

**TYRONE TOWNSHIP
PUBLIC HEARING & REGULAR BOARD MEETING AGENDA
AUGUST 20, 2019 - 7:00 P.M.
(810) 629-8631**

CALL TO ORDER – PLEDGE OF ALLEGIANCE – 7:00 P.M.

ROLL CALL

PUBLIC HEARING

The purpose of the public hearing is to explain and answer questions pertaining to the Roll and to hear objections to the Roll for the Laurel Springs Waste Removal Project.

APPROVAL OF AGENDA – OR CHANGES

APPROVAL OF CONSENT AGENDA

Regular Board Meeting Minutes – August 6, 2019

Treasurer's Report

Clerk's Warrants and Bills

COMMUNICATIONS

1. AT&T Michigan Annual Video Report, August 9, 2019
2. Planning Commission Meeting Synopsis, August 13, 2019
3. Planning Commission Approved Meeting Minutes, June 11, 2019

PUBLIC REMARKS

UNFINISHED BUSINESS

NEW BUSINESS

1. Resolution to confirm the Laurel Springs Waste Removal Special Assessment Roll.
2. Regulatory Ordinance #49-Residential Outdoor Lighting.
3. Regulatory Ordinance #50-Land Division.
4. Planning Commission appointments.
5. Appoint ex-officio to the Planning Commission.
6. Traffic attorney contract.

MISCELLANEOUS BUSINESS

PUBLIC REMARKS

ADJOURNMENT

* * * * *

Supervisor Mike Cunningham

Clerk Marcella Husted

Please note: The Public Remarks section appears twice on the agenda - once after Communications and once before Adjournment. Anyone wishing to address the Township

Board may do so at these times. The Tyrone Township Board of Trustees has established a policy limiting the time a person may address the Township Board at a regular or at a special meeting during the Public Remarks section of the agenda to three minutes. The Board reserves the right to place an issue under the New Business section of the agenda if additional discussion is warranted or to respond later either verbally or in writing through an appropriately appointed Township Official. - Individuals with disabilities requiring auxiliary aids or services should contact the Tyrone Township Clerk at (810) 629-8631 at least seven days prior to the meeting.

CONSENT AGENDA

**TYRONE TOWNSHIP
REGULAR BOARD MEETING
APPROVED MINUTES – AUGUST 6, 2019**

CALL TO ORDER

Supervisor Cunningham called the meeting of the Tyrone Township Board to order with the Pledge of Allegiance on August 6, 2019 at 7:00 p.m. at the Tyrone Township Hall.

ROLL CALL

Present: Supervisor Mike Cunningham, Treasurer Jennifer Eden, Clerk Marcella Husted, Trustee Chuck Schultz. Absent: Trustees Soren Pedersen and David Walker.

APPROVAL OF AGENDA – OR CHANGES

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

APPROVAL OF CONSENT AGENDA

**Regular Board Meeting Minutes – July 16, 2019
Clerk's Warrants and Bills**

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

COMMUNICATIONS

- 1. Plante Moran audit presentation of the Livingston regional sewer system.**
- 2. Fire Service Report, July 31, 2019**

Trustee Walker moved to receive and place on file Communications 1-2 as presented. (Trustee Pool seconded.) The motion carried

PUBLIC REMARKS

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

- 1. Interviews and appointment of Board Trustee.**

The Board interviewed three final candidates—Perry Green, Dean Haase, and Kurt Schulze—to fill the vacated term of Trustee, following the resignation of Allen Pool on July 2, 2019.

**RESOLUTION #190801
TYRONE TOWNSHIP, LIVINGSTON COUNTY**

APPOINTMENT OF KURT SCHULZE AS TRUSTEE

Clerk Husted resolved to appoint Kurt Schulze as Township Board Trustee effective August 7, 2019. (Trustee Schultz seconded).

**TYRONE TOWNSHIP
REGULAR BOARD MEETING
APPROVED MINUTES – AUGUST 6, 2019 – PAGE 2**

VOTE: Schultz, yes; Cunningham, yes; Eden, yes; Husted, yes; Pedersen, absent; Walker, absent.

ADOPTION DATE: August 6, 2019

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 August 6, 2019, 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
Township Clerk

2. Resolution to establish guidelines for granting poverty exemptions from property taxes.

RESOLUTION #190802
TYRONE TOWNSHIP, LIVINGSTON COUNTY

ESTABLISHING GUIDELINES FOR GRANTING OF POVERTY EXEMPTIONS
FROM PROPERTY TAXES

WHERE AS, the adoption of guidelines for poverty exemptions is required of the Township Board; and

WHERE AS, the principle residence of persons, who the Supervisor and Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u); and

WHERE AS, pursuant to P.A. 390 of 1994, the Township of Tyrone, Livingston County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year;

THEREFORE, BE IT RESOLVED THAT to be eligible, a person shall do all of the following on an annual basis:

**TYRONE TOWNSHIP
REGULAR BOARD MEETING
APPROVED MINUTES – AUGUST 6, 2019 – PAGE 3**

1. Be an owner of and occupy as a principle residence the property for which an exemption is requested.
2. Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services shown in Attachment A.
3. File a claim with the Supervisor/Assessor or Board of Review, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns filed in the immediately preceding year or in the current year or a signed State Tax Commission Form 4988, Poverty Exemption Affidavit.
4. File a claim reporting that the combined assets of all persons do not exceed the current guidelines shown in Attachment B. Assets include but are not limited to, real estate other than the principal residence, personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc.
5. Produce a valid driver's license or other form of identification if requested.
6. Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
7. The application for an exemption shall be filed after January 1, but one day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

BE IT FURTHER RESOLVED THAT that the Supervisor/Assessor and Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption, unless the Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these reasons are communicated in writing to the claimant.

ATTACHMENT A

POVERTY LEVEL GUIDELINE FOR 2019 TAX YEAR	
Size of Family Unit	Household Income
1	\$12,140
2	\$16,460
3	\$20,780
4	\$25,100
5	\$29,420
6	\$33,740
7	\$38,060
8	\$42,380
For each additional person	\$4,320

**TYRONE TOWNSHIP
REGULAR BOARD MEETING
APPROVED MINUTES – AUGUST 6, 2019 – PAGE 4**

ATTACHMENT B

Asset Test

The Township of Tyrone's cumulative value of assets allowed for a Poverty Exemption shall be \$10,000. The purpose of an asset test is to determine the resources available: cash, fixed assets or other property that could be converted to cash and used to pay property taxes in the year the poverty exemption is filed. A list of "assets" includes, but is not limited to:

- A second home, land, vehicles.
- Recreational vehicles such as campers, motor-homes, boats, and ATV's.
- Buildings other than the residence.
- Jewelry, antiques, artwork.
- Equipment, other personal property of value.
- Bank accounts, stocks.
- Money received from the sale of property, such as stocks, bonds, a house or car (unless a person is in the specific business of selling such property).
- Withdrawals from bank deposits and borrowed money (including reverse mortgage's).
- Gifts, loans, lump-sum inheritances and one-time insurance payments.
- Food or housing received in lieu of wages and the value of food and fuel produced and consumed on farms.
- Federal non-cash benefits programs such as Medicare, Medicaid, food stamps, and school lunches.

“Assets” do not include the value of the principal residence and do not include the homestead property tax credit as it is not to be considered income for poverty exemptions purposes. Assets exempt from consideration are the homesteaded property with furnishings and one motor vehicle. That motor vehicle shall be valued no greater than \$10,000.

RESOLVED BY: Trustee Schultz
SUPPORTED BY: Treasurer Eden

VOTE: Cunningham, yes; Eden, yes; Schultz, yes; Husted, yes; Pedersen, absent; Walker, absent.

ADOPTION DATE: August 6, 2019

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 August 6, 2019, 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.

**TYRONE TOWNSHIP
REGULAR BOARD MEETING
APPROVED MINUTES – AUGUST 6, 2019 – PAGE 5**



Marcella Husted
Township Clerk

3. Resolution to adopt procedures for granting and removing real property exemptions.

RESOLUTION #190803
TYRONE TOWNSHIP, LIVINGSTON COUNTY

RESOLUTION TO ADOPT PROCEDURES FOR GRANTING
AND REMOVING REAL PROPERTY EXEMPTIONS

WHERE AS, it is the intention of the Tyrone Township Board to abide by recommendations made by the State Tax Commission when granting and removing real property exemptions as defined in the General Property Tax Act 206 of 1893;

THEREFORE, BE IT RESOLVED THAT the following policies and procedures for granting and removing real property exemptions be set forth as follows:

1. Taxpayers wishing to apply for a real property exemption shall first complete and submit an application that has been adopted by the Township Board.
2. Records shall be kept in the parcel folder and will include any and all documents submitted by the taxpayer to support their request to apply for an exemption.
3. Existing exemptions shall be reviewed annually and adjustments to the status of the exemption may be made by the Assessor upon review.
4. Assessors may request additional information to be supplied by the taxpayer to further analyze the status of the exemption.
5. If the Assessor has sufficient evidence that the taxpayer no longer qualifies for the real property exemption, they shall immediately remove the exemption and send proper notification to the taxpayer outlining their appeal rights.
6. If the Assessor does not receive sufficient supporting documentation accompanying the application, the Assessor shall send the taxpayer denial information along with their appeal rights.
7. Assessors shall not have the authority to grant/approve exemptions that are not complete. Applications that are submitted without proper documentation shall be considered incomplete.

**TYRONE TOWNSHIP
REGULAR BOARD MEETING
APPROVED MINUTES – AUGUST 6, 2019 – PAGE 6**

RESOLVED BY: Trustee Schultz
SUPPORTED BY: Treasurer Eden

VOTE: Schultz, yes; Cunningham, yes; Eden, yes; Husted, yes; Pedersen, absent; Walker, absent.

ADOPTION DATE: August 6, 2019

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 August 6, 2019, 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
Township Clerk

4. Approval of Open Space Waiver application and certificate.

Trustee Schultz moved to approve the Open Space Waiver application and certificate as presented. (Treasurer Eden seconded.) The motion carried; all ayes.

5. Linden Road improvement project.

Trustee Schultz moved to authorize an additional \$5,000 to upgrade a section of road improvements on Linden Road from gravel to limestone. (Treasurer Eden seconded.) The motion carried; all ayes.

6. Request to purchase four desks for new building.

Clerk Husted moved to authorize the purchase of four desks for the new building with the cost not to exceed \$5000. (Treasurer Eden seconded.) The motion carried; all ayes.

**TYRONE TOWNSHIP
REGULAR BOARD MEETING
APPROVED MINUTES – AUGUST 6, 2019 – PAGE 7**

7. Closed session to discuss a real estate transaction.

RESOLUTION #190804
TYRONE TOWNSHIP, LIVINGSTON COUNTY

CLOSED SESSION

Supervisor Cunningham resolved to convene in closed session to discuss a real estate transaction.
(Treasurer Eden seconded.)

Roll call: Cunningham, yes; Eden, yes; Schultz, yes; Husted, yes; Walker, absent, Pedersen, absent.

The board convened in closed session at 7:40 p.m.

* * * * * Closed Session Minutes * * * * *

The board reconvened in open session at 7:45 p.m.

MISCELLANEOUS BUSINESS

None.

PUBLIC REMARKS

None.

ADJOURNMENT

Trustee Schultz moved to adjourn. (Treasurer Eden seconded.) The motion carried; all ayes.
The meeting adjourned at 7:45 p.m.

