

**TYRONE TOWNSHIP  
PUBLIC HEARING & REGULAR BOARD MEETING  
APPROVED MINUTES – JUNE 6, 2017**

**CALL TO ORDER**

Supervisor Cunningham called the meeting of the Tyrone Township Board to order with the Pledge of Allegiance on June 6, 2017 at 7:00 p.m. at the Tyrone Township Hall.

**ROLL CALL**

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

**PUBLIC HEARING**

Supervisor Cunningham opened the public hearing at 7:00 p.m. The purpose of the public hearing was to review the proposed Apple Orchard Drive Waste Collection Project (2017) Special Assessment District. Paul Phelps (Apple Orchard Dr.) asked about the 10% increase in the resolution language and why the cost is more the first year. [“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%.”] Clerk Husted explained the law allows an increase up to 10% and must be stated in the language. She said the cost of hearing publications, mailings, and attorney fees (if any) must be covered the first year of the assessment.

No comments or letters of opposition were received. The Supervisor closed the public hearing at 7:05 and reopened the regular meeting.

**APPROVAL OF AGENDA – OR CHANGES**

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

The modification is as follows:

*Added:* New Business #7 Removed Board & Planning Commission Joint Meeting Minutes- May 17, 2017 from the Consent Agenda to revise.

*Added:* New Business #8 Ronald’s Tree Service bid.

**APPROVAL OF CONSENT AGENDA**

**Board Workshop Minutes – May 9, 2017**

**Regular Board Meeting Minutes – May 9, 2017**

**Treasurer’s Report**

**Clerk’s Warrants and Bills**

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

*Removed:* Board & Planning Commission Joint Meeting Minutes- May 17, 2017.

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**COMMUNICATIONS**

- 1. Livingston County Sheriff's Report- March 2017**
- 2. Livingston County Sheriff's Report- April 2017**
- 3. Planning Commission Approved Meeting Minutes- April 11, 2017**
- 4. Planning Commission Meeting Synopsis- May 16, 2017**
- 5. Notice of Bastille Day Race 2017**
- 6. Historical Society hall cleanup update- May 19, 2017**
- 7. Livingston Co. Tax Allocation Preliminary Order- May 22, 2017**

Trustee Walker moved to receive and place on file Communications #1-7 as presented. (Trustee Pedersen seconded.) The motion carried; all ayes.

**PUBLIC REMARKS**

Karen Nowaczyk (Apple Orchard Dr.) asked if bids from other garbage companies were received. Clerk Husted said two bids were received.

Darla Skvarenina (McGuire Rd.) asked what improvements would be made to McGuire Road. Supervisor Cunningham said it would be explained later in the meeting.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

- 1. Resolution #170601 to approve the project details and direct the preparation of the special assessment roll for the Apple Orchard Drive Waste Collection Project.**

RESOLUTION #170601  
TYRONE TOWNSHIP, LIVINGSTON COUNTY

APPLE ORCHARD DRIVE  
WASTE REMOVAL PROJECT (2017)

RESOLUTION APPROVING PROJECT DETAILS AND  
DIRECTING THE PREPARATION OF THE  
SPECIAL ASSESSMENT ROLL

WHEREAS, the Board of Trustees of the Township has determined to proceed with the establishment of a single waste hauler for the collection and disposal of garbage and rubbish within the Township as described in Exhibit A (the "Project");

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WHEREAS, prior to the first public hearing on the Project, the Board of Trustees of the Township received petitions requesting that the Board of Trustees of the Township proceed with the Project;

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:

WHEREAS, the Township held a public hearing on the Project and the proposed Special Assessment District for the Project on June 6, 2017;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Trustees of the Township approves the completion of the Project and approves the plans and cost estimates for the Project, which are on file with the Township Clerk and which are identified as “Plans and Cost Estimates for the Apple Orchard Drive Waste Removal Project.”

2. The Board of Trustees of the Township determines that the petitions for the Project submitted to the Board of Trustees were sufficient to satisfy the requirements under Act No. 188, Michigan Public Acts of 1954, as amended for initiating an improvement project.

3. The Board of Trustees of the Township determines that the Special Assessment District for the Project shall consist of the parcels identified in Exhibit B. The term of the Special Assessment District shall be through March 31, 2028.

