have plans prepared illustrating the Project, the location of the Project, and an estimate of the cost of the Project.

2. The plans and estimates identified in paragraph 1, when prepared, shall be filed with the Township Clerk.

RESOLVED BY: Trustee Walker

SUPPORTED BY: Trustee Schultz

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

ADOPTION DATE: July 19, 2016

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 19, 2016, 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.



Marcella Husted
Tyrone Township Clerk

EXHIBIT A

DESCRIPTION OF PROJECT

The project (the “Project”) will consist of the establishment of a single waste hauler for the collection and disposal of garbage and rubbish along the following streets in the Shannon Glen Subdivision in Tyrone Township: Shannon Glen Drive, Riverwalk Drive and Green Hickory Lane.

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4. Resolution to Schedule First Hearing for Shannon Glen Waste Removal Project.

**RESOLUTION #160702
TYRONE TOWNSHIP, LIVINGSTON COUNTY**

**SHANNON GLEN SUBDIVISION
WASTE REMOVAL PROJECT (2016)**

**RESOLUTION TO APPROVE THE PROJECT,
SCHEDULING THE FIRST HEARING
AND DIRECTING THE ISSUANCE OF STATUTORY NOTICES**

WHEREAS, the Board of Trustees of the Township has received a petition signed by property owners in the Shannon Glen Subdivision of the Township requesting that a single waste hauler be established for the collection and disposal of garbage and rubbish along certain roads in the Township as described in Exhibit A (the “Project”);

WHEREAS, the Board of Trustees of the Township desires to establish the Project, and;

WHEREAS, the Board of Trustees of the Township has approved the establishment of the Project;

WHEREAS, preliminary plans and cost estimates for the Project have been filed with the Township Clerk;

WHEREAS, the Board of Trustees of the Township has tentatively determined to use special assessments to raise the funds to pay the costs of the Project and has tentatively determined to proceed with the Project;

WHEREAS, the special assessment district (the “Special Assessment District”) for the Project has been tentatively determined by the Township and is described in Exhibit B;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Trustees of the Township hereby tentatively declares its intent to proceed with the Project.

2. In accordance with Act No. 188, Michigan Public Acts of 1954, as amended, and the laws of the State of Michigan, there shall be a public hearing on the Project and the proposed Special Assessment District for the Project which is known as the “Tyron Township Shannon Glen Subdivision Waste Removal Project (2016) Special Assessment District.”

3. The public hearing will be held on Thursday, August 4, 2016 at 7:00 p.m., at the offices of Tyron Township, Livingston County, Michigan.

**TYRONE TOWNSHIP
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4. The Township Clerk is directed to mail, by first class mail, a notice of the public hearing to each owner of or party in interest in property to be assessed, whose name appears upon the last Township tax assessment records. The last Township tax assessment records means the last assessment roll for ad valorem tax purposes which has been reviewed by the Township Board of Review, as supplemented by any subsequent changes in the names or addresses of such owners or parties listed thereon. The notice to be mailed by the Township Clerk shall be similar to the notice attached as Exhibit B and shall be mailed by first class mail on or before July 20, 2016. Following the mailing of the notices, the Township Clerk shall complete an affidavit of mailing similar to the affidavit set forth in Exhibit C.

5. The Township Clerk is directed to publish a notice of the public hearing in the Tri County Times and the Livingston Press & Argus, newspapers of general circulation within the Township. The notice shall be published twice, once on or before July 24, 2016 and once on or before July 31, 2016. The notice shall be in a form substantially similar to the notice attached as Exhibit B.

RESOLVED BY: Trustee Walker
SUPPORTED BY: Treasurer Marna

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

ADOPTION DATE: July 19, 2016

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 19, 2016, 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.



Marcella Husted
Tyrone Township Clerk

**EXHIBIT A
DESCRIPTION OF PROJECT**

The project (the "Project") will consist of the establishment of a single waste hauler for the collection and disposal of garbage and rubbish along the following streets in the Shannon Glen Subdivision in Tyrone Township: Shannon Glen Drive, Riverwalk Drive and Green Hickory Lane.