8/8/2019

TYRONE TOWNSHIP TREASURER'S REPORT

JMM

Period ending July, 2019

TOWNSHIP FUNDS	Interest Ckg	INVESTMENTS ICS	Int Rate	MICHIGAN CLASS	Int Rate Monthly AVG.	FLG PEG CD matures 8/13/19	Int rate	Grand Totals Each Fund
General 101	\$1,941,710.39	\$ 586,097.22	2.29%					\$ 2,527,807.61
Tech Fund 141	\$66,426.85	\$ 5,000.00	2.29%					\$71,426.85
Building & Site 145	\$6,218.64	\$ 365,000.00	2.29%					\$371,218.64
Parks/Recreation 208	\$5,934.23		0.40%					\$5,934.23
Liquor Control 212	\$0.00		0.40%					\$0.00
Road 245	\$13,592.74	\$ 419,224.80	2.29%	\$257,955.51	2.50%			\$ 690,773.05
Revolving 246	\$130,842.77	\$ -	2.29%	\$189,496.17	2.50%			\$ 320,338.94
Right of Way 260	\$17,423.09		0.40%					\$17,423.09
Peg 274	\$117,693.74					\$ 185,650.73	2.29%	\$303,344.47
Lk Tyrone Grant 281	\$0.00		0.40%					\$0.00
Special Assessments								
Jayne Hill Lts 218	\$2,993.60		0.40%					\$2,993.60
Walnut Shores Lts 219	\$741.47		0.40%					\$741.47
Shannon Glen Rubbish 225	\$3,985.70							\$3,985.70
Jayne Hill Rubbish Removal 226	\$20,275.63		0.40%					\$20,275.63
Apple Orchard Rubbish Removal 227	\$3,478.34							\$3,478.34
Silver Lake Rubbish Removal 228	\$10,091.58							\$10,091.58
Parkin Lane Snow 231	\$16,932.64		0.40%					\$16,932.64
Great Oaks Dr 232	\$6,275.97		0.40%					\$6,275.97
Account Totals	\$2,364,617.38	\$ 1,375,322.02		\$447,451.68		\$ 185,650.73		\$ 4,373,041.81
Health Flex Spending 101		The State Bank						Health Flex Total
FSA Account (\$10K Loan to Open)		\$ 8,116.93	0.00%					\$ 8,116.93
								\$ 8,116.93
Public Safety- 205								Public Safety Total
Public Safety 205 - State Bank checking		\$ 398,974.74	0.40%					\$ 398,974.74
Public Safety 205- State Bank Savings		\$ 6,377.98						\$ 6,377.98
Public Safety 205 - Level One Bank		\$ 203,981.39	0.40%					\$ 203,981.39
Public Safety ICS- 205 State Bank		\$ 755,341.22	2.29%					\$ 755,341.22
								\$ 1,364,675.33
TYRONE TOWNSHIP SEWER 2003- 392		Flagstar						Tyrone Sewer 03 Total
Debt Service 392 Flagstar Bank		\$ 608,735.01	0.6%					\$ 608,735.01
Flagstar CDARS 2003 (matures 10/25/2019)(9361)		\$ 528,664.99	2.00%					\$ 528,664.99
Flagstar CD 2003 (matures 3/31/2020)(3879)		\$ 1,000,000.00	2.55%					\$ 1,000,000.00
Flagstar CDARS 2003 Fund Martures 6/18/20)(1875)		\$ 458,975.22	2.00%					\$ 458,975.22
								\$ 2,596,375.22
Road Improvements-		Flagstar						Road Improvement Total
Parkin Lane Rd 2010 (396)		\$ 18,420.48	0.70%					\$ 18,420.48
Lake Shannon 2018 (399)		\$ 252,547.94	0.70%					\$ 252,547.94
Laurel springs (400)		\$ 216,924.55	0.70%					\$ 216,924.55
Irish Hills (401)		\$ 46,138.93						\$ 46,138.93
CIBC- Parkin Lane CD(matures 5/12/20)		\$ 124,293.91	2.50%					\$ 124,293.91
								\$ 658,325.81
SEWER O&M CHECKING ACCT- 590		Flagstar						Sewer O&M Total
Sewer Operation and Maintenance CK (5710)		\$ 364,365.09	0.70%					\$ 364,365.09
Sewer Operation and Maintenance SV (4865)		\$ 81,742.26	1.39%					\$ 81,742.26
CIBC- O&M CD(matures 5/8/20)(6337)		\$ 158,175.68	2.50%					\$ 158,175.68
O&M CDARS (matures 8/15/2020)(9878)		\$ 138,920.35	0.75%					\$ 138,920.35
O&M CDARS (matures 8/13/2020)(4710)		\$ 138,874.68	2.50%					\$ 138,874.68
								\$ 882,078.06
TRUST & AGENCY- 701		Chase						Trust & Agency Total
Township Trust and Agency 701 Savings		\$ 1,510.64	0.18%					\$ 1,510.64
Township Trust and Agency 701 Checking		\$ 7,657.11	0.00%					\$ 7,657.11
								\$ 9,167.75
								\$ 5,518,739.10
Total Township Monies								\$ 9,891,780.91

Check Date	Bank	Check	Vendor Name	Description	Amount
Bank 001 STATE BANK COMMON ACCOUNT					
08/03/2019	001	21965	BS&A SOFTWARE, INC.	BS&A SOFTWARE ANNUAL SUPPORT	4,821.00
08/03/2019	001	21966	CONSUMERS ENERGY	8420 RUNYAN LK ELECTRIC 6.27.19 TO 7.28. TWP HALL ELECTRIC 6.26.19 TO 7.25.19	238.84 397.50
					<u>636.34</u>
08/03/2019	001	21967	FIRE PROTECTION PLUS, INC.	ANNUAL FIRE EXTINGUISHER INSPECTION	270.50
08/03/2019	001	21968	LIVINGSTON COUNTY TREASURER	DOG LICENSES 1902-1936 SOLD AUG. 2019	690.50
08/03/2019	001	21969	STAPLES ADVANTAGE	OFFICE SUPPLIES-GENERAL, CLERK	129.69
08/03/2019	001	21970	TYRONE COVENANT PRESBYTERIAN	RENTAL OF FACILITY FOR 8/6/19 ELECTION	200.00
08/06/2019	001	21971	CHLORIDE SOLUTIONS LLC	ROAD CHLORIDE ROAD CHLORIDE ROAD CHLORIDE	7,788.41 8,451.61 1,364.65
					<u>17,604.67</u>
08/06/2019	001	21972	RICOH USA, INC.	COPIER LEASE 7.28.19 TO 8.27.19	124.21
08/06/2019	001	21973	RICOH USA, INC.	1113 B&W, 2357 COLOR COPIES	148.53
08/06/2019	001	21974	VIEW NEWSPAPER GROUP	PUBLICATIONS-ELECTIONS, BOARD, ZBA, PLAN	1,541.94
08/06/2019	001	21975	WEBSTER & GARNER, INC	PREPAID PROPANE 1500 GAL.	1,948.50
08/13/2019	001	21976	AT&T MOBILITY	SUPERVISOR CELL 7.28.19 TO 8.27.19	96.98
08/13/2019	001	21977	CHARTER BUSINESS COMMUNICATIONS	TWP HALL PHONE & INTERNET AUG. 2019	329.91
08/13/2019	001	21978	CONSUMERS ENERGY	STREET LIGHTING JULY 2019	321.36
08/13/2019	001	21979	GABRIDGE & COMPANY, PLC	AUDIT SERVICES	6,500.00
08/13/2019	001	21980	GREEN OAK TOWNSHIP	SUMMER DEFERMENT AD	20.00
08/13/2019	001	21981	HARRIS & LITERSKI ATTORNEYS AT	LEGAL-BOARD, ASSESSING	1,680.25
08/13/2019	001	21982	MCKENNA ASSOCIATES, INC.	TWP PLANNER 7.1.19 TO 7.31.19	632.00
08/13/2019	001	21983	VOYA INSTITUTIONAL TRUST COMPANY	EMPLOYEE CONTRIBUTIONS PAY DATE 8.14.19	160.00
001 TOTALS:					
Total of 19 Checks:					37,856.38
Less 0 Void Checks:					0.00
Total of 19 Disbursements:					<u>37,856.38</u>
Bank 016 TAX FUND STATE BANK CHECKING 9575					
08/06/2019	016	3563	TYRONE TOWNSHIP	TRANSFER FROM STATE BANK TO FLAGSTAR	14,375.28
016 TOTALS:					
Total of 1 Checks:					14,375.28
Less 0 Void Checks:					0.00
Total of 1 Disbursements:					<u>14,375.28</u>
Bank 022 STATE BANK - PUBLIC SAFETY checking					
08/06/2019	022	1148	HARTLAND AREA FIRE DEPARTMENT	6 FIRE RUNS JULY 1-15	8,514.00
08/06/2019	022	1149	TRANSUNION RISK DATA SOLUTIONS	PEOPLE SEARCH JULY 2019	50.00
08/13/2019	022	1150	CITY OF FENTON	12 FIRE RUNS JULY 2019	16,109.00
022 TOTALS:					
Total of 3 Checks:					24,673.00
Less 0 Void Checks:					0.00

Check Date	Bank	Check	Vendor Name	Description	Amount
Total of 3 Disbursements:					24,673.00
Bank 102 SEWER O&M CHECKING 590					
08/13/2019	102	402	LIVINGSTON COUNTY DRAIN COMM.	SEWER O&M 6.27.19 TO 7.25.19	58,100.84
102 TOTALS:					
Total of 1 Checks:					58,100.84
Less 0 Void Checks:					0.00
Total of 1 Disbursements:					58,100.84
Bank 108 TAX FUND FLAGSTAR					
08/03/2019	108	2603	FENTON SCHOOLS	S2019 TAX DISBURSE 7.16.19 TO 7.31.19	21,671.47
08/03/2019	108	2604	GISD	S2019 TAX DISBURSE 7.16.19 TO 7.31.19	15,698.31
08/03/2019	108	2605	HARTLAND CONSOLIDATED SCHOOLS	S2019 TAX DISBURSE 7.16.19 TO 7.31.19	55,774.30
08/03/2019	108	2606	LESA	S2019 TAX DISBURSE 7.16.19 TO 7.31.19	22,840.04
08/03/2019	108	2607	LINDEN COMMUNITY SCHOOLS	S2019 TAX DISBURSE 7.16.19 TO 7.31.19	20,283.10
08/03/2019	108	2608	LIVINGSTON COUNTY TREASURER	S2019 TAX DISBURSE 7.16.19 TO 7.31.19	260,628.36
08/03/2019	108	2609	NATIONALLINK LP	2019 Sum Tax Refund 4704-05-102-016	188.29
108 TOTALS:					
Total of 7 Checks:					397,083.87
Less 0 Void Checks:					0.00
Total of 7 Disbursements:					397,083.87
Bank 112 FLAGSTAR CHECKING - SA ROAD IMPROVEMENTS					
08/03/2019	112	1028	TYRONE TOWNSHIP	REIMBURSE COMMON ACCT FROM IRISH HILLS	3,350.00
08/06/2019	112	1029	US BANK	LAKE SHANNON BOND PAYING AGENT FEE 7.1.1	500.00
08/06/2019	112	1030	VIEW NEWSPAPER GROUP	PUBLICATION FOR LAUREL SPRINGS WASTE SAD	519.75
08/13/2019	112	1031	DYKEMA GOSSETT PLLC	BOND COUNSEL & LEGAL FOR IRISH HILLS SAD	27,750.00
				BOND COUNSEL & LEGAL FOR LAUREL SPRINGS	27,500.00
					55,250.00
08/13/2019	112	1032	HARRIS & LITERSKI ATTORNEYS AT	LEGAL-IRISH HILLS SAD	577.50
08/13/2019	112	1033	PFM FINANCIAL ADVISORS LLC	FINANCIAL CONSULTANT IRISH HILLS SAD	12,900.00
08/13/2019	112	1034	STATE OF MICHIGAN	BOND FILING FEES IRISH HILLS SAD	157.00
112 TOTALS:					
Total of 7 Checks:					73,254.25
Less 0 Void Checks:					0.00
Total of 7 Disbursements:					73,254.25
Bank 203 TRUST & AGENCY 701 CKG					
08/13/2019	203	1801	HARRIS & LITERSKI ATTORNEYS AT	LEGAL-SANCTUARY TYRONE FOUR	33.00
08/13/2019	203	1802	LIVINGSTON COUNTY TREASURER	SPECIFIC MOBILE HOME TAX & SET JULY 2019	1,925.00
08/13/2019	203	1803	TYRONE TOWNSHIP	SPECIFIC MOBILE HOME TAX & INTEREST JULY	385.25
203 TOTALS:					
Total of 3 Checks:					2,343.25

