TYRONE TOWNSHIP
REGULAR BOARD MEETING AGENDA
JULY 17, 2018 - 7:00 P.M.
(810) 629-8631

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

ROLL CALL

APPROVAL OF AGENDA – OR CHANGES

APPROVAL OF CONSENT AGENDA
   Regular Board Meeting Minutes – June 19, 2018
   Treasurer's Report
   Clerk’s Warrants and Bills

COMMUNICATIONS
   1. Lake Shannon Road Improvement bond bids & awards certificate.

PUBLIC REMARKS

UNFINISHED BUSINESS

NEW BUSINESS
   1. Request of Mr. Sahouri to appeal his fire run service charge.
   2. Resolution #180701 to establish the boundary, determine the levy for the Public Safety Special Assessment District, and to schedule and notice the second public hearing.
   3. City of Fenton contract for township fire service.
   4. Hartland Deerfield Authority contract for township fire service.
   5. Resolution #180702 to adopt the Livingston County Hazard Mitigation Plan.
   8. Request of the Treasurer to attend the MTA Fall Conference.

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
CALL TO ORDER
Supervisor Cunningham called the meeting of the Tyrone Township Board to order with the Pledge of Allegiance on June 19, 2018 at 7:00 p.m. at the Tyrone Township Hall.

ROLL CALL

APPROVAL OF AGENDA – OR CHANGES
Trustee Walker moved to approve the agenda as presented. (Trustee Pool seconded.) The motion carried; all ayes.

APPROVAL OF CONSENT AGENDA
Regular Board Meeting Minutes- May 22, 2018
Treasurer's Report
Clerk's Warrants and Bills

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

COMMUNICATIONS
1. Livingston County Sheriff Report
2. Ronthi complaint letter of neighbor

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

PUBLIC REMARKS
Several residents stated their opinions of the proposed Yasin Cemetery.

UNFINISHED BUSINESS
1. Yasin LLC Cemetery Site Plan and Special Land Use Permit.

Trustee Walker noted the applicants have complied and met all criteria; he moved to approve the Yasin LLC Cemetery Site Plan and Special Land Use Permit as recommended by the Planning Commission. (Trustee Pool seconded.) The motion carried; all ayes.

PUBLIC HEARING – POLICE & FIRE PROTECTION SPECIAL ASSESSMENT
The purpose of the public hearing was to consider objections and comments regarding the proposed special assessment district for police and fire protection. Supervisor Cunningham opened the public hearing at 7:40 pm. All comments from Scott Dietrich, Ted Merciez, Glen McFarland, Terry Walsh, Don Peitz were in favor of the public safety special assessment, but they were concerned manufactured homes were assessed unfairly and should be assessed the same as residential properties. The Supervisor closed the public hearing at 8:05 p.m. and called for a brief recess before the second public hearing.
PUBLIC HEARING – PROPOSED TOWNSHIP HALL RENOVATIONS
The purpose of the public hearing was to receive public comments regarding the proposed township hall building renovations. Supervisor Cunningham opened the public hearing at 8:17 p.m. and reviewed the proposed renovations. The residents in attendance agreed renovations were needed but said it would be better use of funds to build a new structure instead of trying to renovate the old building. The Supervisor closed the public hearing at 8:43 p.m.

NEW BUSINESS
1. Resolution to establish the boundary of the special assessment district, determine the levy for police and fire protection and schedule second public hearing and mail statutory notices.

The board postponed the establishment of the public safety district to ask how the Public Safety Committee came up with the assessment amount for manufactured homes.

2. Request of Lake Shannon Association for a Display Fireworks Permit.

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

3. Quote to sand and finish the wood floor in the historical township hall.

Trustee Walker moved to accept the quote of $3420.00 from Professional Hardwood Flooring & Trim to refinish the wood floors in the historical township hall. (Trustee Pool seconded.) The motion carried; all ayes.

4. Scanning services for blue prints.

Trustee Walker moved to approve the blue print scanning service from Spicer Engineering for $3,600.00 as quoted. (Trustee Pool seconded.) The motion carried; all ayes.

5. Approval of the Assessor's contract.

Trustee Walker moved to approve Assessor Bruce Little's employment contract for a period of five years. (Trustee Eden seconded.) The motion carried; all ayes.

MISCELLANEOUS BUSINESS
None.

PUBLIC REMARKS
Scott Dietrich asked about solar farms.

ADJOURNMENT
Trustee Walker moved to adjourn. (Trustee Pool seconded.) The motion carried; all ayes. The meeting adjourned at 8:52 p.m.
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<th>INVESTMENTS</th>
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<th>MICHIGAN CLASS</th>
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<th>FLG PEG CD</th>
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Total of 41 Checks: 188,258.75
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Total of 41 Disbursements: 188,258.75

Bank 022 STATE BANK - PUBLIC SAFETY checking

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022 TOTALS:
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Total of 9 Disbursements: 109,997.69

Bank 108 TAX FUND FLAGSTAR

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108 TOTALS:
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Total of 1 Disbursements: 437.15

Bank 203 TRUST & AGENCY 701 CKG
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203 TOTALS:
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- Total of 14 Disbursements: 3,432.46

Bank 205 SPECIAL ASSESSMENT ROAD IMPROVEMENT

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205 TOTALS:
- Total of 1 Checks: 250.00
- Less 0 Void Checks: 0.00
- Total of 1 Disbursements: 250.00

REPORT TOTALS:
- Total of 67 Checks: 339,598.54
- Less 1 Void Checks: 37,222.49
- Total of 66 Disbursements: 302,376.05
COMMUNICATION #1
AWARD CERTIFICATE

I, the undersigned, do hereby certify as follows:

1. I am an Authorized Officer of Tyrone Township (the “Township”).

2. The sale of the $1,045,000 aggregate principal amount of the Tyrone Township Lake Shannon Road Improvement Project Special Assessment Bonds, Series 2018 (the “Bonds”) was advertised in The Bond Buyer.

3. The proposals set forth in Exhibit A were received at or prior to 1:30 p.m. Eastern Time, on this day.

4. The proposal of Bernardi Securities, Inc. to purchase the $1,045,000 aggregate principal amount of the Bonds at par plus a net premium of $667.65 and bearing interest per annum as shown on Exhibit A with a true interest cost of 3.237370%, which bid produces the lowest true interest cost to the Township, is hereby accepted, and all other proposals are hereby rejected.

5. The Bonds shall be issued in accordance with the terms set forth in the Bond Authorizing Resolution previously adopted by the Township and in accordance with the terms set forth in the Official Notice of Sale for the Bonds.