4. The Township Supervisor is directed to prepare the Special Assessment Roll for the Special Assessment District identified in Exhibit B. The Special Assessment Roll shall describe all the parcels of land to be assessed with the names of the respective record owners of each parcel, if known, and the total amount to be assessed against each parcel of land. When the Township Supervisor completes the Special Assessment Roll, he shall affix his certificate to the roll, which certificate shall be substantially in the form of Exhibit C to this resolution.

5. All resolutions or parts of resolutions in conflict with this resolution are hereby rescinded.

RESOLVED BY: Treasurer Bunting-Smith

SUPPORTED BY: Trustee Walker

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

ADOPTION DATE: June 6, 2017

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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 June 6, 2017, 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 the 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 Apple Orchard Drive in Tyrone Township.

\_\_\_\_\_  
Exhibit B

Description of the Special Assessment District

\_\_\_\_\_

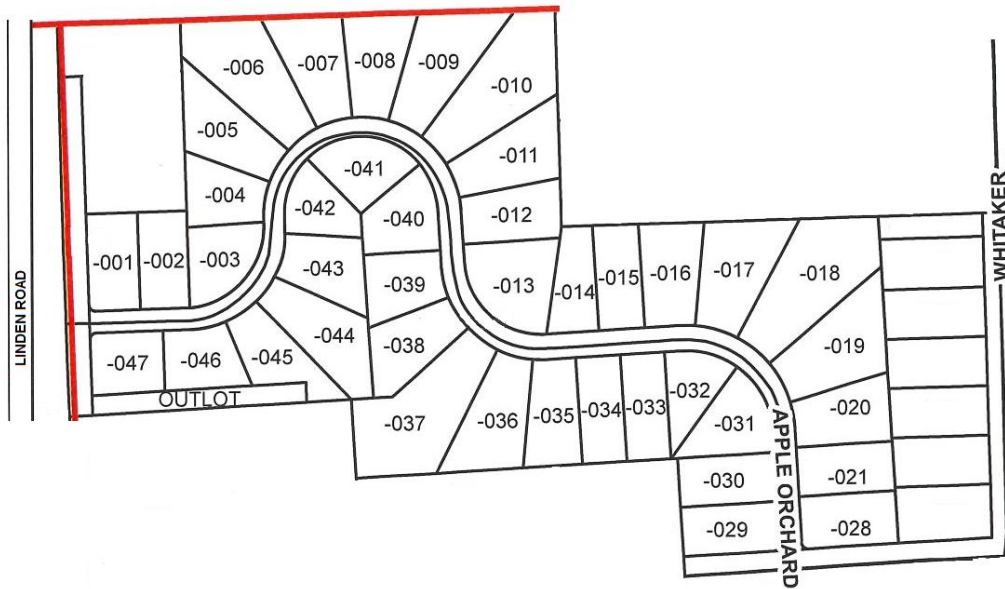
**TYRONE TOWNSHIP  
APPLE ORCHARD DRIVE WASTE REMOVAL PROJECT (2017)  
SPECIAL ASSESSMENT DISTRICT**

The Tyrone Township Apple Orchard Drive Waste Removal Project (2017) Special Assessment District (the “Special Assessment District”) has been formed to specially assess the properties benefited from the Project described in Exhibit A. The proposed Special Assessment District is described as follows: All properties located in Apple Orchard Drive in Tyrone Township. The Special Assessment District includes the properties shown in the Special Assessment District on the map attached as Appendix I and includes the specific properties that are identified by the following permanent parcel numbers:

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4704-05-101-001	4704-05-101-015	4704-05-101-035
4704-05-101-002	4704-05-101-016	4704-05-101-036
4704-05-101-003	4704-05-101-017	4704-05-101-037
4704-05-101-004	4704-05-101-018	4704-05-101-038
4704-05-101-005	4704-05-101-019	4704-05-101-039
4704-05-101-006	4704-05-101-020	4704-05-101-040
4704-05-101-007	4704-05-101-021	4704-05-101-041
4704-05-101-008	4704-05-101-028	4704-05-101-042
4704-05-101-009	4704-05-101-029	4704-05-101-043
4704-05-101-010	4704-05-101-030	4704-05-101-044
4704-05-101-011	4704-05-101-031	4704-05-101-045
4704-05-101-012	4704-05-101-032	4704-05-101-046
4704-05-101-013	4704-05-101-033	4704-05-101-047
4704-05-101-014	4704-05-101-034	