08/14/2019 10:28 AM
User: MHUSTED
DB: Tyrone

CHECK REGISTER FOR TYRONE TOWNSHIP
CHECK DATE FROM 08/01/2019 - 08/14/2019

Check Date	Bank	Check	Vendor Name	Description	Amount
Less 0 Void Checks:					0.00
Total of 3 Disbursements:					2,343.25

REPORT TOTALS:

Total of 41 Checks:	607,686.87
Less 0 Void Checks:	0.00
Total of 41 Disbursements:	607,686.87

COMMUNICATION #1



AT&T Michigan

Annual Video Report

August 9, 2019

STATUS OF AT&T'S VIDEO SERVICE DEPLOYMENT IN MICHIGAN

Michigan Bell Telephone Company, doing business as AT&T Michigan ("AT&T"), submits its Twelfth Annual Video Report to the Michigan Public Service Commission ("MPSC" or "Commission") and franchising entities in the State of Michigan regarding its deployment progress, as required by Michigan's Uniform Video Services Local Franchise Act (2006 Public Act 480, as amended) or "Video Act".¹

On January 1, 2007, Michigan's Video Act became effective. AT&T launched its Internet Protocol TV ("IPTV") service called AT&T U-verse® TV on May 21, 2007 in parts of over 50 communities in the Detroit and Ann Arbor areas. AT&T has now obtained franchise agreements and provides its U-verse TV service in 341 communities.

Section 9(2) of the Video Act provides that it is a defense to an alleged violation of Section 9(1) of the Video Act if a provider has met either of two conditions: (1) within 3 years at least 25% of households with access to the provider's video service are low-income households; or (2) within 6 years and from that point forward at least 30% of households with access to the provider's video service are low-income households. AT&T has met both conditions.²

With respect to Section 9(3) of the Video Act: (1) AT&T provided access to its video service to over 50% of the households in its telecommunications service area within 6 years of the date it began providing video service, and (2) AT&T Michigan no longer has more than 1,000,000 telecommunications access lines in the state.³

AT&T recently completed its twelfth year of providing video service in the state. In Michigan, AT&T currently provides access to its video service to over 50% of the households in its telecommunications service area (however, AT&T's subscription rate is less than 30%). Of these households with access to AT&T's video service in Michigan, over 34% are low-income households as defined by the Video Act. AT&T does not deny access to service to any group of potential residential subscribers because of race or income.

Since its launch in 2007 through the end of 2018, AT&T has remitted more than \$200 million in franchise fees and PEG fees to the local governments.

¹ See Section 9(4) of the Video Act: "Each provider shall file an annual report with the franchising entity and the commission regarding the progress that has been made toward compliance..."

² See Section 9 (2) of the Video Act: "It is a defense to an alleged violation of subsection (1) if the provider has met either of the following conditions: (a) Within 3 years of the date it began providing video service under this act, at least 25% of households with access to the provider's video service are low-income households. (b) Within 5 years of the date it began providing video service under this act and from that point forward, at least 30% of the households with access to the provider's video service are low-income households."

³ "If a video service provider is using telecommunication facilities to provide video services and has more than 1,000,000 telecommunication access lines in this state, the provider shall provide access to its video service to a number of households equal to at least 25% of the households in the provider's telecommunication service area in the state within 3 years of the date it began providing video service under this act and to a number not less than 50% of these households within 6 years. A video service provider is not required to meet the 50% requirement in this subsection until 2 years after at least 30% of the households with access to the provider's video service subscribe to the service for 6 consecutive months."

AT&T'S INVESTMENT IN MICHIGAN'S WORKFORCE AND INFRASTRUCTURE

AT&T invests billions to build the advanced networks that create jobs and fuel economic growth in Michigan. From 2015 through 2017, AT&T invested more than \$1.3 billion in its Michigan wireless and wireline networks.

AT&T'S U-verse® TV PRODUCT

U-verse delivers both real-time video programming and on-demand and interactive content that IPTV makes possible. AT&T extends its U-verse TV brand across screens with Uverse.com and the U-verse App for smartphones and tablets.

U-verse TV includes:

- Ability to access up to 249 IPTV National HD channels.
- Ability to record up to 4 shows at once with Total Home DVR³.
- Ability to stream shows virtually anywhere they go, on their smart devices.
- AT&T's deployment of Public, Educational, and Government (PEG) continues with communities who have requested AT&T to carry their PEG programming on U-verse TV.

AT&T's U-verse offers multiple combinations of TV, Internet and Voice packages to customize the customer's experience. U-verse TV offers several programming packages including U-basic, U-200, U-200 Latino, U-300, U-300 Latino, U-450, and U-450 Latino packages, plus U-family, a family-friendly programming option. The customer may choose from a variety of subscription options that feature a wide variety of channels, including music, local, movie and sports programming, as well as premium Spanish-language and international packages.

⁴ Total Home DVR (Digital Video Recorder). See: <https://www.att.com/esupport/article.html#!/u-verse-tv/KM1009866?gsi=ufbbvb> for more details. An AT&T U-verse customer can record 4 shows at once on a single DVR, record and play back shows from any room in the home, pause a recorded show in one room and pick it up in another. ⁵ MultiScreen. See: <https://www.att.com/esupport/article.html#!/u-verse-tv/KM1062535?gsi=uf962j>

ADDITIONAL AT&T U-verse® TV INFORMATION

For additional information on AT&T U-verse TV customers may visit the websites below or call 800-ATT-2020.

<https://www.att.com/u-verse-tv/>

Customers may find the following AT&T websites helpful for further information regarding channel lineup and the availability of AT&T U-verse TV.

- AT&T U-verse TV channel lineup:

<https://www.att.com/channellineup/tv/tvchannellineup.html?tvType=iptv>

- AT&T U-verse TV availability: <https://www.att.com/u-verse-tv/>

COMMUNICATION #2

**TYRONE TOWNSHIP PLANNING COMMISSION
REGULAR MEETING AND PUBLIC HEARING SYNOPSIS
August 13, 2019 7:00 p.m.**

Present: Mark Meisel, Dave Wardin, Kurt Schulze, Rich Erickson, and Perry Green

Absent: Bill Wood

Approved the agenda as presented.

Approved the June 11, 2019 minutes as amended.

OLD BUSINESS:

- 1) Gruber Land Division – Was recommended for approval with conditions.
- 2) Disposition of Proposed Zoning Amendments – All were recommended as amended during the meeting for Township Board approval and for review and comment by the Livingston County Planning Commission.
- 3) Sight Line Regulations – Was deferred to a future meeting due to a lack of time.

NEW BUSINESS:

- 1) Rock Church Site Plan Amendments – Was tabled to allow additional time for agencies having jurisdiction to complete their reviews and provide preliminary approvals consistent with the amended site plan.
- 2) Appointment of Officers – Appointed Mark Meisel – Chairman, Kurt Schulze – Vice Chairman, and Dave Wardin – Secretary.

PUBLIC HEARING: Held a public hearing and received comments regarding The Rock Church amended site plan and five (5) proposed zoning amendments.

MISCELLANEOUS BUSINESS:

- 1) Other Business Items: A workshop meeting will not be held during August.

ADJOURNMENT: The meeting adjourned at 10:05 P.M.

COMMUNICATION #3

1 **TYRONE TOWNSHIP PLANNING COMMISSION**
2 **REGULAR MEETING MINUTES**
3 **June 11, 2019 7:00 p.m.**
4

5
6 **PRESENT:** Mark Meisel, Dave Wardin, Kurt Schulze, Rich Erickson, Al Pool, and Bill Wood
7

8 **ABSENT:** Perry Green
9

10 **OTHERS PRESENT:** Tyrone Township Planner Greg Elliott and Tyrone Township Planning &
11 Zoning Administrator Ross Nicholson
12

13 **CALL TO ORDER (7:01 pm):** The meeting was called to order by Chairman Mark Meisel.
14

15 **PLEDGE OF ALLEGIANCE (7:01 pm):**
16

17 **CALL TO THE PUBLIC (7:02 pm):**
18

19 No public comments or questions were received.
20

21 **APPROVAL OF THE AGENDA (7:03 pm):**
22

23 Kurt Schulze made a motion to approve the agenda as presented. Al Pool supported the motion.
24 Motion carried by unanimous voice vote.
25

26 **APPROVAL OF THE MINUTES (7:03 pm):**
27

28 April 17, 2019 Regular Meeting Minutes:
29

30 Dave Wardin made a motion to approve the April 17, 2019 Regular Meeting Minutes as
31 presented. Kurt Schulze supported the motion. Motion carried by unanimous voice vote.
32

33 May 14, 2019 Regular Meeting Minutes:
34

35 Minor revisions were made to the draft to correct errors and add clarification. Dave Wardin
36 made a motion to approve the May 14, 2019 Regular Meeting Minutes as amended. Al Pool
37 supported the motion. Motion carried by unanimous voice vote.
38

39 **OLD BUSINESS #1 (7:20 pm): Master plan 5 Year Update Draft Resolution:**
40

41 Chairman Meisel introduced the topic and explained the intent behind drafting a resolution. He
42 stated that the Township is required to review and consider updates to the Master Plan every five
43 (5) years. He continued, stating that the Planning Commission has determined the current
44 Master Plan is still accurate based on the latest available data. He stated that Greg Elliott had
45 prepared a draft resolution which is intended to express that. Chairman Meisel asked Greg
46 Elliott if the resolution would need to be sent to the Township Board and whether surrounding

47 municipalities should be contacted. Greg Elliott replied, stating that the Planning Commission
48 could adopt the resolution before sending to the Board for consideration and, while notification
49 to adjacent communities is not required, they could be notified as a courtesy.

50
51 Dave Wardin moved to adopt the resolution as presented. Al Pool supported the motion. Ross
52 Nicholson took a roll call vote; Mark Meisel- yes, Dave Wardin- yes, Kurt Schulze- yes, Al
53 Pool- yes, Bill Wood- yes. The resolution was declared adopted and will be forwarded to the
54 Township Board for their consideration.

55
56 *The item was closed at 7:26 pm.*

57
58 **OLD BUSINESS # 2 (7:26 pm): Animal Units:**

59
60 Chairman Meisel introduced the topic with a summary of where the Planning Commission had
61 left off on discussion of the topic. He stated that Dave Wardin had prepared a rough draft for an
62 ordinance which he put together after researching standards from several municipalities
63 throughout the US. He continued, stating that Greg was directed to take the information from
64 that draft and the suggestions and comments from the Planning Commission's previous
65 discussion and prepare a more structured draft. Greg Elliot indicated that he did not have the
66 opportunity to prepare the draft due to a conflict, but he would have it completed in time for the
67 upcoming joint meeting with the Township Board. Chairman Meisel suggested that the
68 Planning Commission continue discussion after the draft has been completed.