Dated: July 10, 2018

By: [Signature]
Tyrone Township Supervisor
Exhibit A

Bids Received
$1,045,000*

Township of Tyrone
County of Livingston, State of Michigan
Tyrone Township Lake Shannon Road Improvement Project
Special Assessment Bonds, Series 2018
(Limited Tax General Obligation)

Bidding Results

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<td>J.J.B. Hilliard, W.L. Lyons, Inc.</td>
<td>1,039,996.00</td>
<td>3.331637%</td>
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<td>Huntington Public Capital Corporation</td>
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Bidder:

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<td>3.000%</td>
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<td>3.250%</td>
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<td>07/01/28</td>
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<td>3.250%</td>
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Date of Sale: July 10, 2018

*Preliminary, subject to adjustment
PFM Financial Advisors LLC

Not Rated
Bernardi Securities, Inc. - Chicago, IL’s Bid

Tyrone Twp
$1,045,000 Tyrone Township Lake Shannon Road Improvement Project Special Assessment Bonds, Series 2018
(Limited Tax General Obligation)

For the aggregate principal amount of $1,045,000.00, we will pay you $1,045,667.65, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate(s):

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Total Interest Cost: $188,662.01
Premium: $67.65
Net Interest Cost: $188,194.36
TIC: 3.237370
Time Last Bid Received On: 07/10/2018 1:20:26 EDST

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder: Bernardi Securities, Inc., Chicago, IL
Contact: Gineen DeStefano
Title: Telephone: 312-281-2019
Fax: 312-281-2039

Issuer Name: Tyrone Township
Company Name: ____________________________

Accepted By: ____________________________ Accepted By: ____________________________

Date: ____________________________ Date: ____________________________
Bernardi Securities, Inc.'s Reoffering Scale

Tyrone Twp
$1,045,000 Tyrone Township Lake Shannon Road Improvement Project Special Assessment Bonds, Series 2018 (Limited Tax General Obligation)

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Accrued Interest: $0.00

Gross Production: $1,063,432.65

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J.J.B. Hiliard, W.L. Lyons, Inc. - Indianapolis, IN's Bid

Tyrone Twp

$1,045,000 Tyrone Township Lake Shannon Road Improvement Project Special Assessment Bonds, Series 2018
(Limited Tax General Obligation)

For the aggregate principal amount of $1,045,000.00, we will pay you $1,039,996.00, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate(s):

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Total Interest Cost: $188,412.92
Discount: $5,004.00
Net Interest Cost: $183,408.92
TIC: 3.331637
Time Last Bid Received On: 07/10/2018 1:10:12 EDST

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder: J.J.B. Hiliard, W.L. Lyons, Inc., Indianapolis, IN
Contact: Robert Bond
Title: Telephone: 317-991-9135
Fax:

Issuer Name: Tyrone Township
Company Name: __________________________

Accepted By: ____________________________ Accepted By: ____________________________

Date: ____________________________ Date: ____________________________
TERM SHEET

Date: July 10, 2018

Issue: Tyrone Township Lake Shannon Road Improvement Project Special Assessment Bonds, Series 2018 (LTGO) (the “Bonds”)

Issuer/Borrower: Township of Tyrone, County of Livingston, State of Michigan ("Issuer")

Purchaser/Lender: Huntington Public Capital Corporation ("Huntington")

Security: Limited Tax General Obligation and Special Assessments

Principal Amount: $1,045,000.00

Use of Proceeds: To pay all or part of the costs of certain road improvements in a special assessment district in the Township.

Bond Counsel: Dykema Gossett PLLC

Purchaser’s Counsel: TBD

Closing Date: July 23, 2018

Tax Status: Qualified Tax-Exempt (Bank Qualified)

Final Maturity: July 1, 2028

Interest Rate: 3.70%

Rate Adjustment: If the funding of the Bonds has not occurred by July 31, 2018, then the Interest Rate and payment will be adjusted to maintain Huntington’s economics as of the date of issuing this Term Sheet.

Fee to Huntington: None

Transaction Fees: All transaction fees, including those of Bond Counsel, shall be the responsibility of the Issuer.

Interest Payments: Due and payable semi-annually on January 1 and July 1, commencing on January 1, 2019.

Principal Payments: Due and payable annually on July 1, commencing on July 1, 2019, pursuant to the schedule provided.

Optional Prepayment: The Bonds shall be subject to redemption prior to maturity, at the option of the Issuer, on any date on and after July 1, 2025, at par plus accrued interest to the date fixed for redemption.

Direct Placement: Huntington is extending credit as a lender in the usual course of its loan business through the purchase of the Bonds for its own account in its normal and customary business practice, with no current intention on the resale, distribution or transfer thereof.
Term Bond Election: The Bonds will be a single certificate term bond, with principal payments representing mandatory principal redemptions.

Documentation: Transaction documents shall be prepared by Bond Counsel, subject to review and approval by Huntington and its Purchaser’s Counsel.

Paying Agent: TBD

Rating: Not required by Huntington

POS/Official Statement: Not required by Huntington

CUSIP: Not required by Huntington

DTC Closing: Not required by Huntington

Proposal Expiration: This proposal shall expire at Huntington’s option if (a) Huntington has not received the Issuer’s written acceptance by July 13, 2018; and (b) if the closing date of the Bonds has not occurred by July 31, 2018.

Thank you for the opportunity to offer a proposal on this request. We appreciate your consideration and look forward to your favorable response. Should you have any questions regarding this term sheet, please do not hesitate to contact me.

Respectfully Submitted,

Meredith A. Shanle

Meredith A. Shanle, Vice President
Huntington Public Capital
Phone: 313-410-8774
Email: Meredith.A.Shanle@Huntington.com

Aron Kominars, Vice President,
Huntington National Bank, Government Banking
Phone: 248-228-1670
Email: Aron.M.Kominars@Huntington.com

Accepted By:
Township of Tyrone

By

Name

Title

Date

Huntington Public Capital® ("HPC"), a division of The Huntington National Bank (the "Bank"). is providing the information contained in this document for discussion purposes only in connection with an arm’s-length transaction under discussion between you and HPC. If you are a "municipal entity" or "obligated person" within the meaning of the municipal advisor rules (the "Rules") of the Securities and Exchange Commission, Rule 15Ba1-1 et seq., this information is provided to you pursuant to and in reliance upon the "bank exemption," and/or other exemptions and/or the "general information" exclusion provided under the Rules. HPC is acting for its own interest and has financial and other interests that differ from yours. HPC is not acting as a municipal advisor or financial advisor, and has no fiduciary duty, to you or any other person pursuant to the Rules. The information provided in this document is not intended to be and should not be construed as "advice" within the meaning of the Rules. HPC is not recommending that you take or refrain from taking any action with respect to the information contained in this document. Before acting on this information, you should discuss it with your own financial and/or municipal, legal, accounting, tax and other advisors as you deem appropriate. As used in this notice, the "Rules" means Section 15B of the Securities Exchange Act of 1934, the Securities and Exchange Commission’s Rule 15Ba1-1, et seq., and any related municipal advisor rules of the Municipal Securities Rulemaking Board, all as they may be amended from time to time.
COMMUNICATION #2
Present:  Mark Meisel, Kurt Schulze, Dave Wardin, Cam Gonzalez, Al Pool, Ron Puckett, and Bill Wood.

Absent: None

Approved the agenda as presented.

APPROVAL OF THE MINUTES:
1) March 21, 2018 Regular Meeting – Were approved as amended.

OLD BUSINESS:
1) MMMA Regulations in the FR District – Latest draft was reviewed and recommended for Township Board approval.

NEW BUSINESS:
1) Becker Boundary Realignment – Was recommended for Township Board approval with conditions.
2) Hager Land Division – Was tabled to allow additional time for requirements to be met.
3) Foster/Benecor SLU – The site plan and special land use permits were recommended for Township Board approval with conditions.
4) Payne - Dentonview Boundary Realignment - Was recommended for Township Board approval with conditions.
5) Engberg Land Division - Was recommended for Township Board approval without conditions.

PUBLIC HEARING:
A public hearing was held to review and accept comments for the following items:
1) Proposed amendments to Section 21.55 – Medical Marijuana Uses.
2) Proposed Foster/Benecor Special Land Use at the corner of Faussett and Old US-23.
3) A Proposed Shared Private Driveway associated with the Hagar land division request.

MISCELLANEOUS BUSINESS:
1) A workshop meeting was scheduled for 7/18/18 at 6:00 PM

ADJOURNMENT: The meeting adjourned at 10:45 P.M.
COMMUNICATION #3
TYRONE TOWNSHIP PLANNING COMMISSION REGULAR
MEETING MINUTES
March 21, 2018 - 7:00 p.m.