APPENDIX I  
Map of Special Assessment District



**TYRONE TOWNSHIP  
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Exhibit C  
Certificate

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I, the undersigned, Supervisor of Tyrone Township, Livingston County, Michigan (the “Township”), acting pursuant to a resolution duly adopted by the Township Board of the Township on June 6, 2017 (the “Resolution”) certify that (1) the attached special assessment roll for the Tyrone Township Apple Orchard Drive Waste Removal Project (2017) Special Assessment District, to which this Certificate is affixed, was made pursuant to the Resolution and (2) in making such roll, I have, according to my best judgment, conformed in all respects to the directions contained in the Resolution and the statutes of the State of Michigan, including Act No. 188, Public Acts of Michigan, 1954, as amended.

Dated: June 6, 2017

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Mike Cunningham  
Tyrone Township Supervisor

**2. Resolution #170602 to schedule the second public hearing for the Apple Orchard Drive Waste Collection Project.**

RESOLUTION #170602  
TYRONE TOWNSHIP, LIVINGSTON COUNTY

APPLE ORCHARD DRIVE  
WASTE REMOVAL PROJECT (2017)

RESOLUTION ACKNOWLEDGING THE FILING OF THE  
SPECIAL ASSESSMENT ROLL, SCHEDULING A HEARING,  
DIRECTING THE ISSUANCE OF STATUTORY NOTICES  
AND RATIFYING PREVIOUS ACTIONS

WHEREAS, the Board of Trustees of the Township has determined to proceed with the establishment of a single waste hauler for the collection and disposal of garbage and rubbish within the Township as described in Exhibit A (the “Project”);

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;

WHEREAS, the Special Assessment District for the Project has been determined by the Board of Trustees of the Township;

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WHEREAS, the Board of Trustees of the Township has directed the Township Supervisor to prepare the proposed Special Assessment Roll; and

WHEREAS, the Township Supervisor has prepared the Special Assessment Roll entitled “Special Assessment Roll for the Tyrone Township Apple Orchard Drive Waste Removal Project (2017)” (the “Proposed Roll”) and has filed the Proposed Roll with the Township Clerk;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Trustees of the Township acknowledges that the Township Supervisor has filed the Proposed Roll with the Township Clerk.

2. The Board of Trustees of the Township acknowledges that the Township Supervisor has certified that (a) the Proposed Roll was prepared in accordance with the direction of the Board of Trustees of the Township and (b) the Proposed Roll was prepared in accordance with the laws of the State of Michigan.

3. 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 Proposed Roll.

4. The public hearing will be held on July 11, 2017 at 7:00 p.m. at the Tyrone Township Offices, 10408 Center Road, Fenton, Michigan.

5. 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 June 22, 2017.

6. The Township Clerk is directed to publish a notice of the public hearing in a newspaper of general circulation within the Township. The notice shall be published twice, once on or before June 25, 2017 and once on or before July 9, 2017. The notice shall be in a form substantially similar to the notice attached as Exhibit B.

7. All previous actions taken to date of the Board of Trustees of the Township and of the Township officials with respect to the Project are hereby ratified and approved.

8. All resolutions or parts of resolutions in conflict with this resolution are hereby rescinded.

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RESOLVED BY: Trustee Pool  
SUPPORTED BY: Trustee Walker

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

ADOPTION DATE: June 6, 2017

**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 6, 2017, 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.

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Marcella Husted  
Tyrone Township Clerk

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Exhibit A  
Description of the Project

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The project (the “Project”) will consist of the establishment of a single waste hauler for the collection and disposal of garbage and rubbish along Apple Orchard Drive in Tyrone Township.