69
70 *The item was closed at 7:28 pm.*

71
72 **NEW BUSINESS #1 (7:28 pm): Home Occupations:**

73
74 Chairman Meisel introduced the topic with an explanation of the intent behind amending Section
75 21.14- Home Occupations, in the Zoning Ordinance. He explained that the Planning
76 Commission believes that there are certain types of permitted home occupations which tend to
77 generate little to no nuisance factors or negative impact to the community. He continued, stating
78 that there are additional home occupations which could also be considered permitted which the
79 Planning Commission may consider including in the section. Lastly, the proposed amendments
80 would give the Zoning Administrator the authority to administratively review and permit certain
81 types of home occupations, also allowing for consultation with the Planning Commission
82 Subcommittee if necessary.

83
84 The Planning Commission went through Section 21.14 of the Zoning Ordinance and discussed
85 the current list of permitted home occupations as well as the current review process. Several
86 new permitted home occupations were added to the draft including: upholstery, music or
87 singing lessons, yoga or fitness (or similar instructional activities not requiring an additional
88 permit or agency review), road side stands, or other small-scale sales of site originating produce
89 or firewood (except those activities that are clearly incidental), gunsmithing (exclusive of the
90 manufacturing of ammunition and sale of firearms), personal services, such as hairdresser,
91 licensed massage therapist, and tax preparation.

92 The Planning Commission discussed the use of detached accessory structures for permitted home
93 occupations and as well as the current limitations on percentage of an attached garage for home
94 occupation use. The draft was updated to specify limitations on the type and amount of
95 business-related activities that could be permitted within detached and attached accessory
96 structures provided that such permitted use does not occupy the entire structure(s) and they are
97 not used as a primary functioning business location.

98
99 The Planning Commission discussed the current standards that signs for home occupations are
100 prohibited. Following a brief discussion, the draft was updated to permit signs in certain
101 circumstances upon review and approval by the Planning Commission Subcommittee.

102
103 *The item was closed at 8:23 pm.*

104
105 **NEW BUSINESS # 2 (8:23 pm): Pools:**

106
107 The Planning Commission briefly discussed a proposal to amend Section 21.21 of the Zoning
108 Ordinance regarding swimming pools. The proposal was to consider revising the current
109 enclosure standards to permit automatic covers in place of a fully-fenced enclosure with a self-
110 latching gate, provided they meet all applicable safety standards of the Livingston County
111 Building Department (LCBD) and the state of Michigan. The general consensus amongst the
112 Planning Commission was that there was not enough information available at that time to make a
113 definitive decision, but most felt that if they were going to permit pool covers in place of a
114 fenced enclosure, a variance through the Zoning Board of Appeals (ZBA) may be the best way to
115 consider requests on a case-by-case basis. It was determined that further discussion will be held
116 at a future meeting.

117
118 *The item was closed at 8:36 pm.*

119
120 **NEW BUSINESS #3 (8:37 pm): Permitted Extension or Expansion of Nonconforming**
121 **Structures:**

122
123 Chairman Meisel introduced the topic with a brief history of how Section 26.04.A of the Zoning
124 Ordinance, regarding instances where extension or expansion of nonconforming structures could
125 be permitted if they met specific criteria, came to be. He explained that the text was intended to
126 provide a mechanism that would allow the ZBA to easily review applications for the expansion
127 of nonconforming structures where the existing setback distances from structure(s) to property
128 boundaries would not be reduced. The process was intended to be similar to the application
129 process for a setback variance but would not be required to meet the decision criteria defined in
130 the Michigan Zoning Enabling act because new nonconformities would not be created (existing
131 nonconformities would just be altered).

132
133 The Planning Commission briefly discussed the existing ordinance text. It was determined that
134 minor revisions should be made to the section for clarification and the ZBA application should
135 be updated to include the criteria defined in the section for consistency.

136
137 *The item was closed at 8:45 pm.*

138 **NEW BUSINESS #4 (8:45 pm): Sight Line Review Standards:**

139

140 Chairman Meisel briefly summarized where the Planning Commission had left off in discussion
141 on sight line review standards in the Zoning Ordinance. The Zoning Ordinance currently
142 includes a definition for the term “sight lines” and does include references in various locations
143 where the Planning Commission can require a greater rear yard setback than the minimum
144 required for the zoning district on lakefront properties in order to preserve sight lines. It was
145 determined that the existing standards were not clear enough and could not easily be reviewed.
146 The Planning Commission discussed various options to improve the standards for sight line
147 review.

148

149 It was determined that additional research and discussion would be necessary before the
150 ordinance text could be further developed.

151

152 *The item was closed at 9:45 pm.*

153

154 **MISCELLANIOUS BUSINESS (9:46 pm):**

155

156 Chairman Meisel asked the Planning Commission if Thursday June 20, 2019 at 6:00 pm would
157 be a good time to hold the next workshop meeting. Most Planning Commissioners confirmed
158 their availability. Chairman Meisel scheduled the workshop meeting for 06/20/2019, beginning
159 at 6:00 pm.

160

161 *The meeting was adjourned at 9:51 pm.*

NEW BUSINESS #1

**RESOLUTION #1908xx
TYRONE TOWNSHIP, LIVINGSTON COUNTY**

**LAUREL SPRINGS SUBDIVISION
WASTE REMOVAL PROJECT (2019)**

CONFIRMING SPECIAL ASSESSMENT ROLL

WHEREAS, the Township Board has taken the necessary actions under Act No. 188, Public Acts of Michigan, 1954, as amended (“Act 188”) for establishing a single waste hauler for the collection and disposal of garbage and rubbish within the Township’s Laurel Springs (the “Project”), and for the establishment of the Tyrone Township Laurel Springs Subdivision Waste Removal Project (2019) Special Assessment District (the “Special Assessment District”);

WHEREAS, the Township Board has determined that it is necessary to cause special assessments to be levied against the lands especially benefited by the Project to pay for the costs of the Project;

WHEREAS, the Township Board has directed the Township Supervisor to prepare a proposed special assessment roll (the “Special Assessment Roll”) against the lands especially benefited by the Project;

WHEREAS, the Township Supervisor has prepared the Special Assessment Roll and has filed the Special Assessment Roll with the Township Clerk;

WHEREAS, the Township Board has scheduled a public hearing on the Proposed Roll and notice of the hearing has been properly provided;

WHEREAS, the Township Board conducted the public hearing on the Proposed Roll on August 20, 2019.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Roll Confirmed. In accordance with Act No. 188 and the laws of the State of Michigan, the Township Board hereby confirms the special assessment roll for the Tyrone Township Laurel Springs Subdivision Waste Removal Project (2019) (the “Roll”).

2. The Assessments in the district shall be as follows: Any parcel with a residential structure shall be assessed \$233.00 in the first year to include legal and administrative costs; \$173.00 in the second year with 3% increases in each year thereafter. Assessments will be for ten (10) years beginning in 2019 and continuing through 2028. Vacant parcels shall be assessed at \$0.00 until such time as an occupancy permit for a structure requiring waste removal is issued to that vacant parcel.

3. Future Installments - Principal. The Township Board determines that each special assessment may be paid in annual installments. Each installment shall be billed on December 1

and shall be due annually on February 28th until 2029 at intervals 12 months from the due date of the first installment.

4. Future Installments - Interest. All unpaid installments shall bear interest, payable annually on each installment due date, at a rate of eight percent (8%) per annum. Interest on such unpaid installments shall accrue from its due date.

5. Warrant. The Township Clerk is hereby directed to attach a warrant (in the form of Exhibit B to this resolution) to the Roll and to deliver such warrant and the Roll to the Township Treasurer, who shall thereupon collect the special assessments in accordance with the terms of this resolution, the Clerk's warrant and the statutes of the State of Michigan.

6. Inconsistent Prior Resolutions. All previously adopted resolutions that are in conflict with this resolution are repealed to the extent of such conflict.

RESOLVED BY:
SUPPORTED BY:

VOTE:

ADOPTION DATE: August 20, 2019

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 August 20, 2019, 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 the following streets in the Laurel Springs Subdivision in Tyrone Township: Dentonview Dr., Laurel Springs Blvd., Overlook Dr., and 12231 and 12245 White Lake Rd.

Exhibit A

*Resolution #1908xx
Laurel Springs Subdivision Waste Removal Project*

Exhibit B

Warrant

WARRANT

TO: Treasurer
Tyrone Township
Livingston County, Michigan

I certify that attached to this Warrant is a true copy of the special assessment roll for the Tyrone Township Laurel Springs Subdivision Waste Removal Project (2019) confirmed by the Township Board August 20, 2019 (the "Confirming Resolution"). You are hereby directed to proceed to collect the amounts due on such roll in accordance with this Warrant, the Confirming Resolution and the statutes of the State of Michigan.