PRESENT: Mark Meisel, Dave Wardin, Cam Gonzalez, and Kurt Schulze

ABSENT: Ron Puckett, Al Pool, and Bill Wood.

OTHERS PRESENT: Tyrone Township Planner Brian Keese and Tyrone Township Planning & Zoning Administrator Ross Nicholson.

CALL TO ORDER (7:00 pm): By Chairman Meisel.

PLEDGE OF ALLEGIANCE (7:00 pm):

CALL TO THE PUBLIC (7:01 pm): No comments were received.

APPROVAL OF THE AGENDA (7:01 pm):

Cam Gonzalez made a motion to approve the agenda as presented. Dave Wardin supported the motion. The motion carried by unanimous voice vote.

APPROVAL OF THE MINUTES (7:01 pm): Deferred to the April 10, 2018 meeting

OLD BUSINESS # 1 (7:02 pm): Vale Royal Site Plan and Special Land Use Amendment

Chairman Meisel brought up the documents relevant to the application on the overhead display monitors and thanked the applicant for attending the meeting. He summarized where the Planning Commission had left off on discussion of the application during the previous meeting and public hearing (03/13/2018). He suggested that Brian Keesey start the discussion by reading from the review letter he had prepared for the application.

Brian Keesey stated that there were just a few details that needed to be worked through before the minor site plan and special land use amendment could be recommended for approval. He stated that he has received updated materials from the applicant since the previous meeting and noted that most of the requirements have been fulfilled. He suggested that the maximum occupancy should be discussed since the number indicated on the site plan does not match up with the use statement. Chairman Meisel stated that they will need all documents related to the special land use to be consistent. He stated that the total occupancy approved by the Fire Chief after installation, inspection, and approval of the fire suppression system is one hundred and sixty-three (163), which includes one hundred and fifty (150) guests and thirteen (13) workers (caterers, DJ, bartender, etc.). He suggested the total capacity listed in the use statement should be changed from one hundred and sixty (160) (including one hundred and fifty (150) guests inside the barn, ten (10) workers inside the barn, and four (4) valet workers outside the barn) to one hundred and sixty-three (163) total so it matches the letter from the Fire Chief. He suggested that having capacities listed in multiple places throughout the use statement, as well as stating the
The number of workers that would not be inside the barn, would likely lead to unnecessary confusion.

The Planning Commission briefly discussed whether or not it would be necessary to include a statement of the total site capacity or just the barn. It was determined that the barn occupancy should be stated clearly and consistently at one hundred and sixty-three (163) following installation, inspection, and approval of the fire suppression system, in accordance with the recommendation from the Fire Chief. The total site occupancy would be limited by the total number of available parking spaces. Chairman Meisel and Dave Wardin suggested that the breakdown of workers on site (explaining the total number of caterers, valets, etc..) would not be necessary. Kurt Schulze asked the applicant what would happen if a wedding party wanted to use a string quartet in lieu of a DJ. Valerie Johnson replied, explaining that her contracts indicate that the number of workers would be included in the maximum occupancy limit, so they would need to make arrangements accordingly so the total barn occupancy does not exceed one hundred and sixty-three (163) people. Kurt Schulze clarified, stating that he wanted to know if it would be a possibility to choose alternative entertainment instead of being limited to only a DJ or no music at all. Valerie Johnson explained that it would be up to the wedding party to determine which form of entertainment they would like and ensure the maximum occupancy limit is adhered to.

Brian Keesey continued through the review letter. He stated that another unresolved issue is the driveway approach improvements, as required by the Livingston County Road Commission (LCRC). He stated that he knows it was briefly discussed previously but wasn’t certain where exactly the discussion had left off. Dave Wardin stated that the approach improvements have not yet been completed but could potentially be worked into the special land use and site plan amendment recommendation as a condition for approval. He suggested allowing the applicant a specified amount of time to complete the driveway approach improvements, such as six (6) months. Dave Wardin stated, to clarify, that the culvert work on the driveway approach has been completed, but it has still not been paved. Brian Keesey asked the applicant if she had received the necessary permits for performing work in the Livingston County Road right-of-way. Valerie Johnson stated that her contractor had likely pulled a permit for the initial culvert work. Chairman Meisel stated that her contractor had likely pulled a permit for the initial culvert work. Valerie Johnson stated that the original permit is likely expired at this point and recommended verifying that all necessary permits have been issued and are valid prior to performing the paving of the approach.

Brian Keesey stated that all other items in the review have been addressed. Chairman Meisel brought up the use statement again to verify that all necessary information is included. He suggested that the language in the use statement referring to the temporary probationary period where the applicant will be required to submit event logs on a monthly basis should be revised. He suggested changing the statement specifying the monthly basis to specifying the logs to be required on a regular basis as determined by Tyrone Township. Valerie Johnson asked if the event logs should be provided within a specified time period following each month during the probationary period. Chairman Meisel suggested that they should be submitted as quickly as possible following each month, but they may determine a specified time period, such as seven (7) to ten (10) days following each month. He stated that the purpose of the monthly logs is to
demonstrate to the Township that the operation is compliant and cooperative. He stated that after
the probationary period, if no issues arise, the event logs would revert back to an annual basis.

Chairman Meisel brought up a portion of the use statement that indicates the barn has a low “fuel
load”. He stated that the barn itself is considered the “fuel load” and the statement, as written, is
not accurate. He stated that the fact that candles and smoking are prohibited in the barn would
not lessen the “fuel load” but would reduce the chances that the “fuel load” would be ignited. He
recommended removing the reference to “fuel load” as it would be irrelevant once the fire
suppression system is installed, inspected, and approved with the maximum barn capacity set at
one hundred and sixty-three (163) people. Valerie Johnson asked if she could be allowed to use
candles for events. She stated that frequently receives requests to use candles for events and has
had to deny the requests in the past. Brian Keesey stated that the use of candles falls outside of
the Planning Commission’s control. Chairman Meisel stated that they would need to rely on the
Fire Chief’s recommendation to make that determination. Dave Wardin asked the Planning
Commission if they should include a statement indicating that the use of candles, cooking, and
smoking is prohibited without approval from the Fire Department having jurisdiction. Chairman
Meisel indicated that he believed Dave Wardin’s suggested statement to be appropriate.

Chairman Meisel continued to read through the use statement. He made note of a portion of the
use statement indicating that when the barn is used for private events including dinner parties,
family parties, holiday parties, home retail parties, garage sales, or similar events, they would be
exempt from the requirements for public events including parking attendants, time limitations,
etc., and would be included on the event logs as private events. Chairman Meisel stated that it is
a good idea to include the private events on the event logs even though they do not fall under the
same requirements as public events since it would keep the Township informed of all times when
events are occurring. He continued, stating that if someone reported an event to the Township,
there would be accurate information available indicating the time and nature of the events.