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Exhibit B  
Form of Notice of Public Hearing Upon Special  
Assessment Roll for the Tyrone Township  
Apple Orchard Drive Waste Removal Project (2017)  
Special Assessment District

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**TYRONE TOWNSHIP  
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Tyrone Township  
Livingston County, Michigan

**NOTICE OF PUBLIC HEARING UPON SPECIAL  
ASSESSMENT ROLL FOR THE TYRONE TOWNSHIP  
APPLE ORCHARD DRIVE WASTE REMOVAL PROJECT (2017)  
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, has determined to levy special assessments against lands in the TYRONE TOWNSHIP APPLE ORCHARD DRIVE WASTE REMOVAL PROJECT (2017) SPECIAL ASSESSMENT DISTRICT (the “District”) that will be benefited by the establishment of a single waste hauler to collect and dispose of garbage and rubbish in the Township. The District consists of the properties identified on the map below and is more specifically identified by the following property identification numbers:

4704-05-101-001	4704-05-101-015	4704-05-101-035
4704-05-101-002	4704-05-101-016	4704-05-101-036
4704-05-101-003	4704-05-101-017	4704-05-101-037
4704-05-101-004	4704-05-101-018	4704-05-101-038
4704-05-101-005	4704-05-101-019	4704-05-101-039
4704-05-101-006	4704-05-101-020	4704-05-101-040
4704-05-101-007	4704-05-101-021	4704-05-101-041
4704-05-101-008	4704-05-101-028	4704-05-101-042
4704-05-101-009	4704-05-101-029	4704-05-101-043
4704-05-101-010	4704-05-101-030	4704-05-101-044
4704-05-101-011	4704-05-101-031	4704-05-101-045
4704-05-101-012	4704-05-101-032	4704-05-101-046
4704-05-101-013	4704-05-101-033	4704-05-101-047
4704-05-101-014	4704-05-101-034	

(2) The proposed special assessment roll for the District (the “Roll”) has been prepared and is now on file in the office of the Township Clerk and is available at such office for public examination during the hours the Township Office is regularly open to the public for business.

(3) The Township Board will conduct a public hearing beginning at 7:00 p.m., local time, on July 11, 2017, at the Tyrone Township Offices, 10408 Center Road, Fenton, Michigan, to explain and answer questions pertaining to the Roll and to hear objections to the Roll. Any person objecting to the Roll must file his or her objections before the close of the public hearing or within such additional time (if any) as the Township Board may grant.

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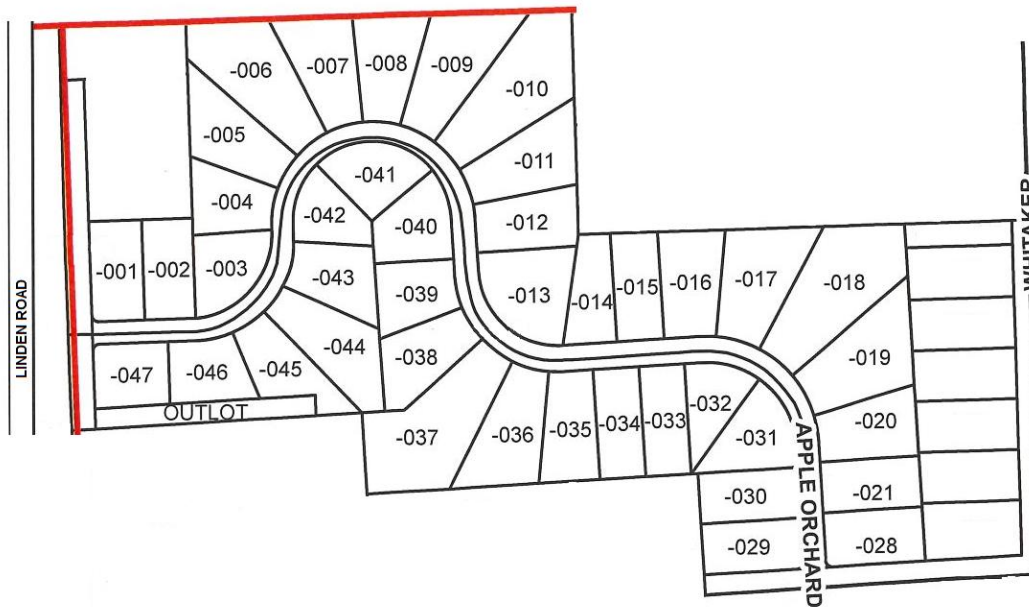
(4) The owner or other person having an interest in property that is specially assessed is entitled to file a written appeal with the Michigan Tax Tribunal within 30 days after confirmation of the Roll. However, appearance and protest at the public hearing are required by law in order to appeal the special assessment to the Michigan Tax Tribunal. An owner or other party in interest or his or her agent may (i) appear in person at the hearing to protest the assessment or (ii) file an appearance and protest by letter before the close of the hearing. The Township Board will maintain a record of the persons who appear and protest at the hearing. If the hearing is terminated or adjourned for the day before a party is provided the opportunity to be heard, a party whose appearance was so recorded shall be considered to have protested the special assessment in person.