Marcella Husted, Clerk

Exhibit B

*Resolution 1908xx
Laurel Springs Subdivision Waste Removal Project*

PARCEL ID	NAME	ADDRESS		YEAR 1	YEAR 2
4704-11-100-025	BLAKE STEPHEN & RENEE	12162 DENTONVIEW DR	FENTON MI 48430	233.00	173.00
4704-11-100-032	SCHUPBACH SCOTT D & KAREL	12268 OVERLOOK DR	FENTON MI 48430	233.00	173.00
4704-11-100-033	WALSH NICHOLAS MICHAEL	12277 OVERLOOK DR	FENTON MI 48430	233.00	173.00
4704-11-100-034	SOVIS ROBERT 1/2 INT& DIANE 1/2 INT	12288 OVERLOOK DR	FENTON MI 48430	233.00	173.00
4704-11-100-039	MC MUNIGAL ROBERT J & GLORIA	12179 DENTONVIEW DR	FENTON MI 48430	233.00	173.00
4704-11-100-046	BATAYEH DIANE & RICKETTS TIMOTHY	12269 DENTONVIEW DR	FENTON MI 48430	233.00	173.00
4704-11-100-048	PAYNE DALE C & DARLENE K	12249 DENTONVIEW DR	FENTON MI 48430	233.00	173.00
4704-11-100-049	MIKOLAJCZYK BRADLEY J & AMBER	12259 DENTONVIEW DR	FENTON MI 48430	233.00	173.00
4704-11-101-015	SUPPUS WALTER & JOANNE TRUST	12231 WHITE LAKE RD	FENTON MI 48430	233.00	173.00
4704-11-101-016	PETERS JOEL C & NANCY L	12232 OVERLOOK DR	FENTON MI 48430	233.00	173.00
4704-11-101-017	BROWN WALTER J & BARBARA E LF EST	12222 OVERLOOK DR	FENTON MI 48430	233.00	173.00
4704-11-101-018	HILDNER PHILLIPS B II	12223 OVERLOOK DR	FENTON MI 48430	233.00	173.00
4704-11-101-019	SHUSTER JANET	1235 N DUTTON AVE SUITE E	SANTA ROSA CA 95401	233.00	173.00
4704-11-101-020	DAVIS DAVID/FRISEN-DAVIS LYNN	12247 OVERLOOK DR	FENTON MI 48430	233.00	173.00
4704-11-101-021	REMILLARD MATTHEW & JILL L	12259 OVERLOOK DR	FENTON MI 48430	233.00	173.00
4704-11-101-022	BROWN GEO R & JOAN	12258 OVERLOOK DR	FENTON MI 48430	233.00	173.00
4704-11-101-023	LUCAS JOHN & KIMBERLY	10330 LAUREL SPRINGS BLVD	FENTON MI 48430	233.00	173.00
4704-11-101-024	BILLS TIMOTHY R & ELIZABETH TRUST	12245 WHITE LAKE RD	FENTON MI 48430	233.00	173.00
4704-11-101-034	GILMER GERALD & KATHLEEN LFEST	12218 OVERLOOK DR	FENTON MI 48430	233.00	173.00
4704-11-101-035	STONE AUDREY M TRUSTEE	12214 OVERLOOK DR	FENTON MI 48430	233.00	173.00
4704-11-101-036	DAVIDSON JONATHON TRUST	12208 OVERLOOK DR	FENTON MI 48430	233.00	173.00
4704-11-101-037	SKINNER ANDREW P & EMILY I	12202 OVERLOOK DR	FENTON MI 48430	233.00	173.00
4704-11-101-038	WHITE DANIEL R	12192 OVERLOOK DR	FENTON MI 48430	233.00	173.00
4704-11-101-039	LUTZ MICHAEL D	12211 OVERLOOK DR	FENTON MI 48430	233.00	173.00
4704-11-101-040	NUNN STEVEN & KELLY	12197 OVERLOOK DR	FENTON MI 48430	233.00	173.00
4704-11-101-041	DEFINA THOMAS & DORIS	12214 DENTONVIEW DR	FENTON MI 48430	233.00	173.00
4704-11-101-042	JONES CHARLES R & LAURA K	12220 DENTONVIEW DR	FENTON MI 48430	233.00	173.00
4704-11-101-043	JORGENSEN NICHOLAS & EMILY	12232 DENTONVIEW DR	FENTON MI 48430	233.00	173.00
4704-11-101-044	BATES DANNY & GEORGINA	12242 DENTONVIEW DR	FENTON MI 48430	233.00	173.00
4704-11-101-045	SAMPSON CHRISTINA	12239 DENTONVIEW DR	FENTON MI 48430	233.00	173.00
4704-11-101-046	STUBBS MICHAEL J & DIANNE LF EST	12229 DENTONVIEW DR	FENTON MI 48430	233.00	173.00
4704-11-101-047	WEBB DERRICK & DEBORAH	12219 DENTONVIEW DR	FENTON MI 48430	233.00	173.00
4704-11-101-048	TESNER MICHAEL & KIRSTIN	12209 DENTONVIEW DR	FENTON MI 48430	233.00	173.00
4704-11-101-049	BAMBACH KURT M & LISA M	12199 DENTONVIEW DR	FENTON MI 48430	233.00	173.00
4704-11-101-050	MESSINA ANDREW	12189 DENTONVIEW DR	FENTON MI 48430	233.00	173.00

NEW BUSINESS #2

RESOLUTION #1908xx
TYRONE TOWNSHIP, LIVINGSTON COUNTY

RESIDENTIAL OUTDOOR LIGHTING
ORDINANCE NO. 49

An ordinance enacted pursuant to the authority of Act 246 of the public Acts of 1945, as amended, to establish regulations and specifications for the use and installation of residential outdoor lighting in Tyrone Township; to prevent light-related nuisances in the Township; to preserve, promote and protect the health, safety and general welfare of the persons and property within the Township; to provide for the enforcement hereof; and to provide penalties for the violation hereof.

The Township of Tyrone, County of Livingston, State of Michigan, ordains:

SECTION 1 TITLE

This Ordinance shall be known and cited as the Tyrone Township Residential Outdoor Lighting Ordinance.

SECTION 2 PURPOSE

To require and set minimum standards for outdoor lighting to:

- A. Provide for and control lighting in outdoor places where public health, safety and welfare are potential concerns.
- B. Protect drivers and pedestrians from the disabling glare of non-vehicular light sources.
- C. Protect neighbors and the night sky from nuisance glare from improperly selected or poorly aimed, placed, applied, maintained or shielded light sources.
- D. Protect and retain the intended character of the various portions of the Township.

SECTION 3 LIGHT-RELATED NUISANCES AND CAUSES THEREOF PROHIBITED

All light-related nuisances and causes thereof as defined herein, are prohibited upon all residential property in the township and shall constitute illegal nonconforming uses to be abated. No owner, occupant or other person shall permit any such uses to exist upon any property in the Township.

SECTION 4 APPLICABILITY

- A. All uses within the Township where there is interior or exterior lighting that creates a nuisance or hazard, or is in excess of the maximum permitted level of illumination specified in Section 6.A.3 (below), as viewed from outside, or exterior lighting that creates a nuisance when viewed from inside.

- B. The Township may, in its sole discretion, require lighting to be incorporated for other uses or locations or may restrict lighting in any of the above uses, as deemed necessary.
- C. Lighting approved by the Township through the issuance of a special land use permit or otherwise explicitly permitted are exempt from the requirements of this Ordinance.
- D. Emergency lighting, as may be required by any public agency while engaged in the performance of their duties, or for illumination of the path of egress during an emergency as described in NFPA 75 and NFPA 101, are exempt from the requirements of this Ordinance.

SECTION 5 DEFINITIONS

- A. “Footcandle” – Shall mean a unit of incident light stated in lumens per square foot and measurable with an illuminance meter, a.k.a. footcandle or light meter.
- B. “Glare” – Shall mean the sensation produced by lighting that causes an annoyance, discomfort or loss in visual performance and visibility to the eye.
- C. “Illuminance” – Shall mean the quantity of incident light measured in footcandles.
- D. “Lumen” – Shall mean the light-output rating of a lamp (light bulb), as used in the context of this Ordinance.
- E. “Luminaire” – Shall mean complete lighting unit.
- F. “Shielded” – Shall mean description of a luminaire from which no direct glare is visible at normal viewing angles, by virtue of its being properly aimed, oriented, and located and properly fitted with such devices as shields, barn doors, baffles, louvers, skirts or visors.
- G. “Township” – Shall mean the Township of Tyrone, Livingston County, Michigan.

SECTION 6 LIGHTING CRITERIA

- A. Lighting Control
 - 1. All lighting shall be aimed, located, designed, fitted and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse and so as not to create a nuisance by projecting or reflecting objectionable light onto a neighboring use or property.
 - 2. Directional luminaires such as floodlights and spotlights, when their use is specifically permitted by the Township, shall be so shielded, installed and aimed that they do not project their output onto the properties of neighboring residences, adjacent uses, past the object being illuminated, skyward or onto a public roadway or pedestrian way in excess of the maximum permitted level of illumination as described in Section 6.A.3 of this Ordinance (below).
 - 3. The level of illumination projected onto a residential use from another property shall not exceed **0.7** initial vertical footcandles, measured line-of-sight (approximately between five (5) and six (6) feet from grade) at any point on the receiving property. The level of

illumination projected onto a non-residential use shall not exceed **1.5** initial vertical footcandles measured line of sight at the from any property line/boundary.

4. Directional fixtures for such applications as façade, fountain, feature and landscape illumination shall be aimed so as not to project their output beyond the objects intended to be illuminated and shall not be in conflict with the intended character of the Township.
5. Only the United States and the Michigan flags shall be permitted to be illuminated from dusk till dawn and each flag shall be illuminated by a source or sources with a beam spread no greater than necessary to illuminate the flag. Flag lighting sources shall not exceed **7,500** lumens per flagpole.
6. Temporary residential holiday lighting is exempt from the requirements of this Section except if deemed by the Township to be a hazard or nuisance.
7. Vehicular lights, navigational lighting, handheld flashlights, and other movable light sources are exempt from the requirements of this Section except if deemed by the Township to be a hazard or nuisance.

B. Agricultural Use Criteria

1. For agricultural uses, the following criteria shall apply:
 - a. No lighting, shielded or unshielded, shall be permitted that shines directly onto an adjacent residential use in excess of the maximum permitted level of illumination specified in Section 6.B.3 (above).
 - b. No lighting shall be permitted that creates a hazard by shining onto a public right-of-way.

C. Waterfront Use Criteria

1. For any properties abutting a body of water which is five (5) acres or greater in area, the following criteria shall apply:
 - a. No lighting, shielded or unshielded, shall be permitted that shines directly onto an adjacent residential use in excess of the maximum permitted level of illumination specified in Section 6.A.3 (above).
 - b. No unshielded lighting shall be permitted that shines directly onto a body of water.
 - c. Shielded lighting may be permitted near a body of water provided that it does not create excessive glare on the surface of the water and is not in excess of the maximum permitted level of illumination specified in Section 6.A.3 (above) when measured from any property line/boundary.

SECTION 7 COMPLIANCE MONITERING

A. Safety Hazards

1. If appropriate officers or agents of the Township judge a lighting installation, including lighting poles, creates a safety or personal-security hazard, the person(s) responsible for the lighting shall be notified in writing and required to take remedial action.
2. If appropriate corrective action is not made following notification, the Township may commence legal action as provided in Section 9.0 & 10.0 below.

B. Nuisance Glare and Inadequate Illumination Levels

1. When appropriate officers or agents of the Township judge an installation produces unacceptable levels of nuisance glare, skyward light, excessive or insufficient illumination levels or otherwise varies from this Ordinance, Township may cause written notification of the person(s) responsible for the lighting and require appropriate remedial action.
3. If appropriate corrective action is not made following notification, the Township may commence legal action as provided in Section 9.0 & 10.0 below.

SECTION 8 NONCONFORMING LIGHTING

- ### A. Any lighting fixture or lighting installation legally installed and operative before the date of adoption of this Ordinance which does not create a hazard or nuisance shall be considered as a lawful nonconformance subject to the following:
1. Nonconforming lighting shall not be changed to any other non-conforming lighting, structurally altered, altered an any way that increases its degree of nonconformance, or expanded or extended in scope.
 2. Regardless of the requirements of Section 8.A.1 (above), nonconforming lighting fixtures and lighting installations which create a hazard or nuisance shall be made to conform with the requirements of this Ordinance or removed.

SECTION 9 VIOLATIONS AND PENALTIES

- ### A. The Tyrone Township Ordinance Enforcement Officer, elected officials, or any other official designated by the Township Board are authorized to enforce the provisions of this ordinance.
- ### B. Any person, firm, association, partnership, corporation, or governmental entity who has violated any of the provisions of this ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a municipal civil fine determined by the Civil Infraction Ordinance, as may be amended from time to time by a Township Board Resolution.
- ### C. The violator shall pay costs which may include all expenses, direct and indirect, which Tyrone Township has incurred in connection with the municipal infraction. Tyrone Township shall have

the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation of this Ordinance exists shall constitute a separate violation of this Ordinance.

SECTION 10 ABATEMENT OF NUISANCES

In addition to any other remedies provided in this Ordinance, any violation of this Ordinance shall constitute a nuisance and shall be abated by the Township by either seeking mitigation of nuisance or appropriate equitable or legal relief from a competent court having jurisdiction.

SECTION 11 EFFECTIVE DATE

This Ordinance will become effective thirty (30) days after the publication in the Tri-County Times newspaper. *(See effective dates below.)*

RESOLVED BY:
SUPPORTED BY:

VOTE:

ADOPTION DATE: August 20, 2019

Publication Date: August 25, 2019
Effective Date: September 24, 2019

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 August 20, 2019, 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

REVISIONS:

NEW BUSINESS #3

LAND DIVISION ORDINANCE

TOWNSHIP OF TYRONE, LIVINGSTON COUNTY, MICHIGAN

ORDINANCE NO. ##, DRAFT

An ordinance to regulate partitioning or division of real property inclusive of parcels, platted lots, condominium units, or tracts of land, as permitted by law, enacted pursuant but not limited to the State Land Division Act, being Michigan Public Act 288 of 1967, as amended, the Condominium Act, being Michigan Public Act 59 of 1978, as amended, Michigan Public Act 591 of 1996, as amended, and Michigan Public Act 246 of 1945, as amended; to provide a procedure therefore; to repeal any ordinance or provision thereof in conflict herewith; and to prescribe penalties and enforcement remedies for the violation of this Ordinance.