Dave Wardin requested clarification on the proposed number of small events per week.
Chairman Meisel and Kurt Schulze confirmed that five (5) small events per week are being
requested. Chairman Meisel stated that making a decision on an appropriate number of small
events per week should be based on the intensity of use factor. He stated that his understanding
is that there have never been any complaints on the venue submitted to the Township. He
continued, stating that, in his opinion, based on the history of the operation, the location of the
site is close to ideal. He continued, explaining that he has never noticed any traffic issues during
large events and, therefore, he believes that allowing five (5) or six small events per week within
the hours of two (2) to five (5) pm should not create any significant nuisance factors. He asked
the Planning Commission what their opinions were on permitting five (5) small events per week.
Dave Wardin stated that he believes that the proposed timeframe for small events is sensible
since the large events, such as weddings, would take place during Fridays and Saturdays, leaving
the remaining five (5) days open. Valerie Johnson inquired about the possibility of holding large
events on the day before or the day of holidays in instances where they do not fall on Fridays or
Saturdays. Chairman Meisel replied that it is an interesting question since most holidays,
excluding Labor Day and Memorial Day, will vary from year-to-year. He stated that he would
personally not have an issue with considering the possibility of allowing large events during
holidays. Brian Keesey stated that he believes it could be possible to allow large holiday events
in certain instances. He suggested that if the Planning Commission is interested in permitting large holiday events outside of the permitted timeframe for large events, they should consider allowing the Zoning Administrator some administrative discretion to determine whether or not any proposed special events would be appropriate on a case-by-case basis. He continued, stating that it would provide more flexibility for the applicant since she would not need to come before the Planning Commission every time a large holiday event is proposed. Chairman Meisel indicated that he was agreeable with Brian Keesey’s suggestion. He proposed language in the use statement indicating that in instances where holidays fall on the day before or after the weekend, a waiver may be applied for to modify start and end days as long as the event occurs over the contiguous holiday and weekend. Chairman Meisel asked the Planning Commission if the proposed language made sense to everyone or if they had any suggestions for alternate wording. Dave Wardin asked if, with the proposed language, it could potentially allow for a four (4) day wedding. Chairman Meisel indicated that, per Brian Keesey’s suggestion, the large events would still be limited to two (2) days. Brian Keesey suggested some minor revisions to the wording of the statement. Chairman Meisel asked the Planning Commission if they felt that three (3) day large events may be appropriate under certain circumstances. Dave Wardin asked Valerie Johnson her opinion. She indicated that she does not typically receive requests for three (3) day large events, however, she feels there is a good chance that she will receive the request at some point in the future. Chairman Meisel suggested that three (3) day large events may be appropriate but would recommend leaving that up to the discretion of the Zoning Administrator on a case-by-case basis. He stated that the “weekend” is defined as Friday and Saturday, but if a waiver is granted by the Zoning Administrator, it could possibly be extended an additional day under certain circumstances. He stated that this option would provide more flexibility for the applicant. He asked the Planning Commission if they agreed with the proposed statement. There were no objections.

Chairman Meisel continued to work through the use statement. He made note of the term “accessory services” to describe entities other than Vale Royal, LLC permitted to utilize the venue. Brian Keesey suggested using the term “subcontracted services” instead. The Planning Commission agreed that the term would be more appropriate.

Chairman Meisel asked the Planning Commission if they believed the proposed use statement was acceptable after the suggested minor revisions. There were no objections. He asked the applicant if there were any additional thoughts or concerns regarding the use statement. No additional thoughts or concerns were expressed.

Chairman Meisel stated that there were several considerations for the Planning Commission including approval of the Special Land Use and the issuance of a Land Use Permit. He asked the Planning Commission if anyone had any additional thoughts or concerns with any aspect of the Special Land Use. Kurt Schulze asked if the sanitary sewer aspect and everything else has been addressed. Chairman Meisel brought up the documentation and correspondence relating to the sanitary sewer aspect of the Special Land Use. He stated that all of the notes on the site plan have been updated to include accurate information. He stated there are two main questions regarding the sanitary sewer; available sewer capacity in relation to the size, number, and duration of events, and the well pump capacity in relation to the sewer system and the fire suppression system. He stated that the Livingston County Health Department (LCHD) had
signed off on the well pump capacity in relation to the sanitary sewer system and the Livingston County Drain Commissioner’s Office (LCDC) had effectively stated that the applicant’s engineer has provided adequate information on the grinder pump capacity and they are agreeable with the assessment provided. He continued, stating that the well pump concern in relation to the fire suppression system has been resolved since the proposed fire suppression system would utilize a large water storage tank with an independent water pump instead of being directly connected to the well pump. Chairman Meisel stated that he is satisfied with the information that has been provided regarding the sanitary sewer and fire suppression system capacities. Dave Wardin stated that he is satisfied that his previous concerns have been addressed. There were no objections from the rest of the Planning Commission.

Dave Wardin asked for clarification on the parking space calculations on the site plan since the number provided did not match up with the number depicted. Brian Keesey stated that there was a discrepancy in the number because two (2) of the parking spaces included in the calculations are located within the detached garage. Dave Wardin requested that the applicant add an additional note on the site plan indicating that two (2) of the parking spaces are located within the garage to prevent any potential confusion.

Chairman Meisel stated that he had an additional question regarding the use statement. He asked the Planning Commission what they thought about referencing the Fire Chief’s approval letter in the use statement since it would not be referenced on the site plan. He suggested referencing the date of the letter in the use statement, the date being March 20th, 2018 and asked the Planning Commission for opinions. Dave Wardin suggested adding a statement to the end of the use statement indicating that the use statement may be modified if any changes occur. Kurt Schulze stated that Dave Wardin’s suggestion would also provide a backup reference to how the maximum capacity of one hundred and sixty-three (163) people was determined. The Planning Commission and applicant agreed on the proposed statement.

Chairman Meisel summarized the revisions to the use statement that had been discussed. He stated that the revisions to the site plan included adding a note regarding the number of parking spaces and the maximum capacity being increased to one hundred and sixty-three (163) (following the installation and approval of the fire suppression system) and removing the note referencing the boulder retaining wall. He stated that the Planning Commission still needs to determine what needs to be done with the statement on the site plan regarding the driveway approach improvements required by the Livingston County Road Commission (LCRC) which have not yet been completed. He suggested that the Planning Commission should agree upon a timeframe for the driveway approach improvements to include in the motion. There was a brief discussion amongst the Planning Commission on establishing a timeline for the driveway approach improvements. The Planning Commission agreed upon the condition that the driveway approach improvement project is started by June 1st, 2018 and completed within three (3) to four (4) weeks, making note that the Zoning Administrator could permit an extension if, for any reason, circumstances exist that prevent the project from being completed within the agreed upon timeframe.

Chairman Meisel asked the Planning Commission if they had any further questions or comments regarding the application. Cam Gonzalez stated that the seasonal dates of operation appear to be
relatively limited. He asked the applicant if those dates were proposed based on her own preferences or if it was a condition imposed by the Planning Commission during the initial Special Land Use approval. Valerie Johnson stated that she came up with the seasonal dates independently since the barn is not insulated or heated and, therefore, she does not intend on hosting events during the winter months. Chairman Meisel asked if there were any additional questions from the Planning Commission. Dave Wardin asked for clarification on whether there should be motions for both the site plan amendment and Special Land Use. Chairman Meisel confirmed that both motions would be required. Kurt Schulze asked if any of the approvals would be conditional on completion of the previously discussed revisions and the driveway approach improvements. Chairman Meisel stated that approval of the site plan would be conditional upon making the requested revisions and submitting certified copies to the Township. He continued, stating that the revised use statement should be submitted with no additional conditions attached. He stated that the approval would be conditional on completion of the required driveway approach improvements. Brian Keesey mentioned that the driveway approach improvement condition should be attached to the Special Land Use approval and not the site plan approval. Chairman Meisel agreed and thanked Brian Keesey for the clarification.

Dave Wardin made a motion to recommend Township Board approval of the Vale Royal site plan amendment conditional upon completion of the revisions suggested by the Planning Commission inclusive of increasing the maximum barn capacity from one hundred and sixty (160) to one hundred and sixty-three (163) people and minor drafting modifications. Cam Gonzalez supported the motion. The motion carried by unanimous voice vote.

