

**TYRONE TOWNSHIP  
PUBLIC HEARING & REGULAR BOARD MEETING  
APPROVED MINUTES – SEPTEMBER 19, 2017**

**CALL TO ORDER**

Supervisor Cunningham called the meeting of the Tyrone Township Board to order with the Pledge of Allegiance on September 19, 2017 at 7:00 p.m. at the Tyrone Township Hall.

**ROLL CALL**

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

**PUBLIC HEARING**

Supervisor Cunningham opened the public hearing at 7:00 p.m. The purpose of the annual public hearing was to hear objections offered against the estimated cost for police and fire protection and on the distribution of the levy for the fiscal year beginning April 1, 2018.

The Supervisor stated the estimated cost for the police and fire protection. The amount levied on parcels is the same as the previous two years: vacant parcels \$75, parcels with structures \$150, parcels with multiple units \$250 + an additional \$20 per unit, other parcels \$250. There were no comments or objections. The Supervisor closed the public hearing at 7:01.

**PUBLIC HEARING**

Supervisor Cunningham opened the second public hearing at 7:01 p.m. The purpose of the hearing is to explain and answer questions pertaining to the Roll and to hear objections to the Roll of the Silver Lake Estates Waste Collection Project (2017) Special Assessment District.

Tom Humenchick (Englishman Dr.) stated he was opposed. He doesn't like the township taking away his right of choice. He asked if snowbirds would be assessed all year. Clerk Husted said they would.

Mark Plude stated he was opposed to the vacant parcel, owned by the homeowner's association on Bay of Firth Blvd., being assessed. Clerk Husted stated vacant parcels are not assessed as indicated the roll.

John Warczinsky (Marinus Dr.) asked if the fuel recovery charge can be removed from the contract language. Supervisor Cunningham said that is standard language in those contracts and explained why it is there.

The Supervisor closed the public hearing at 7:07.

**APPROVAL OF AGENDA – OR CHANGES**

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

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**APPROVAL OF CONSENT AGENDA**

**Regular Board Meeting Minutes – September 5, 2017  
Treasurer’s Report  
Clerk’s Warrants and Bills**

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

**COMMUNICATIONS**

- 1. Planning Commission Approved Meeting Minutes- August 8, 2017**
- 2. Planning Commission Meeting Synopsis- September 12, 2017**

Trustee Pool moved to receive and place on file Communications #1-2 as presented. (Trustee Schultz seconded.) The motion carried; all ayes.

**PUBLIC REMARKS**

None.

**UNFINISHED BUSINESS**

- 1. EDC/Spark Contract**

Trustee Schultz wanted to see if the EDC/Spark would take less money. Supervisor Cunningham said it was hard to quantify the value. No motion was made.

**NEW BUSINESS**

- 1. Wier-Mikat Land Division.**

Supervisor Cunningham moved to rescind the approval of the land division from September 5, 2017 because an incorrect parcel number was found on the survey. He moved to approve the land division, based on the corrected survey, of parcel 4704-02-300-008, owned by Kurt Mikat, allowing Chris and Jessica Wier to purchase the portion of the property to use as recreation, as recommended by the Planning Commission. (Trustee Pool seconded.) The motion carried; all ayes.

- 2. Choose waste company for the Silver Lake Estates SAD district.**

Clerk Husted moved to hire Republic Services to provide the waste removal service for the Silver Lake Estates SAD district. (Treasurer Eden seconded.) The motion carried; all ayes.

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**3. Silver Lake Estates Resolution #170905 Resolution Confirming the Special Assessment Roll.**

RESOLUTION #170905  
TYRONE TOWNSHIP, LIVINGSTON COUNTY

SILVER LAKE ESTATES  
WASTE REMOVAL PROJECT (2017)

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 Silver Lake Estates (the “Project”), and for the establishment of the Tyrone Township Silver Lake Estates Waste Removal Project (2017) 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 September 19, 2017.

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 Silver Lake Estates Waste Removal Project (2017) (the “Roll”).

2. The Assessments in the district shall be as follows: Any parcel with a residential structure shall be assessed \$195.00 in the first year to include legal and administrative costs; \$165.00 in the second year with 3% increases in each year thereafter. Assessments will be for ten (10) years beginning in 2017 and continuing through 2026. 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.

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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 28<sup>th</sup> until 2027 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: Trustee Schultz  
SUPPORTED BY: Trustee Pool

VOTE: Schultz, yes; Pedersen, no; Pool, yes; Eden, yes; Husted, yes; Cunningham, yes; Walker, absent.

ADOPTION DATE: September 19, 2017

**CERTIFICATION OF THE CLERK**

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on September 19, 2017, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



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Marcella Husted  
Tyrone Township Clerk

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Exhibit A

Description of the Project

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The project (the “Project”) will consist of the establishment of a single waste hauler for the collection and disposal of garbage and rubbish along the following streets in the Silver Lake Estates subdivision in Tyrone Township: Bay of Firth Blvd., Englishman Drive, Majorca Drive, Malaga Drive and Marinus Drive.

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Exhibit B

Warrant

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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 Silver Lakes Estates Waste Removal Project (2017) confirmed by the Township Board September 19, 2017 (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.



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Marcella Husted  
Tyrone Township Clerk

**4. Request to extend the snow removal contract for an additional year for the Parkin Lane Subdivision.**

Trustee Schultz moved to extend the snow removal contract with Shoemaker Services for an additional year for the Parkin Lane Subdivision. (Trustee Pool seconded.) The motion carried; all ayes.

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**5. Request to extend the snow removal contract for an additional year for the township hall.**

Trustee Schultz moved to extend the snow removal contract with Shoemaker Services for an additional year for the township hall. (Trustee Pool seconded.) The motion carried; all ayes.

**MISCELLANEOUS BUSINESS**

None.

**PUBLIC REMARKS**

Justin from Arrow Craft Construction objected to the snow removal contracts. He said he has a snow plow business, lives on Parkin Lane, and wants to bid each year on contracts.

**ADJOURNMENT**

Trustee Pedersen moved to adjourn. (Trustee Pool seconded.) The motion carried; all ayes. The meeting adjourned at 7:42 p.m.