TYRONE TOWNSHIP ORDAINS:

ARTICLE 1. TITLE

This Ordinance shall be known and cited as the “Tyrone Township Land Division Ordinance.”

ARTICLE 2. PURPOSE

The purpose of this Ordinance is to carry out the provisions of the Land Division Act (1967 PA 288, as amended, formerly known as the Subdivision Control Act), to provide for and maintain an orderly development of the Township, and to ensure the health, safety, and welfare of the residents and property owners when dividing property or realigning property lines within Tyrone Township.

ARTICLE 3. APPLICABILITY

This Ordinance applies to all divisions of lands or property, inclusive of platted lots and condominium units, located within the Township, including boundary realignments. For parcels

that are to be platted, the Land Division Act, 1967 P.A. 1967, as amended, the non-conflicting portions of this Ordinance and all the requirements of the Tyrone Township Subdivision Ordinance, as amended, shall apply. Parcels in condominiums are subject to the Condominium Act, 1978 P.A. 59, as amended, Township Condominium regulations within the Zoning Ordinance. Parcels that are developed along a private road or shared driveway shall also be subject to the appropriate provisions of the Tyrone Township Zoning Ordinance.

ARTICLE 4. DEFINITIONS

For purposes of this Ordinance, certain terms and words used herein shall have the meaning set forth herein. Additionally, where terms and words are set forth in the Land Division Act, those terms and words shall have the meaning ascribed to them in the Land Division Act, except as set forth within this section, and when terms are defined in the Tyrone Township Zoning Ordinance, those terms and words shall have the meaning ascribed to them in that ordinance. The following definitions shall apply in the interpretation and enforcement of this ordinance, unless otherwise specifically stated. The word “shall” is always mandatory and not merely directory.

- A. “ASSESSOR”**- shall mean the Tyrone Township Assessor.
- B. "APPLICANT"** - shall mean any person, firm, association, partnership, corporation, legal entity, or combination of any of them, which holds the fee title and equitable interest in the land whether or not of record, who seek approval to take any action pursuant to this ordinance.
- C. "AGENT"** - shall mean a designated representative of the applicant authorized to act on their behalf during the duration of a land division or boundary realignment application, review, and approval processes.
- D. “BOUNDARY REALIGNMENT”**- shall mean a formal action to relocate the property line between two (2) or more parcels that does not result in the creation of additional parcel(s).
- E. “COMPLETE APPLICATION”**- see the requirements listed in Article 6 – Procedure for Complete Boundary Realignment Applications and Complete Land Division Applications.
- F. "DIVIDE" OR "DIVISION"** – shall mean the partitioning or splitting of a parcel or tract of land by the proprietor thereof or by his or her heirs, executors, administrators, legal representatives, successors or assigns, for the purpose of sale or lease of more than one

year, or of building development that results in one or more parcels of less than 40 acres or the equivalent, and that satisfies the requirements of Section 108 and 109 of the Land Division Act. "Divide" or "Division" does not include a property transfer between two or more adjacent parcels if the property taken from one parcel is added to an adjacent parcel; and any resulting parcels shall not be considered a building site unless the parcel conforms to the requirements of the Land Division Act, this Ordinance, and any other applicable ordinances.

- G. "EXEMPT SPLIT" OR "EXEMPT DIVISION"** – shall mean the partitioning or splitting of a parcel or tract of land by the proprietor thereof, or by his or her heirs, executors, administrators, legal representatives, successors or assigns, that does not result in one or more parcels of less than 40 acres or the equivalent.
- H. "GOVERNING BODY"** – shall mean the Township Board of Tyrone Township, Livingston County, Michigan.
- I. "LAND DIVISION ACT"** - shall refer to the State of Michigan Public Act 288 of 1967 as amended [MCL 560.101 to 560.293].
- J. "LAND DIVISION COMMITTEE"** - shall mean the Township Assessor, Supervisor, Zoning Administrator and/or other official(s) designated by the Township Board to review land division and boundary realignment applications in accordance with the standards and requirements of this Ordinance, all applicable Township ordinances, and all applicable requirements set forth by the State of Michigan, Livingston County, and/or other agencies/entities having jurisdiction.
- K. "LETTER OF AUTHORIZATION"** - shall mean a document prepared by the applicant authorizing an agent to act on their behalf during the duration of a specific land division or boundary realignment application, review, and approval processes.
- L. "PLANNING COMMISSION"** - shall mean the Tyrone Township Planning Commission.
- M. "PLAT"** - shall mean a map, drawing, chart, and/or survey approved for the division of land pursuant to the Land Division Act of 1967, as amended.
- N. "SUPERVISOR"** - shall mean the Tyrone Township Supervisor.
- O. "TOWNSHIP"** – shall mean the Township of Tyrone, Livingston County, Michigan.

- P.** “ZONING ADMINISTRATOR” – shall mean the official of Tyrone Township or authorized representative charged with the responsibility of administering this ordinance.
- Q.** “ZONING ORDINANCE” – shall mean the Tyrone Township Zoning Ordinance.

ARTICLE 5. EXEMPTION DIVISIONS

Sec 1. ELIGIBILITY

Land in the Township shall not be divided without the prior review and approval of the Township Land Division Committee, in accordance with this Ordinance and the Land Division Act; provided that the following shall be exempted from this requirement.

- A.** A parcel proposed for subdivision through a recorded plat pursuant to the Land Division Act.
- B.** A lot in a recorded plat proposed to be divided in accordance with the Land Division Act and any applicable Tyrone Township ordinance(s).
- C.** An Exempt Split.

ARTICLE 6. PROCEDURE

Sec 1. FILING

- A.** The applicant shall be the owner/title holder of the property and/or an authorized representative (agent) and shall state the type of property ownership (fee simple, mortgage, or land contract). If the applicant assigns an agent, a letter of authorization shall be submitted to the Land Division Committee prior to/concurrently with the submission of an application.
- B.** The applicant shall provide documentation to verify the property configuration and legal description(s) as of March 31st, 1997 and any information on subsequent divisions that have occurred since that time (if applicable), as determined by the Land Division Committee.
- C.** The applicant shall submit the number of complete and accurate applications together with all related information required by this ordinance as well as any other information required by the Land Division Committee to the Zoning Administrator with the appropriate fees and charges as established by the Township Board. It is encouraged that an electronic/digital copy of all application documents be provided with the complete application.

Sec. 2. BOUNDARY REALIGNMENT APPLICATION REQUIREMENTS

The Land Division Committee, at its sole discretion, may provide a preliminary review of a potential boundary realignment based upon a scaled site drawing of the proposed realignment. The information required to be submitted for a preliminary review is listed in Section 4.A (below). For a final review of a boundary realignment, a complete application shall be submitted that is substantially accurate and contains all of the information required for preliminary review as well as items 1 through 4 listed in Section 4.B (below) for final review. Some items required above for preliminary or final review may not be applicable, as determined by the Land Division Committee.

Sec. 3. BOUNDARY REALIGNMENT REQUIREMENTS

In no case shall any provision of this ordinance, other applicable Tyrone Township ordinances nor the laws of the State of Michigan, be violated. Where more than one regulation applies to the same aspect, the most restrictive shall be enforced.

- A.** The plan for the boundary realignment shall follow the requirements of Act 288 of 1967, as amended (MCLA 560.101, et seq.) and the Tyrone Township Zoning Ordinance, as amended. The Land Division Committee shall review the plan for compliance with:
- 1.** The Schedule of Regulations for existing and newly created parcels in the Zoning Ordinance.
 - 2.** The minimum width and the maximum depth to width ratio of 4:1, as defined by the Zoning Ordinance. (For example, 200 ft. wide and not more than 800 ft. long.). Notwithstanding, a depth to width ratio greater than 4:1 may be permitted if the resulting parcel(s) exhibits exceptional topographic or physical conditions such as wetlands, woodlands, and/or steep slopes, or is consistent with the land development pattern of the surrounding area, or other extraordinary circumstances exist, in the determination of the Township Board **upon recommendation by the Planning Commission**. Further, the maximum 4:1 depth to width ratio shall not apply to parcels larger than 10 acres, nor shall it apply to the remainder of the parent parcel or parent tract retained by the proprietor. In the event the Township Zoning Ordinance specifies a depth to

width ratio for a particular area which differs from that set forth within this subsection, the ratio contained in the Zoning Ordinance shall control.

- B.** If the request is made by an agent for an owner, a letter of authorization shall be included in the application.
- C.** Boundary Realignments shall follow the approval procedures as described below for land divisions in Article 7.

Sec 4. LAND DIVISION APPLICATION REQUIREMENTS

The Land Division Committee, at its sole discretion, may provide a preliminary review of a potential land division based upon a scaled site drawing. However, a boundary survey prepared by a professional surveyor licensed by the State of Michigan is required for a complete application and final review. A complete application shall be substantially accurate and contain all of the items required below, unless specifically exempted by the Land Division Committee.

A. Preliminary Review Requirements. Prior to submitting a complete application and beginning final review, an applicant may elect to submit an application for preliminary review by the Land Division Committee. To undergo preliminary review, the following items must be submitted:

- 1. Proof of Ownership.** Proof of ownership of the subject property, proof that tax payments are current, and the original survey and legal description, if available.
- 2. Site Drawing.** Scaled site drawing of the proposed land division showing existing and proposed boundary alignments.
- 3. Date, North Arrow and Scale.** The drawing shall include the name of the preparer, the date of the drawing, and a north arrow. The scale shall be not less than one-inch equals twenty feet (1" = 20') for property under three (3) acres, and at least one-inch equals one hundred feet (1" = 100') for sites three (3) acres or more. For sites greater than three (3) acres, site plan details at a scale of not less than one-inch equals twenty feet (1" = 20') may be required.
- 4. Legal Description.** Each proposed parcel and the remainder parcel shall have a separate legal description. This shall also include appropriate descriptions for dedicated open space locations and descriptions of private road, shared driveway, access easements, and public utility easements located within parcels. All private road or shared driveway easements should include a public utility

easement reference. If deemed necessary, the Land Division Committee may request electronic/digital file(s) containing legal description data.

5. **Property Lines.** All existing and proposed property lines are to be shown and properly dimensioned including building setback lines that define potential building envelopes.
6. **Existing Structures and Easements.** The location of all existing structures, utility, or access easements on the property and within fifty (50) feet of the property boundary lines on adjacent property shall be shown.
7. **Wetlands and Natural Features.** If wetland conditions are known or suspected to exist within dedicated open space or building envelopes, a determination shall be made of the location and limits of such wetlands. Other significant natural features worthy of preservation should be referenced on the site drawing.
8. **Open Space.** All dedicated open space areas, if any exist, shall be clearly identified and dimensioned on the site drawings.
9. **Proposed Access.** The location and dimensions of all existing and proposed roads, shared private driveways, and access easements shall be shown.
10. **Data on Abutting Roads, Etc.** The pavement width and right-of-way width of all existing or proposed abutting private or public roads or shared driveways shall be located on the site drawing.
11. **Easements.** The location of all existing and proposed utility easements, shared private driveway easements, private road easements, private/public access easements, and public rights-of-way should be dimensioned and labeled. Detailed drawings of access easements may be required for a complete application at the discretion of the Land Division Committee.
12. **Drainage.** The location and size of all existing and proposed surface water drainage features including public and private drainage easements.
13. **Contour Intervals.** Topographic contours shall be shown on the most recent aerial photo available at not more than five (5) foot intervals, referenced to U.S.G.S datum including the U.S.G.S benchmark.