Dave Wardin made a motion to recommend Township Board approval of the Vale Royal Special Land Use amendment at this time, suggesting that the final approval be conditional upon start of construction to address the LCRC driveway approach improvement requirements to start no later than June 1st, 2018 and to be completed four (4) to six (6) weeks thereafter. Cam Gonzalez supported the motion. The motion carried by unanimous voice vote.

Chairman Meisel asked the applicant if she now understands that it is much easier and less costly to keep the Township informed on any proposed modifications to the Special Land Use and/or site plan than to make nonpermitted modifications. He stated that the Township has been and will continue to be willing to consider any reasonable proposals for modifications as long as adequate communication and compliance is maintained. He continued, stating that the Township wants the operation to be successful and will be open to considering future changes to help it stay competitive with similar venues assuming that a good relationship is maintained.

Valerie Johnson asked the Planning Commission if it would be possible to allow large events to take place prior to the completion of the required fire suppression system through utilization of a large tent for any additional people above the maximum of ninety-nine (99) permitted in the barn. She explained that she will not likely be able to receive Livingston County Building Department approval of the fire suppression system before one or potentially more of the scheduled weddings and proposed utilizing a fire watch (one (1) to two (2) off-duty firefighters present in the barn to perform head counts on the number of people inside the barn at any given time during an event). Chairman Meisel suggested to Ross Nicholson that he contact the Fire Chief on the applicant’s behalf to inquire about the possibility of allowing fire watches in the
short-term to allow her to host the scheduled events with over ninety-nine (99) people prior the
installation and approval of the fire suppression system. Ross Nicholson agreed. Valerie
Johnson took a moment to explain that she has had conversations with a number of Fire Chiefs
and proprietors of similar event venues within municipalities outside of the Township which all
do not have fire suppression requirements and permit fire watches as an alternative measure for
controlling maximum capacity requirements. Chairman Meisel explained that the only opinion
that matters in this case is that of the local Fire Chief having jurisdiction. He continued,
explaining that there are many factors that the Fire Chief needs to consider when determining the
maximum capacity for event venues, many of which are site-specific. He stated that the
Township would continue to research the standards to determine how these types of decisions are
made in comparison to those of other municipalities.

The item was closed at 8:09 pm.

OLD BUSINESS # 2 (8:10 pm): Detached Accessory Structures on Adjacent Lots

Chairman Meisel introduced the agenda item, explaining that it is a continuation of discussion on
a proposed Zoning Ordinance amendment to permit detached accessory structures without a
principle structure as a special land use. He then asked Brian Keesey if he would take a moment
to outline the revisions to the memo he had prepared for the draft ordinance text.

Brian Keesey summarized some of the changes he had made to the draft ordinance text since the
last discussion on the topic. He explained that the original draft stated that the provisions would
be applied based on accessory structures in only the LK-1 (Lake Front Residential) district,
which has been moved to the section which applies to all zoning districts. Chairman Meisel
inquired if the intent is to actually include all zoning districts or be specific to all residential
zoning districts. There was a brief discussion between Brian Keesey and the Planning
Commission regarding whether or not the draft should be revised to specify residential districts
as opposed to all zoning districts, including commercial districts. Brian Keesey stated that he
would prefer that it remains applicable to all districts since the standards within the rest of the
draft ordinance text are specific enough that the standards could only be applied in residential
districts. He cited several examples of verbiage which specifies residential uses (which are
prohibited in commercial zoning districts). Chairman Meisel asked if additional language should
be included under the applicability section to add more clarity. Dave Wardin stated that the
applicability requirement already includes the requirement to have lake frontage which would
exclude all commercial properties. Chairman Meisel agreed but noted that there is a property
zoned EI (Extractive Industrial) which does have lake frontage. He also noted that golf courses
could potentially be considered to have lake frontage based on the Zoning Ordinance definition
of “lake”, which includes other classifications of wetland areas. The Planning Commission and
Brian Keesey briefly discussed what the best language would be to specify residential properties
within the applicability requirements. It was determined that the text should specify that the
provisions would apply to all single-family zoning districts.

Brian Keesey continued to explain the changes that had been made to the draft since the last
discussion. He took a moment to discuss the section which pertains to neighborhood
associations. He stated that he typically does not recommend the Township get involved with
association matters, however, in this instance he feels it may be appropriate to request some type of association approval to help ensure neighborhood compatibility. Chairman Meisel explained that there are many different types of associations, ranging from weak to strong (in terms of the amount of power they have to control architectural and/or developmental standards). He continued, stating that in terms of several past Zoning Board of Appeals (ZBA) applications, it has been requested that applicants provide evidence of association approval or waiver for properties located within the jurisdiction of strong associations. The Planning Commission agreed that the language pertaining to association approval should remain in the draft.

Brian Keesey continued explaining the changes to the draft ordinance text. He stated that the vegetative screening on side and rear facades requirement was removed since the primary intent of the text is to ensure compatibility with the neighborhood (so vegetative screening would not apply in all scenarios). He stated that he is proposing to leave the determination of neighborhood compatibility at the discretion of the Planning Commission. He stated that the minimum floor area requirements have been slightly modified to match the minimum floor area for single family dwellings as well. The Planning Commission and Brian Keesey briefly discussed the issue of minimum and maximum floor area. It was decided that the text should be changed to specify minimum and maximum ground floor area to help ensure compatibility with single-family dwellings in the area. The discussion continued to determine the best wording for the section. Brian Keesey stated that he would work on the language to be reviewed at a future meeting.

The Planning Commission briefly discussed the section of the draft text pertaining to landscaping and property maintenance requirements. The current draft stated that regular mowing of turf would be required. The Planning Commission determined that the statement should read differently to indicate that the landscaping and maintenance should be done in accordance with the character of the neighborhood since not all neighborhoods have the same landscaping characteristics.

Brian Keesey continued through the changes to the draft. He stated that the last revision pertains to the dissolving of any existing deed restrictions and mechanism to permanently tie the property containing a principal structure to the semi-adjacent property containing the outbuilding. He stated that the revised draft text indicates that the Township Board may consider dissolving deed restrictions tying the properties together for sale or use only if the outbuilding has been removed or converted to a structure which can be utilized for a permitted principal use. The Planning Commission briefly discussed the proposed text revision regarding the potential for dissolution of deed restrictions to determine the best language. The discussion reminded Brian Keesey of another potential issue with the draft ordinance regarding occupancy of outbuildings. He suggested adding language that would prohibit utilizing a portion of the outbuilding for occupancy. The Planning Commission continued discussing the dissolution of deed restrictions. Brian Keesey stated that he would revise the draft text pertaining to deed restrictions based on the comments from the discussion.

The item was closed at 9:06 pm.

MISCELLANEOUS BUSINESS:
MISC. BUSINESS #1 (9:07 pm): Livingston County Health Department Cemetery Standards

Chairman Meisel introduced the topic, explaining that a recent application for a privately owned and operated cemetery has brought up several questions regarding the Livingston County Health Department (LCHD) guidelines for cemeteries. The Planning Commission briefly discussed the items from the LCHD document which they would like to request clarification on in order to more adequately respond to concerns presented by residents residing near the proposed cemetery site. The Planning Commission decided that they would compile a list of questions to be presented to the LCHD regarding their cemetery guidelines. They also determined that it would be beneficial to request that a representative from the LCHD be present during the next meeting that the cemetery application is discussed in order to provide information directly to the concerned residents (since the LCHD is the environmental health and safety authority having jurisdiction).