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Tyrone Township
Livingston County, Michigan

**NOTICE OF PUBLIC HEARING
UPON SPECIAL ASSESSMENT ROLL FOR THE
TYRONE TOWNSHIP SHANNON GLEN SUBDIVISION
waste removal PROJECT (2016) SPECIAL ASSESSMENT DISTRICT**

NOTICE IS HEREBY GIVEN:

(1) The Township Board of Tyrone Township, Livingston County, Michigan (the “Township”) in accordance with the laws of the State of Michigan, will conduct a public hearing beginning at 7:00 p.m., local time, on August 4, 2016 at the Tyrone Township Hall, 10408 Center Road, Fenton, Michigan, to review the following proposed special assessment district:

**TYRONE TOWNSHIP SHANNON GLEN SUBDIVISION
WASTE REMOVAL PROJECT (2016)
SPECIAL ASSESSMENT DISTRICT**

and to hear any objections thereto and the proposed project.

(2) The project (the “Project”) will consist of establishing a single waste hauler for the following roads in the Shannon Glen Subdivision in Tyrone Township: Shannon Glen Drive, Riverwalk Drive and Green Hickory Lane. The Project is designed to serve the properties in the Special Assessment District (the “District”), which District consists of the properties located within the area designated on the map attached at Appendix I and includes the specific properties that are identified by the permanent lot and parcel numbers described in Appendix II.

(3) The Township plans to impose special assessments on the properties located in the Special Assessment District to pay for the costs of the Project.

(4) The plans and cost estimates for the proposed Project and the description of the District are now on file in the office of the Township Clerk for public inspection. Periodic redeterminations of the cost of the Project may be made, and subsequent hearings shall not be required if such cost redeterminations do not increase the estimated cost of the Project by more than 10%. Any person objecting to the proposed Project or the proposed District must file his or her objections in writing with the Township Clerk before the close of the August 4, 2016 public hearing or within such additional time (if any) as the Township Board may grant.

This notice is given by order of the Tyrone Township Board.