- 14. Documents.** Copies of any required Federal, County, or State agency reviews shall be provided. If applicable, deed restrictions or maintenance agreements for shared driveways or roads shall be provided.

B. Complete Application Requirements. To be considered a complete application and to begin the review process, the applicant must submit all of the items listed above plus the following:

- 1. Survey.** A boundary survey with legal description(s) for all parcel(s), (including the existing parcel reminder), easement(s) and open space(s). If deemed necessary, the Land Division Committee may request electronic/digital file(s) containing legal description data.

- 2. Licensed Professional Seal Required.** Surveys shall contain the physical or electronic seal and signature, in accordance with Michigan P.A. 178 of 2013, as amended, of a Professional Engineer or Surveyor licensed by the State of Michigan and in good standing.

- 3. Other Approvals.** All other County, State or Agency approvals required for the proposed land division shall be obtained and evidence of such approval submitted with the application for review.

- 4. Proof of Tax Payment.** Proof that all property taxes and assessments have been paid in full.

- 5. Recordable Agreements.** All required documents and agreements shall be prepared and submitted in final recordable form. If determined by the Land Division Committee that the proposed division requires additional review, the application may be reviewed by the Planning Commission and/or Township Planner during a regular meeting.

Additional fee(s) may be imposed if additional review is required, as determined by the Township Board.

Sec. 5. LAND DIVISION APPROVAL REQUIREMENTS

In no case shall any provision of this Ordinance, other applicable Tyrone Township ordinances nor the laws of the State of Michigan be violated. Where more than one regulation applies to the same aspect, the most restrictive shall be enforced.

A. Plan for Dividing Land. The Plan for dividing land shall follow the requirements of and the Land Division Act, this ordinance, and the Zoning Ordinance, as amended. The Land Division Committee shall review the plan for compliance with:

- 1. Authorization to view property.**

2. Proof of tax status.
3. Adequate and accurate legal description(s).
4. Schedule of Regulations on existing and newly created parcels (Zoning Ordinance).
5. Boundary survey with dimensions, including lot width and gross and net parcel area.
6. Minimum width and the maximum depth to width ratio of 4:1, as defined by the Zoning Ordinance. (For example, 200 ft. wide and not more than 800 ft. long.).
Notwithstanding, a depth to width ratio greater than 4:1 may be permitted if the resulting parcel(s) exhibits exceptional topographic or physical conditions such as wetlands, woodlands, and/or steep slopes, or is consistent with the land development pattern of the surrounding area, or other extraordinary circumstances exist, in the determination of the ~~Land Division Committee~~ **Township Board upon recommendation by the Planning Commission.** Further, the maximum 4:1 depth to width ratio shall not apply to parcels larger than 10 acres, nor shall it apply to the remainder of the parent parcel or parent tract retained by the proprietor. In the event the Zoning Ordinance specifies a depth to width ratio for a particular area which differs from that set forth within this subsection, the ratio contained in the Zoning Ordinance shall control.
7. Indication of significant natural features or topography.
8. Proof of access.
9. Public, private, and shared driveway access requirements, if applicable.
10. Open space requirements, if applicable.

B. Subject Regulations. The plan for dividing land shall be subject to the regulations stated in the Land Division Act.

C. Roads or Driveways. If the land split includes the establishment of a public road, private road, shared private driveway, or new single use driveway, approval by the Township is contingent on the approval of the Livingston County Road Commission (LCRC) for access to a public roadway. Approval of the access location will be required as part of a complete application. As this may prolong the review process, it is recommended that applications requiring this approval waive the 45-day approval deadline as required in Article 7, Section 1 of this Ordinance so as to avoid the application being rejected as incomplete.

D. Proposed Access Review. For land divisions requiring approval of a private road or shared private driveway, the applicant must submit an application for Planning Commission review.

The private road/shared private driveway approval shall be obtained prior to final review and approval of the land division application.

E. Agent for the Owner. If the request is made by an agent for the owner, a letter of authorization shall be submitted to the Land Division Committee.

F. Register of Deeds. Upon approval of the division, the signed and sealed survey shall be stamped by the Township Clerk as approved by Tyrone Township and recorded with the legal descriptions and recordable documents at the Livingston County Register of Deeds office in accordance with the procedures provided in Article Seven.

Sec. 6. FUTURE DIVISION RIGHTS

A. The right to make future land divisions exempt from platting requirements may be transferred from a parent parcel or tract to a parcel created from the parent parcel or tract.

B. A proprietor transferring the right to make a division shall within 45 days give written notice of the transfer to the Township Assessor on a form prescribed by the State Tax Commission under Section 27.c of the General Property Tax Act (1893 PA 206).

C. All deeds must indicate whether the right to make further land division(s) is conveyed. The statement shall be in substantially the following form: “The grantor grants to the grantee the right to make [insert whole number, “all”, or “zero”] division(s) under Section 108 of the land division Act, Act Number 288 of the Public Acts of 1967, as amended.” If no statement is provided, the right to make future remaining divisions stays with the parent parcel.

Sec. 7. ACCESS

All parcels created through the procedures of this Ordinance shall abut a public road, approved private road, approved shared driveway, or approved access easement for the required distance according to the Zoning Ordinance Schedule of Regulations.

Sec. 8. FINANCIAL GUARANTEE REQUIREMENT

If the application requires modification to the property to meet Federal, State, County, and/or Township requirements such as, but not limited to, drainage easements or driveway access, a financial guarantee may be required by the Township to ensure conformity.

ARTICLE 7. APPROVAL

Sec. 1. TOWNSHIP REVIEW

A. Upon receipt of a complete application, as described herein, the Township shall, within forty-five (45) days, conduct a final review of a complete land division application and approve, approve with conditions, or disapprove the land division, except if conditions exist where additional information is required by the Township and/or any other governmental or legal agency or entity. In such cases, the conditions shall be resolved before the application can be considered complete.

B. The applicant shall have the option to waive the 45-day requirement, in which case the application will be approved in an efficient manner.

C. The Land Division Committee shall review the application materials and make a decision based on the standards contained herein of whether to approve, approve with conditions, or deny the requested land division.

Sec. 2. LAND USE AND BUILDING PERMITS

A. Approval of a land division by the Township does not assure that any ensuing split shall be acceptable as a building site under other regulations or codes of the Township or any other governmental unit.

B. Tyrone Township and its employees shall not be liable if a land use permit and/or building permit is not issued for a parcel created through this process.

Sec. 3. RECORDING

A. After Township approval of a land division, the applicant or applicant’s agent shall provide a survey of the approved division and any related agreements or deed restrictions in recordable form to the Livingston County Register of Deeds within 90 days, as noted in the paragraph below. At least one (1) survey in recordable format including a licensed surveyor’s seal and original signature shall be provided to the Land Division Committee prior to recording. The applicant or authorized agent shall also provide at least two (2) copies of the approved survey and any other required agreements or deed restrictions to the Land Division Committee to be retained in the Township records

1. Following receipt of an approval letter from the Land Division Committee, the survey and documents stamped “Approved” and signed by the Township Clerk, shall be recorded and stamped by the Register of Deeds before the 90-day approval period has expired.

2. No land divisions shall be recorded by the County unless they have been approved by the Township and bear the approval stamp and signature of the Township Clerk.

3. The Township Assessor will issue Property Identification Numbers upon receipt of the properly stamped legal descriptions, drawings, and documents properly stamped and recorded by the Register of Deeds before the 90-day approval period has expired.

B. The land division is completed after the survey and any other required agreements or deed restrictions are recorded and the Township Assessor issues property identification numbers and enters the legal description and the identification numbers into the Township records.

ARTICLE 8. VIOLATIONS

Sec. 1. DUTY TO REPORT REGISTERED LAND DIVISIONS AND BOUNDARY REALIGNMENTS

A. If the approved division is not recorded with the County Register of Deeds within 90 days, the approval is revoked and the application is considered void. A new application must be filed in order to restart the process.

B. If a Land Division or Boundary Realignment has been recorded by the County prior to being approved by the Township or if a drawing was recorded that differs from the approved drawing bearing the stamp of the Township, the division shall be considered illegal and so labeled in the Township records.

Property identification numbers shall not be issued by the Township Assessor, and the Assessor shall instruct the Livingston County Register of Deeds to label the parcel as 'ILLEGAL' in their records. Even if recorded by the County Register of Deeds, a land division that does not bear the stamp of the Township shall not be considered valid and shall not be issued a valid property identification number.

C. The Township Assessor and/or Zoning Administrator shall be responsible for monitoring the time schedule and notifying applicants of any violations.

Sec. 2. NOTICE TO CORRECT VIOLATION

Upon receipt of information of a possible violation of this ordinance, it shall be the duty of the Assessor to ascertain whether or not there is probable cause to believe there exists a violation of this ordinance. If it is determined that there is probable cause to believe a violation does exist, the Assessor shall cause notice to be sent by certified mail to the owner of the parcel not divided in accordance with the terms of this ordinance and his grantor if a conveyance of the subject parcel of land was made after the effective date hereof, requesting that they take action to correct the violation.

Sec. 3. DUTY TO CORRECT VIOLATION

Within thirty (30) days of the date of mailing of the notice above referred to, the applicant shall:

- A. Correct the violation
- B. Request a hearing before the Township Board to determine whether a violation of the ordinance has occurred, or
- C. Make application for Land Division Committee approval of an amended land division or boundary realignment.

The respondent shall be subject to the sanctions of Article 9 (below) if they have not complied with one of the remedies provided above, notwithstanding the Township Board power to require the applicant to comply with the requirements of this ordinance.

ARTICLE 9. ENFORCEMENT AND PENALTIES

Sec. 1. ENFORCEMENT

No land use permits shall be issued to an applicant by the Zoning Administrator for the use of any parcel of land that has resulted from a division of land without the applicant having first obtained the approvals required by the Zoning Ordinance and/or this Ordinance.

Sec. 2. PENALTIES

A. Pursuant to MCL 560.264, any person who violates these requirements and sells a resulting parcel of land is responsible for the payment of a civil fine of not more than \$1,000.00 to the Township for each parcel sold. A default in the payment of a civil fine or costs ordered under this subsection or an installment of the fine or costs may be remedied by any means authorized under the revised judicature act of 1961, PA 236, MCL 600.101 to 600.9948

B. The Township shall instruct the Assessor to treat the application as an illegal division as provided in Article 7 (17.271), Section 1, Paragraph B of this Ordinance.

Sec. 3. SALES VOIDABLE

Pursuant to MCL 560.267, any sale of lands partitioned in violation of this ordinance is voidable at the option of the purchaser, and shall subject the seller to the forfeiture of all consideration received or pledged therefore, together with any damages sustained by the purchaser, recoverable in an action at law.

ARTICLE 10. MISCELLANEOUS PROVISIONS

Sec. 1. FEES

The Township Board may charge a fee for consideration of the application made pursuant to this ordinance and the fee shall be established, or from time to time modified, by resolution of the Township Board.

Sec. 2. SEVERABILITY

This ordinance and each of the various parts, subsections, sentences, phrases and clauses hereof are hereby declared to be severable. If any part, section subsection, sentence phrase, or clause is determined to be invalid or unenforceable for any reason by a court of competent jurisdiction, it is hereby provided that the remainder of this ordinance shall not be affected thereby and shall remain in full force and effect.