The item was closed at 9:22 pm

1) Planning and Zoning Administrator's Report: None
2) Other Business Items: None
3) Township Board Actions: None
4) ZBA Report: None
5) Future Items: N/A
6) Correspondence: N/A

ADJOURNMENT: 9:23 pm
NEW BUSINESS #1
EMERGENCY SERVICE BILL

NOTICE IN ACCORDANCE WITH HIPPA LAWS, ALL MEDICAL INFO TO BE OBTAINED FROM INSURED

Incident Date: 4/29/2018
INCIDENT # 161

Fire Department: CITY OF FENTON FIRE DEPT.
CHARGE $1419.00

911 EMERGENCY: UNAUTHORIZED BURNING

ACTION TAKEN:
1- INVESTIGATE OPEN BURNING OF LEAVES
2- ZONED RE---LESS THAN 3 ACRES
3- NO CURRENT BURN PERMIT

LIV. COUNTY SHERIFF REPORT EVENT #

Responsible Party Name: RAED SAHOURI
12223 WIND CHILL WAY
FENTON, MI 48430

Vehicle Make/Model:

Plate: Drivers License:

Incident Location:

Burn Permit purchased 4-30-18
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<td>11</td>
<td>Robert</td>
<td>C</td>
<td>Calmduff</td>
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<td></td>
<td></td>
<td>321</td>
<td>Charlene</td>
<td>Rooney</td>
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Called by Livingston County Dispatch for an unattended open burn at 1223 Woodline Drive. While responding, we were updated that the address was actually on Wind Chill Way.

I arrived on location at 12223 Wind Chill Way with the homeowner standing in the driveway. There was a small area (8'x8') of leaves burning. I asked if he had a burn permit through Tyrone Township and he stated he did not have a current one. I advised him of the rules and that under the new rules he would not be able to burn leaves as his lot was under 3 acres (per the homeowner). There was no danger of the fire spreading and it was contained. I advised him to not burn anymore without a permit and to not add any more leaves to the small amount of leaves still burning and to let the rest of it burn out.

All fire units cleared the scene.

Completed By:
Chief Robert Cairnduff
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<td>Clear / / ::</td>
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<td>Hrs:Min In Use: 0:00</td>
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**Actions Taken**

Primary Action Taken (1) Additional Action Taken (2) Additional Action Taken (3) Additional Action Taken (4)

86 Investigate

2  
| ID | B-17 Brush Truck | Dispatch / / :: | 2 0 | Other |
|    | Type 16 Brush truck | Arrival / / :: |   |   |
|    |                   | Clear / / ::    |   |   |
|    | Miles Traveled: 0.0 | Hrs:Min In Use: 0:00 |   |   |

**Actions Taken**

Primary Action Taken (1) Additional Action Taken (2) Additional Action Taken (3) Additional Action Taken (4)

86 Investigate

3  
| ID | STNSBY Standby | Dispatch / / :: | 14 0 | Other |
|    | Type 00 Other apparatus/resource | Arrival / / :: |   |   |
|    |                   | Clear / / ::    |   |   |
|    | Miles Traveled: 0.0 | Hrs:Min In Use: 0:00 |   |   |

**Actions Taken**

Primary Action Taken (1) Additional Action Taken (2) Additional Action Taken (3) Additional Action Taken (4)

82 Standby
Communications
Dispatch

Incident#: 2018-069386
Report#: 
Date: 04/26/18
Time Out: 7:32

Nature: OUTDOOR FIRE

Business:

Address: 12223 WOODLINE DR

City: FENT

Cross: INDIAN OAK TRL WIND CHILL WAY

Subdivision: TOP OF THE PINES ESTATES

Caller: Statement: UNATTENDED FIRE
Chief Complaint: Outside Fire [J] [04/29/18 17:31:01 JGATTON]
Dispatch Code: 67B01 (SMALL OUTSIDE fire)
Suffix: O (Other)
Response: _BRAVO
Questions:
-- The caller is not on scene.
-- This is an OUTSIDE fire.
-- A SMALL area is burning.
-- The fire has not been extinguished.
-- The fire is threatening: WOODS
-- No hazardous materials are reported. [J] [04/29/18 17:31:51 JGATTON]

Questions:
-- There are no apparent electrical lines on the ground.
-- No one is reported to be in danger.
-- It is not known if the fire is spreading.

Notes: -- It is not known if anyone is injured. [J] [04/29/18 17:32:16 JGATTON]

Units: FCSTA
Communications

Event Report

Event ID: 2018-069386  Call Ref: 579  Date/Time Received: 04/29/18 17:30:02

Location: 1223 WIND CHILL WAY
X-ST: INDIAN OAK TRL
WOODLINE DR

Nature: OUTDOOR FIRE
Alarm Level: 1  Priority: 3  Medical Priority: 67E010

Caller: DR STRALY
Addr: 9336 HOGAN RD
Phone: (810)252-6680

Vehicle #:
St:

Call Taker: SGATTON  Console: CAD/EIN
Geo-Verified Address: YES  Nature Summary Code: 
Disposition: GLO  Close Comments:

Notes: See Event Notes Addendum at end of this report

---

Call Received: 04/29/18 17:30:02
Call Routed: 04/29/18 17:31:51
Call Taken: 04/29/18 17:31:51
1st Dispatch: 04/29/18 17:32:22
1st En-Route: 04/29/18 17:39:34
1st Arrive: 04/29/18 17:42:40
Last Clear: 04/29/18 17:50:20

Time From Call Received
00:01:49
00:01:49
00:02:20
00:02:32
00:12:14
00:20:18

Radio Log

Units

Close Code

User

FCSTA 0 D Dispatched 04/29/18 17:32:22  Start/Beat: 92 CMERNA
FCSTA 0 B En-Route 04/29/18 17:39:34 CMERNA
FCSTA 0 A Arrived 04/29/18 17:42:46 CMERNA
FCSTA 0 C Cleared 04/29/18 17:50:20 CMERNA

Event Log

Close Code

User

TR Time Received 04/29/18 17:30:02 By: E911 JGATTON
ENT Entered Street 04/29/18 17:30:09 9325 HOGAN RD - E Sector JGATTON
CH Changed Street 04/29/18 17:30:09 9336 HOGAN RD -> 1223 WOODLINE JGATTON
CH Changed Street 04/29/18 17:30:31 1223 WOODLINE -> 1223 WOODLINES JGATTON
CH Changed Address 04/29/18 17:30:37 DIST: 1027.32 FT -> JGATTON
CH Changed 04/29/18 17:30:45 VERIZON WIRELESS -> DR STRALY JGATTON
ENT Entered Nature 04/29/18 17:30:47 OUTDOOR FIRE JGATTON
FPS Fire Pvt. Started 04/29/18 17:31:48 Case Started JGATTON
AR Added Remarks 04/29/18 17:31:01 JGATTON
FFF Fire Pvt. CE Finished 04/29/18 17:31:02 Case Entry Finished JGATTON
CH Changed Nature Code 04/29/18 17:31:51 OUTFR. -> OPENBU JGATTON
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<td>04/29/18 17:32:23</td>
<td>Case Completed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FF</td>
<td></td>
<td>Fast Forward to LAW</td>
<td></td>
<td>04/29/18 17:32:27</td>
<td>LAW</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SP</td>
<td></td>
<td>Spawned</td>
<td></td>
<td>04/29/18 17:32:27</td>
<td>Spawned LAW event #2018049363, call ref</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AR</td>
<td></td>
<td>Added Remarks</td>
<td></td>
<td>04/29/18 17:32:33</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RS</td>
<td></td>
<td>Reset Watchdog Timer</td>
<td></td>
<td>04/29/18 17:36:38</td>
<td>Units: FCSTA =&gt; 999 Min.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AR</td>
<td></td>
<td>Added Remarks</td>
<td></td>
<td>04/29/18 17:41:02</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CH</td>
<td></td>
<td>Changed Focus</td>
<td></td>
<td>04/29/18 17:42:58</td>
<td>12223 WOODLINE DR =&gt; 12225 WIND</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FAG</td>
<td></td>
<td>Automatic Nature Page</td>
<td></td>
<td>04/29/18 17:43:15</td>
<td>Paged FCFD</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Note:** Caller Statement: UNATTENDED FIRE
Chief Complaint: Outside Fire [1] [04/29/18 17:31:01 JGATTON]
Dispatch Code: 67B01 (SMALL OUTSIDE fire)
Suffix: O (Other)
Response: _BRAVO_