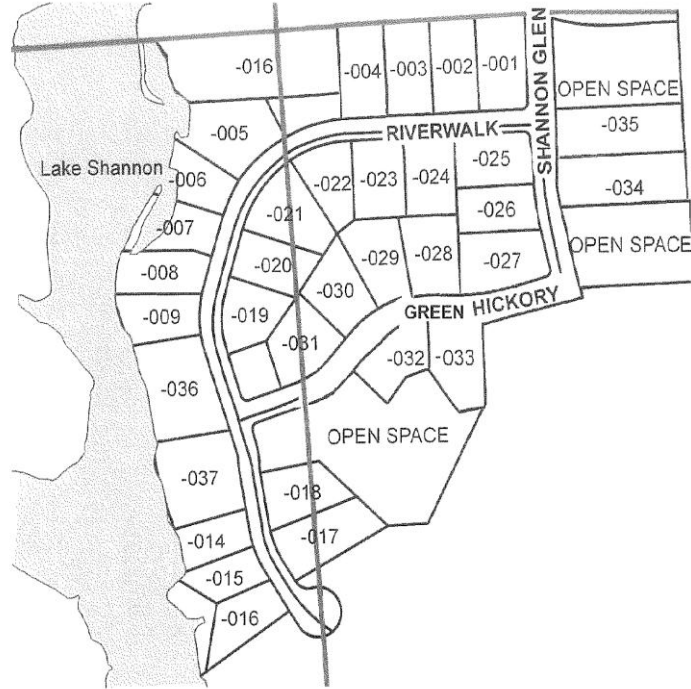
Dated: July 20, 2016

Marcella Husted
Tyrone Township Clerk

**TYRONE TOWNSHIP
REGULAR BOARD MEETING
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APPENDIX I

Map of Special Assessment District



APPENDIX II

Special Assessment District
Permanent Parcel Numbers

4704-32-101-001	4704-32-101-017	4704-32-101-029
4704-32-101-002	4704-32-101-018	4704-32-101-030
4704-32-101-003	4704-32-101-019	4704-32-101-031
4704-32-101-004	4704-32-101-020	4704-32-101-032
4704-32-101-005	4704-32-101-021	4704-32-101-033
4704-32-101-006	4704-32-101-022	4704-32-101-034
4704-32-101-007	4704-32-101-023	4704-32-101-035
4704-32-101-008	4704-32-101-024	4704-32-101-036
4704-32-101-009	4704-32-101-025	4704-32-101-037
4704-32-101-014	4704-32-101-026	4704-31-200-016
4704-32-101-015	4704-32-101-027	
4704-32-101-016	4704-32-101-028	

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EXHIBIT C

AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
)
COUNTY OF LIVINGSTON)

Marcella Husted, being first duly sworn, deposes and says that she personally prepared for mailing, and did on July 20, 2016, send by first-class mail, the notice of hearing, a true copy of which is attached hereto, to each record owner of or party in interest in all property to be assessed for the improvement described therein, as shown on the last local tax assessment records of the Township of Tyrone; that she personally compared the address on each envelope against the list of property owners as shown on the current tax assessment rolls of the Township; that each envelope contained therein such notice and was securely sealed with postage fully prepaid for first-class mail delivery and plainly addressed; and that she personally placed all of such envelopes in a United States Post Office receptacle on the above date.

Marcella Husted
Tyrone Township Clerk

Subscribed and sworn to before me
this 20th day of July 2016.

Notary Public

Genesee County, Michigan
Acting in Livingston County

My commission expires:

5. Resolution to Proceed with Great Oaks Road Maintenance Project.

**RESOLUTION #160703
TYRONE TOWNSHIP, LIVINGSTON COUNTY**

GREAT OAKS DRIVE SEASONAL ROAD MAINTENANCE PROJECT 2016

**RESOLUTION TO PROCEED WITH THE
PROJECT AND DIRECTING
PREPARATION OF THE PLANS AND COST ESTIMATES**

WHEREAS, the Board of Trustees of the Township has received a petition signed by property owners along Great Oaks Drive in the Township requesting that contractors be established for the seasonal road maintenance along Great Oaks Drive in the Township as described in Exhibit A (the “Project”);

**TYRONE TOWNSHIP
REGULAR BOARD MEETING
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WHEREAS, the Board of Trustees of the Township desires to establish the Project;

WHEREAS, the Board of Trustees of the Township has tentatively determined to proceed with the Project in accordance with Act No. 188, Michigan Public Acts of 1954, as amended;

WHEREAS, the Board of Trustees of the Township has tentatively determined to use special assessments to raise the funds to pay the costs of the Project;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. In accordance with Act No. 188, Michigan Public Acts of 1954, as amended, and the laws of the State of Michigan, the Township Supervisor is directed to have plans prepared describing the Project and an estimate of the cost of the Project.

2. The plans and estimates identified in paragraph 1, when prepared, shall be filed with the Township Clerk.

RESOLVED BY: Trustee Walker

SUPPORTED BY: Trustee Gonzalez

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

ADOPTION DATE: July 19, 2016

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 19, 2016, 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.



Marcella Husted
Tyrone Township Clerk

EXHIBIT A

DESCRIPTION OF PROJECT

The project (the "Project") will consist of the subcontracting for snow removal and road grading of Great Oaks Drive in Tyrone Township.

**TYRONE TOWNSHIP
REGULAR BOARD MEETING
APPROVED MINUTES – JULY 19, 2016 – PAGE 10**

6. Resolution to Schedule First Hearing for Great Oaks Road Maintenance Project.

**RESOLUTION #160704
TYRONE TOWNSHIP, LIVINGSTON COUNTY**

GREAT OAKS DRIVE SEASONAL ROAD MAINTENANCE PROJECT 2016

**RESOLUTION TO APPROVE THE PROJECT,
SCHEDULING THE FIRST HEARING
AND DIRECTING THE ISSUANCE OF STATUTORY NOTICES**

WHEREAS, the Board of Trustees of the Township has received a petition signed by property owners along Great Oaks Drive in the Township requesting that contractors be established for the seasonal road maintenance of Great Oaks Drive in the Township as described in Exhibit A (the “Project”);