Sec. 3. EFFECTIVE DATE

The provisions of this ordinance shall be effective thirty (30) days from and after the date of its publication, as required by law.

Sec. 4. REPEAL OF PRIOR VERSION OF THE LAND DIVISION ORDINANCE

All existing ordinance provisions addressing land divisions inconsistent with this ordinance are repealed.

CHECKLIST FOR LAND DIVISION & BOUNDARY REALIGNMENT APPLICATION

Incomplete applications will be returned to the applicant and will not be processed by the Township.

Parcel ID Number(s):	4704-____-____-____	4704-____-____-____	
Property Address:		Number of New Parcels: Parent ____ Resulting ____	

Intended Use (residential, commercial, industrial, etc.):

SURVEY & DIVISIONS

Submit the Following Documentation:	Answer the Following Questions:
The survey shall be prepared in compliance with Public Act 132 of 1970, for the parcel or tract of land that is subject to the application. At a minimum, the following information must be provided and attached:	Is the subject parcel the result of a land division that occurred after March 31, 1997? <input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> North Arrow and Scale <input type="checkbox"/> Area of parcels <input type="checkbox"/> Existing parcel lines & dimensions – Parent <input type="checkbox"/> Proposed parcel lines & dimensions – Child <input type="checkbox"/> Accurate legal description of each parent parcel and for each resulting parcel <input type="checkbox"/> Existing or proposed deed covenants or restrictions <input type="checkbox"/> Notice to Assessor of Transfer of the Right to Make a Division of Land (Form L-4260a)	Are there divisions available? <input type="checkbox"/> Yes <input type="checkbox"/> No Number of divisions available:
	Number of future divisions being transferred from the Parent Parcel to another parcel (“zero,” “all,” or specific number):

EXISTING CONDITIONS

<input type="checkbox"/> Location and dimensions of all existing buildings and other land improvements on the parent parcel.	Structures currently on Parcel: (Check all that apply)	
	Residential	Commercial/Industrial
	<input type="checkbox"/> House <input type="checkbox"/> Garage <input type="checkbox"/> Porch/Deck <input type="checkbox"/> Barn <input type="checkbox"/> Shed <input type="checkbox"/> Other	<input type="checkbox"/> Buildings # _____ <input type="checkbox"/> Parking Lot <input type="checkbox"/> Other Structures

UTILITIES & ENVIRONMENTAL

<input type="checkbox"/> Location and type of all easements and open space shall be clearly identified on the survey <input type="checkbox"/> Special assessments on the parent parcel. If so, how such assessments will be allocated to resulting parcels.	Are there any regulated wetlands? <input type="checkbox"/> Yes <input type="checkbox"/> No Is this parcel in the sewer district? <input type="checkbox"/> Yes <input type="checkbox"/> No
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ACCESS DRIVES

<input type="checkbox"/> Location, dimensions and nature of proposed ingress and egress from any existing public/private road or easement. <input type="checkbox"/> Compliance with Private Roads and Shared Driveway requirements. For private roads and shared driveways, a maintenance agreement is required. <input type="checkbox"/> Letter or permit from the Livingston County Road Commission and/or Michigan Department of Transportation, if applicable.	If on an existing road, Name: _____ Width: _____ Surface: _____ Private: ____ Public: ____ If on a new road, Name: _____ Width: _____ Surface: _____ Private: ____ Public: ____ If on a shared driveway , Width: _____ Surface: _____ Is there an existing maintenance agreement: <input type="checkbox"/> Yes <input type="checkbox"/> No
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The applicant must submit the required information in order for the Land Division Application to be accepted by Tyrone Township. For a detailed list of the requirements, please refer to the Tyrone Township Land Division Ordinance available on the Township website at www.tyronetownship.us and at the Township Planning Department.

The Land Division Committee is available **Monday-Thursday from 9am-5pm** and can be reached by phone at 810-629-8631. **It is recommended that you make an appointment to review or drop off your application.**



Tyrone Township
 10408 Center Road, Fenton, MI 48430
 Phone: (810)629-8631 / Fax: (810)629-0047
www.tyronetownship.us

APPLICATION FOR LAND DIVISION

Parcel Identification Number(s):	4704-____-____-____	4704-____-____-____	
Property Address:			Zoning of Parcel(s):
Application Case Number: _____	<input type="checkbox"/> Metes & Bounds <input type="checkbox"/> Platted Lots of Record		Subdivision Name:
	<input type="checkbox"/> Combination and Boundary Realignment		\$50.00
	<input type="checkbox"/> Additional Parcels ____ x \$50.00		\$ _____
	<input type="checkbox"/> Land Division Resulting in 2 Parcels (Parent plus one new parcel)		\$100.00
	<input type="checkbox"/> Additional Parcels ____ x \$50.00		\$ _____
Application Request Date: _____	Escrow for Township Attorney, Planner, and/or Engineering Review (as required by Township)		\$500.00 (min)
	Total:		\$ _____

Description of Request: _____

APPLICANT INFORMATION (MUST HAVE LEGAL INTEREST IN PROPERTY)

Company Name				
Last Name	First	M.I.		
Street Address				
City	State	Zip		
Phone	E-Mail			
Own the Property?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Purchase Agreement?	<input type="checkbox"/> Yes (Attach) <input type="checkbox"/> No	

Signature of Applicant: _____

OWNER INFORMATION (IF OTHER THAN APPLICANT)

Company Name				
Last Name	First	M.I.		
Street Address				
City	State	Zip		
Phone	E-Mail			

Signature of Owner: _____

SURVEYOR/ENGINEER INFORMATION

Company Name				
Last Name	First	M.I.		
Street Address				
City	State	Zip		
Phone	E-Mail			

Licensed Surveyor Name	License Number	
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For a list of the requirements, please refer to the Land Division Checklist and the Tyrone Township Land Division Ordinance available on the Township website at www.tyronetownship.us and at the Township Planning and Assessing Departments. Land Use Permits will not be issued for parcels that do not have public/private road, shared driveway access, or private access easement constructed in accordance with the Tyrone Township Zoning Ordinance.

APPLICANT SIGNATURE

The applicant acknowledges that he/she has the sole responsibility of complying with the requirements of any applicable Tyrone Township Ordinances notwithstanding the signature or approval of any employee(s) or official(s) of Tyrone Township and that Tyrone Township is not bound to recognize the approval of other action of any employee(s) or official(s) which is not in compliance with any applicable Tyrone Township Ordinances.

Land Division approval does not guarantee that resulting parcels meet or conform to all applicable Township Ordinances and does not include representation or conveyance of rights in any other statute, building code, zoning ordinance, deed restriction or other property rights. The owner further acknowledges that all the information provided in this application is true and accurate to the best of the owner’s knowledge. The owner authorizes the Township and/or its representatives to do a site inspection.

Approved surveys must be recorded with the County within thirty (30) days of Township approval, unless a written extension is provided by the Township. Only the survey stamped APPROVED by the Township shall be recorded with the County. Tax identification numbers will not be assigned to a parcel until documentation of recording has been provided to the Township Assessor.

Furthermore, I understand that even if this division is approved, zoning, local ordinances and State Acts change from time to time, and if changed the division(s) made here must comply with the new requirements unless, deeds, land contracts, leases or surveys representing the approved division(s) are recorded with the Register of Deeds or the division is built upon before the changes to laws are made.

Signature of Owner: _____ **Date:** _____

Signature of Additional Owner: _____ **Date:** _____

Assessing

Divisions are Available:
 Yes No
 # of Divisions Available _____
 Accurate Survey:
 Yes No
 Accurate Legal Descriptions:
 Yes No
 Year child parcels active on Tax Roll:

 Assessor: _____
 Date: _____

Planning & Zoning

Site Inspection Complete:
 Yes No Date: _____
 Access Requirements Met:
 Yes No
 Dimensional Requirements Met:
 Yes No
 Sewer Connection Required:
 Yes No
 Required REU’s: _____
 Planning: _____
 Date: _____

Treasury

Taxes Paid to Date:
 Yes No Amount Owed \$ _____
 Special Assessment District:

 This application is valid when signed by the Treasurer’s Office confirming payment of fees as noted.
 Receipt Number: _____
 Treasurer: _____
 Date: _____

Amendment to Application

The Township must approve or disapprove an application within 45 days after filing a complete application for the proposed division. If the property owner wishes to extend the 45 day requirement and amend the application date, they shall provide a letter requesting the amendment or sign the original application. The Township will process the application within 45 days of the date the amendment is submitted.

Signature of Owner: _____ **Date:** _____

NEW BUSINESS #4 & 5

PLANNING COMMISSION (3 year term)

Revised May 7, 2019

<i>Begin:</i>	<i>Expires:</i>	
Mark Meisel <i>Chairman</i>	9/1/11	8/31/14
	9/1/14	8/31/17
	9/1/17	8/31/20
Dave Wardin <i>Secretary</i>	1/15/13	8/31/15
	9/1/15	8/31/18
	9/1/18	8/31/21
Kurt Schulze <i>Ex-officio</i> <i>Vice-Chairman</i>	7/19/16	8/31/19
	8/06/19	11/19/20
Perry Green <i>Commissioner</i>	9/1/18	8/31/21
Vacant <i>Commissioner</i>	7/19/16	8/31/19
	9/1/19	8/31/22
Richard Erickson <i>Commissioner</i>	5/7/19	8/31/19
	9/1/19	8/31/22
Bill Wood <i>Commissioner</i>	12/17/13	8/31/14
	9/1/14	8/31/17
	9/1/17	9/31/20

NEW BUSINESS #6

CAROL A. ROSATI
crosati@rsjalaw.com

27555 Executive Drive, Suite 250
Farmington Hills, Michigan 48331
P 248.489.4100 | F 248.489.1726
rsjalaw.com



ROSATI | SCHULTZ
JOPPICH | AMTSBUECHLER

August 5, 2019

PERSONAL & CONFIDENTIAL
ATTORNEY-CLIENT PRIVILEGE

Mike Cunningham, Township Supervisor
Tyrone Township
10408 Center Road
Fenton, MI 48430

Re: Tyrone Township - Prosecution Services

Dear Mr. Cunningham:

This will confirm our retention as legal counsel for Tyrone Township for prosecution services, and further outline the costs to be charged for these legal services. Holly Battersby will serve as the prosecutor for Tyrone Township.

Tyrone Township will be billed for prosecution services at the rate of \$140.00 per hour. This rate includes all applicable overhead. The firm bills all legal services performed on a monthly basis for the previous month's service. The billing will detail the attorney performing the work, the matter on which the attorney worked, a description of the work performed, and the time on the task. The time for legal services will be billed in increments of one-tenth of an hour. There is no minimum charge for legal services, and no set charge for specific functions as occurs in many firms. Costs (e.g., copying costs, witness fees, transcript fees, postage, etc.) will be itemized and billed separately from attorney time. The firm retains a full-time runner who files documents with the Court, as needed, and delivers and picks up documents. You will not be charged for the runner's time. You also will not be charged mileage costs for the attorneys or the runner.

We look forward to continuing to serve Tyrone Township as Prosecutor. We understand that this retention is for a period of one (1) year, subject to review by the Township as to the continuing need for this service. If you agree to the terms outlined in this letter, please sign and return to my office in the self-addressed envelope provided.

Mike Cunningham, Township Supervisor
Tyrone Township
August 5, 2019
Page 2

If you should have any questions, please feel free to call me.

Sincerely,

ROSATI SCHULTZ JOPPICH
& AMTSBUECHLER PC



Carol A. Rosati

Encl.

cc: Holly S. Battersby

Accepted:

Mike Cunningham, Township Supervisor