Questions:
- The caller is not on scene.
- This is an OUTSIDE fire.
- A SMALL area is burning
- The fire has not been extinguished.
- The fire is threatening: WOODS
- No hazardous materials are reported [2] [04/29/18 17:31:24 JGATTON]

Questions:
- There are no apparent electrical lines on the ground.
- No one is reported to be in danger.
- It is not known if the fire is spreading.
- It is not known if anyone is injured [1] [04/29/18 17:32:16 JGATTON]
LEAVES IN THE TRENCH BURNING [04/29/18 17:32:33 JGATTON]
12223 WOOD CHILL WAY RD SAHORUI TX 248-228-7739 IS THE ONE WHO HAS THE FIRE SAYS IT UNDER CONTROL [04/29/18 17:41:03 JGATTON]
Dear Mr. Cunningham,

I am writing you this letter as formal notification of my appeal of the fine for incident #161.

First I would like to state that there was no emergency and it was a false alarm as there was no immediate danger. There was no injury or damage, there was no extra ordinary use of equipment, or township personnel.

I also want to state that I did call 911 after I was notified that they were called and told them that no one was needed and there was no emergency. They originally did not even have the correct road or address, they stated that they still would need to have someone come by per there guidelines. The fire personnel did not even have to exit there vehicle and where there for about a minute or two.

Assessable costs are supposed to be the reasonable costs incurred by the township I do not see how the township incurred $1419. Furthermore I would say that no charge should be levied against me as it was an error in judgement by the person who originally called 911 as he failed to see that I was standing right there in my yard the whole time and he claimed that he did not see me. I also wanted to state that neither my next door neighbor nor neighbor across the street had any concern or complaint or thought that there was any sort of danger.

Please feel free to contact me if you would like to discuss further.

Sincerely,

Raed Sahouri

248-228-7739.
June 14, 2018

Raed Sahouri
12223 Wind Chill Way
Fenton, MI 48430

Re: Incident 161

Dear Mr. Sahouri,

Please be advised that I have received your appeal letter on June 4th, 2018 regarding a fire run and associated charges. I have also received The Fenton Fire Department report dated April 29, 2018. In review of your appeal, a call was made to 911 regarding a possible open burn at your residence. Upon arrival to your residence you were found to be conducting an open burning of leaves without a burn permit.

Section 7.1.1 - Of the open burn ordinance states: A permit issued in accordance with Section 10 of this ordinance must be obtained prior to open burning under this section. Section 7.1.3 states: Open burning of leaves and grass clippings may be conducted from April 1st through May 31st and September 15th through November 30th in certain zoning districts. Open burning of leaves and grass clippings, is prohibited in the R-2, LK-1, and MHP Zoning Districts. Open burning of leaves and grass clippings, is allowed in the R-1, PUD, FR and RE Zoning Districts on parcels of 3 ACRES OR MORE.

Tyrone Township does not have its own fire department and has to contract with neighboring municipalities for such services. Anytime a call for the fire department is made and the truck leaves the building the township is billed for that service on a per run rate of $1,419.00. This is an ordinance violation and as Supervisor I do not have the authority to overrule the provisions of the ordinance.

After considering the facts, I am denying your appeal and you have the following options.

1. Contact Tyrone Township and pay the $1,419.00
2. Contact Tyrone Township and make payment arrangements on a monthly schedule
3. You have “The Right To Appeal” the decision to the full Township board

If you elect to pursue option number 3, please contact Deputy Clerk Terri Medor at the township to be placed on the board agenda. This contact must be made within 14 days of this letter.

Sincerely,

Michael Cunningham-Tyrone Township Supervisor

www.tyronetownship.us
NEW BUSINESS #2
RESOLUTION #180701
TYRONE TOWNSHIP, LIVINGSTON COUNTY

POLICE AND FIRE PROTECTION
SPECIAL ASSESSMENT DISTRICT NO. X0082

ESTABLISHMENT OF BOUNDARY OF SPECIAL ASSESSMENT DISTRICT;
DETERMINATION OF LEVY FOR POLICE AND FIRE PROTECTION;
ESTABLISHMENT AND NOTICE FOR PUBLIC HEARING.

WHEREAS, there exists a need for Police and Fire Protection Services in Tyrone Township; and

WHEREAS, Section 1(3) of Act 33, Public Acts of Michigan, 1951, as amended (“Act 33”) provides that the Tyrone Township Board may proceed to defray the cost of purchasing and housing equipment, for the operation of the equipment, or both, for Police and Fire protection, by special assessment on the lands and premises in Tyrone Township except lands and premises exempt from the collection of taxes under the general property tax act, Act 206, Public Acts of Michigan, 1893; and

WHEREAS, the Tyrone Township Board authorized the preparation of estimates of the cost and expense of providing Police and Fire protection and that estimate was filed with the Tyrone Township Clerk and was available for public inspection; and

WHEREAS, the Tyrone Township Board tentatively designated a special assessment district known as the Tyrone Township Police and Fire Protection Special Assessment District (“Special Assessment District”) consisting of all lots and parcels of property located within the boundaries of Tyrone Township for purposes defraying the cost of purchasing and housing equipment, for the operation of the equipment, or both, for Police and Fire protection; and

WHEREAS, the Tyrone Township Board, by resolution, scheduled a public hearing for this date at the Tyrone Township Hall located at 10408 Center Road, Fenton, Michigan 48430 to hear and consider comments and objections to the estimate of cost, the creation of a special assessment district, the special assessment district tentatively designated herein, and defraying the expenses of the special assessment district on the properties benefiting, except lands and premises exempt from the collection of taxes under the general property tax act, Act 206, Public Acts of Michigan, 1893; and

WHEREAS, such public hearing was preceded by proper notice in the Tri-County Times and the Livingston Press & Argus, newspapers of general circulation in the Township, and by first-class mail notice to each property owner of record within the District and upon the assessment roll: and
WHEREAS, the Tyrone Township Board held the public hearing on this date at the Tyrone Township Hall and heard and considered comments and objections to the estimate of cost of purchasing and housing equipment, for the operation of the equipment, or both, for Police and Fire protection, the creation of a special assessment district, the special assessment district tentatively designated herein, and defraying the expenses of the special assessment district on the properties benefiting, except lands and premises exempt from the collection of taxes under the general property tax act, Act 206, Public Acts of Michigan, 1893; and

WHEREAS, a record of those present to protest, and of written protests submitted at or before the public hearing was made a part of the minutes of the hearing.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Tyrone Township Board determines that the boundaries of the Special Assessment District be the boundaries of Tyrone Township and encompassing all lands within Tyrone Township.

2. The Tyrone Township Board determines that the amount of the special assessment levy for Police and Fire Protection Services against the taxable lots and parcels of land located within the Special Assessment District shall be as follows: a) vacant parcels, $75.00; b) parcels with residential structures, $150.00; c) parcels containing structures or trailers with multiple units, $250.00, plus an additional $20.00 per unit; and (d) all other parcels, $250.00.