WHEREAS, the Board of Trustees of the Township has approved the establishment of the Project;

WHEREAS, preliminary plans and cost estimates for the Project have been filed with the Township Clerk;

WHEREAS, the Board of Trustees of the Township has tentatively determined to use special assessments to raise the funds to pay the costs of the Project and has tentatively determined to proceed with the Project;

WHEREAS, the special assessment district (the “Special Assessment District”) for the Project has been tentatively determined by the Township and is described in Exhibit B;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Trustees of the Township hereby tentatively declares its intent to proceed with the Project.

2. In accordance with Act No. 188, Michigan Public Acts of 1954, as amended, and the laws of the State of Michigan, there shall be a public hearing on the Project and the proposed Special Assessment District for the Project which is known as the “Tyrone Township Great Oaks Drive Seasonal Road Maintenance Project (2016) Special Assessment District.”

3. The public hearing will be held on Thursday, August 4, 2016 at 7:00 p.m., at the offices of Tyrone Township, Livingston County, Michigan.

**TYRONE TOWNSHIP
REGULAR BOARD MEETING
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4. The Township Clerk is directed to mail, by first class mail, a notice of the public hearing to each owner of or party in interest in property to be assessed, whose name appears upon the last Township tax assessment records. The last Township tax assessment records means the last assessment roll for ad valorem tax purposes which has been reviewed by the Township Board of Review, as supplemented by any subsequent changes in the names or addresses of such owners or parties listed thereon. The notice to be mailed by the Township Clerk shall be similar to the notice attached as Exhibit B and shall be mailed by first class mail on or before July 20, 2016. Following the mailing of the notices, the Township Clerk shall complete an affidavit of mailing similar to the affidavit set forth in Exhibit C.

5. The Township Clerk is directed to publish a notice of the public hearing in the Tri County Times, a newspaper of general circulation within the Township. The notice shall be published twice, once on or July 24, 2016 and once on July 31, 2016. The notice shall be in a form substantially similar to the notice attached as Exhibit B.

RESOLVED BY: Trustee Walker
SUPPORTED BY: Treasurer Bunting-Smith

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

ADOPTION DATE: July 19, 2016

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 19, 2016, 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.



Marcella Husted
Tyrone Township Clerk

**EXHIBIT A
DESCRIPTION OF PROJECT**

The project (the "Project") will consist of the subcontracting for snow removal and road grading of Great Oaks Drive in Tyrone Township.

**TYRONE TOWNSHIP
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EXHIBIT B

Tyrone Township
Livingston County, Michigan

**NOTICE OF PUBLIC HEARING
UPON SPECIAL ASSESSMENT ROLL FOR THE
TYRONE TOWNSHIP GREAT OAKS DRIVE
SEASONAL ROAD MAINTENANCE PROJECT (2016)
SPECIAL ASSESSMENT DISTRICT**

NOTICE IS HEREBY GIVEN:

(1) The Township Board of Tyrone Township, Livingston County, Michigan (the “Township”) in accordance with the laws of the State of Michigan, will conduct a public hearing beginning at 7:00 p.m., local time, on August 4, 2016, at the Tyrone Township Hall, 10408 Center Road, Fenton, Michigan, to review the following proposed special assessment district:

**TYRONE TOWNSHIP GREAT OAKS DRIVE
SEASONAL ROAD MAINTENANCE PROJECT (2016)
SPECIAL ASSESSMENT DISTRICT**

and to hear any objections thereto and the proposed project.

(2) The project (the “Project”) will consist of the subcontracting for snow removal and road grading of Great Oaks Drive. The Project is designed to serve the properties in the Special Assessment District (the “District”), which District consists of the properties located within the area designated on the map attached at Appendix I and includes the specific properties that are identified by the permanent lot and parcel numbers described in Appendix II.