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

Dated: June 6, 2017

Marcella Husted  
Tyrone Township Clerk

Map of Special Assessment District



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Exhibit C

Affidavit of Mailing

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STATE OF MICHIGAN            )  
  ) ss.  
COUNTY OF LIVINGSTON    )

MARCELLA HUSTED, being first duly sworn, deposes and says that she personally prepared for mailing, and did on June 22, 2017, 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, is 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 22nd day of June, 2017.

Notary Public, Genesee County, MI  
Acting in the County of Livingston  
My commission expires \_\_\_\_\_

**3. Approval of the final summer newsletter.**

Treasurer Bunting-Smith moved to approve the final newsletter to be mailed out with the summer tax bills. (Trustee Pool seconded.) The motion carried; all ayes.

**4. Estimate for road improvement to McGuire Road (between Faussett & Allen).**

Trustee Walker moved to authorize the road improvement project to McGuire Road (between Faussett & Allen). (Trustee Pool seconded.) The motion carried; all ayes. The project will include removing trees in the right-of-way, shaping and ditching, and adding 3000 tons of gravel. Because McGuire is a border road, Deerfield Township has agreed to share half of the cost.

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**5. The Lake Shannon Association’s request for a fireworks display permit.**

Trustee Walker moved to grant a Fireworks Display Permit to Lake Shannon Association. (Trustee Pedersen seconded.) The motion carried; all ayes.

**6. Appointments to Public Safety and Board Salary Committees.**

Trustee Pedersen moved to approve the Supervisor’s appointments to the Public Safety Committee and the Board Salary Committee as presented. (Treasurer Bunting-Smith seconded.) The motion carried; all ayes.

The appointments all expire November 19, 2020 and are as follows:

Public Safety Committee (7 members)

1. David Walker
2. Marv Frankel
3. Jim Kolhoff
4. Keith Kremer
5. Brett Selby
6. Ronald Stokes
7. [vacant]

Board Salary Committee (5 members)

1. Mike Byam
2. Herman Ferguson
3. Bob Fleckenstein
4. Cam Gonzalez
5. Perry Green

**7. Board & Planning Commission Joint Meeting Minutes- May 17, 2017.**

Supervisor Cunningham moved to revise the Board & Planning Commission Joint Meeting Minutes of May 17, 2017, under New Business #12, to say, “*Supervisor Cunningham noted that Planning Commission meetings are very long and shouldn’t run over two hours. He suggested additional Planning Commission meetings may be necessary to continue updating ordinances.*” (Trustee Pool seconded.) The motion carried; all ayes.

**8. Ronald’s Tree Service bid.**

Trustee Walker moved to accept the bid from Ronald’s Tree Service of \$2200 for tree removal to be paid from the Road Right-of-Way fund. (Treasurer Bunting-Smith seconded.) The motion carried; all ayes.

**MISCELLANEOUS BUSINESS**

None.

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**PUBLIC REMARKS**

John Rinke (Apple Orchard Dr.) asked questions about the special assessment process.

Jeff Campbell (McGuire Rd.) asked questions regarding improvements to McGuire Road.

Paul Phelps (Apple Orchard Dr.) asked why the township would pay for repairs to McGuire Rd. and not Apple Orchard. Supervisor Cunningham said the township doesn't have enough money to repair all the roads that need it and that roads with the most traffic are considered first.

**ADJOURNMENT**

Trustee Walker moved to adjourn. (Trustee Pedersen seconded.) The motion carried; all ayes. The meeting adjourned at 7:41 p.m.