(3) The Township plans to impose special assessments on the properties located in the Special Assessment District to pay for the costs of the Project.

(4) The plans and cost estimates for the proposed Project and the description of the District are now on file in the office of the Township Clerk for public inspection. Periodic redeterminations of the cost of the Project may be made, and subsequent hearings shall not be required if such cost redeterminations do not increase the estimated cost of the Project by more than 10%. Any person objecting to the proposed Project or the proposed District must file his or her objections in writing with the Township Clerk before the close of the August 4, 2016 public hearing or within such additional time (if any) as the Township Board may grant.

This notice is given by order of the Tyrone Township Board.

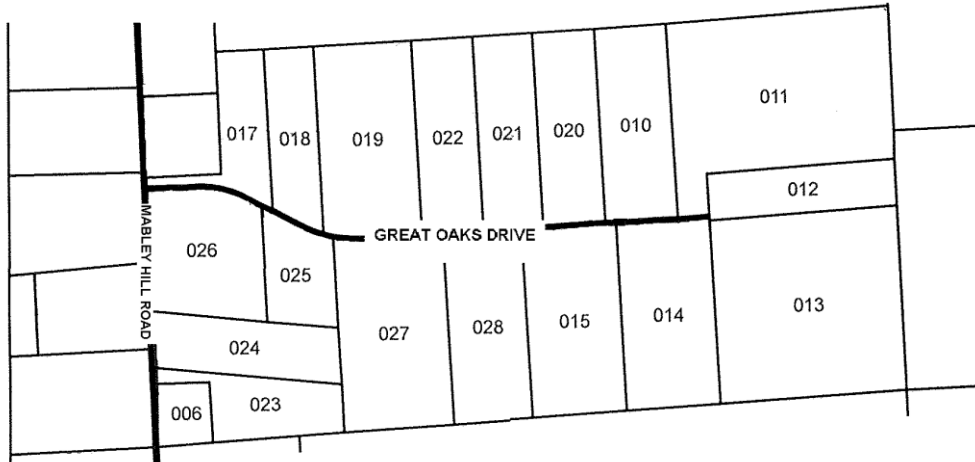
Dated: July 20, 2016

Marcella Husted
Tyrone Township Clerk

**TYRONE TOWNSHIP
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APPENDIX I

Map of Special Assessment District



APPENDIX II

Special Assessment District
Permanent Parcel Numbers

4704-23-100-022	4704-23-100-021
4704-23-100-026	4704-23-100-015
4704-23-100-017	4704-23-100-014
4704-23-100-018	4704-23-100-020
4704-23-100-025	4704-23-100-010
4704-23-100-027	4704-23-100-011
4704-23-100-019	4704-23-100-013
4704-23-100-028	4704-23-100-012

7. Planning Commission and ZBA appointments.

Supervisor Cunningham recommended the reappointments of Joe Trollman and Jeff Young to the Zoning Board of Appeals, the reappointment of Al Pool to the Planning Commission, and the appointment of Kurt Schulze to the Planning Commission. All four positions are three year terms and will expire 8/31/2019.

Trustee Walker moved to approve the Supervisor's appointments to the Planning Commission and ZBA. (Trustee Schultz seconded.) The motion carried; all ayes.

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8. Request to pursue legal action on Walnut Shores and Carmer Road properties for zoning violations.

Supervisor Cunningham requested the township pursue legal action on three properties, which have had numerous complaints of zoning violations in the past several years. Photos showed uninhabitable and unsafe houses, hoarding, and blight. Two properties are located on Walnut Shores and one property is on Carmer Road. Trustee Walker moved to pursue legal action. (Trustee Schultz seconded.) The motion carried; all ayes.

MISCELLANEOUS BUSINESS

None.

PUBLIC REMARKS

Ivan Quinn (Walnut Shores) asked how the township will proceed with legal action on the three properties.

ADJOURNMENT

Trustee Gonzalez moved to adjourn. (Treasurer Bunting-Smith seconded.) The motion carried; all ayes. The meeting adjourned at 7:56 p.m.