3. The Tyrone Township Supervisor shall spread the special assessment levy on all of the lands and premises in the special assessment district benefiting from Police and Fire protection, except lands and premises exempt from the collection of taxes under the general property tax act, Act 206, Public Acts of Michigan, 1893 to defray the expense of Police and Fire Protection.

4. The Tyrone Township Board shall hold a public hearing on August 21, 2018 at 7:00 pm at the Tyrone Township Hall located at 10408 Center Road, Fenton, Michigan 48430 to hear and consider comments and objections to the distribution of the special assessment levy for Police and Fire Protection.

5. The Tyrone Township Clerk shall cause to be published in a newspaper of general circulation in the proposed Special Assessment District a notice stating the time, place, and purpose of the meeting. This notice shall be published not less than 5 days before the hearing. Proof of publication of the notice shall be filed with the Tyrone Township Clerk.

Resolution #180701
Police and Fire Protection
6. The Tyrone Township Clerk Notice shall also provide notice stating the time, place, and purpose of the meeting to each owner of, or party in interest in, property to be assessed whose name appears upon the last local tax assessment records by mailing by first class mail addressed to that owner or party at the address shown on the tax records at least 10 days before the date of the hearing.

7. The form of the Notice of the Public Hearing to be mailed and published, as required herein, shall be substantially as set forth in Exhibit A, attached, with such changes as are approved by the Tyrone Township Supervisor.

RESOLVED BY:
SUPPORTED BY:
VOTE:
ADOPTION DATE: July 17, 2018

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on July 17, 2018, 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

Resolution #180701
Police and Fire Protection
Notice of Public Hearing on the Assessment Roll for the
Police and Fire Protection Special Assessment District No. X0082

To the residents and property owners of the Township of Tyrone, Livingston County, Michigan and any other interested persons:

Please take notice that the Supervisor and assessing officer of the Township have reported to the Township Board and filed in the office of the Township Clerk for public examination a special assessment roll prepared by him covering all the properties within the Special Assessment District benefited by the proposed assessment. The assessment roll has been prepared for the purpose of assessing the costs of providing police and fire protection within the assessment district as more particularly shown on the plans on file with the Township Clerk at 10408 Center Road, Fenton, MI, which assessment is in the total amount of $605,550.00.

Please take further notice that the assessing officer has further reported that the assessment against each parcel of land within the district is to such relative portion of the whole sum levied against all parcels of land within the district as to the benefit of such parcels bears to the total benefit to all parcels within the district. Each parcel shall be assessed as follows: a) vacant parcels, $75.00; b) parcels with residential structures, $150.00; c) parcels containing structures or trailers with multiple units, $250.00, plus an additional $20.00 per unit; and (d) all other parcels, $250.00.

Please take further notice that the Township Board will meet at the Township Hall, 10408 Center Road, Fenton, MI commencing at 7:00 P.M. on August 21 2018, for the purpose of reviewing the special assessment roll and hearing any objections thereto. The roll may be examined at the office of the Township Clerk during regular business hours of regular business days until the time of the hearing and may further be examined at the hearing. Appearance and protest at the hearing held to confirm the special assessment roll is required in order to appeal the amount of the special assessment to the Michigan Tax Tribunal.

An owner or party in interest, or his or her agent, may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required. The owner or person having an interest in the real property who protests in person or in writing at the hearing may file a written appeal of special roll with the Michigan Tax Tribunal within 30 days after the confirmation of the special assessment roll.

Marcella Husted, CLERK
Township of Tyrone

EXHIBIT A
Resolution #180701
Police and Fire Protection
NEW BUSINESS #3
FIRE SUPPRESSION, RESCUE AND EMERGENCY MEDICAL SERVICES AGREEMENT
BETWEEN THE CITY OF FENTON AND TYRONE TOWNSHIP

This Agreement is effective the 1st day of April, 2019 between the City of Fenton, 301 S.
Leroy Street, Fenton, Michigan 48430 ("City") and Tyrone Township, 10408 Center Road,
Fenton, Michigan 48430 ("Township").

WHEREAS, the City maintains a part-paid Fire Department together with certain fire and
rescue equipment in the City and is willing under the terms of this Agreement to extend its fire
suppression, rescue, and emergency medical services to the Township as provided herein;

WHEREAS, the Township, by action of the Tyrone Township Board of Trustees, desires
to enter into a written contract with the City for fire suppression, rescue, and other public safety
services provided by the City throughout certain properties within Tyrone Township; and

NOW, THEREFORE, in consideration of the mutual promises contained herein, the
parties hereto agree as follows:

1) The City will respond to the types of calls as mutually agreed to and defined in the Call
Service Protocol sent to the Livingston County Central Dispatch at those locations in
Tyrone Township as set forth in Exhibit A or as modified collectively by the Fire Chiefs
of the Fenton City Fire Department, the Fenton Township Fire Department, and the
Hartland Deerfield Fire Authority. The Call Service Protocol for medical emergencies
(not including fire and public safety incidents, which will also be responded to) is set
forth in Exhibit B. Any changes to the type of calls that will be responded to are
subject to the agreement of the Tyrone Township Board. Tyrone Township reserves
the right to make adjustments to the protocol. As used in this Agreement, other public
safety calls shall not be construed as requiring the City to provide law enforcement
services, beyond those that may relate to assisting a duly authorized law enforcement
officer with proper jurisdiction in the investigation of any possible arson crimes.

2) The Township shall pay to the City the following sums:

   a. A base run charge of $1,419 for the first year, $1,433 for year two, $1,447 for
      year three $1,461 for year four $1,476 for year five shall be charged by the City
to the Township for each run responded to by the City. A "run" shall be defined
      as any "tone" that is issued in response to a request for dispatch by the City
      regardless of whether Fire Department equipment leaves the Department’s
facilities in response to an alarm, and whether or not the run is completed or is
terminated prior to arrival on the scene. A run chargeable under this section
shall include, but not be limited to, a false alarm, provided the City Fire
Department made a good faith effort to clarify the alarm before leaving the
Department’s facilities in situations where the location of the alarm has had a
history of previous false alarms. However, in the event no equipment leaves the
City’s facilities when a call is canceled, though that call is considered a "run" for
purposes of this sub-paragraph, the base run charge for that alarm will be five
hundred ($500.00) dollars. In the event that diesel fuel costs for the city rise
above $3.50 per gallon during this contract period the City will increase the base
run charge in accordance with the table listed below:
Fuel cost $3.75-$3.99 increase of $10
Fuel cost $4.00-$4.49 increase of $15
Fuel cost $4.50-$4.99 increase of $20
Fuel cost $5.00-$ and over increase of $25

Fuel surcharge will apply based on actual bulk fuel purchase price and respective dates less taxes.

3) The City shall invoice the Township at least monthly or sooner if available and the Township shall pay said invoices within thirty (30) days of receipt. Invoices shall include an incident report that includes the name, drivers license number, date of birth and address of the person(s) to whom the City responded and the name of the person's insurance company, and at fault party if available. Provision of this information is not a condition precedent to payment of any invoice.

4) The City shall issue rules and regulations concerning the manner in which alarms shall be received and recorded and shall set up procedures designed to alleviate false alarms. A completed report of a run within the Township shall be forwarded to the Township bi-weekly or as soon as practicable after each run.

5) The City will notify the Township when it determines that conditions warrant issuance of a "burn ban" for the Township. Upon notification from the City, the Township will post the burn ban on its website and notify all other agencies providing fire suppression service to the Township. The Township website will be the primary location for notice to the public of any burn ban. A burn ban issued by the City shall apply to the entire Township and shall be enforced by the Township. A burn ban may also be recommended by any other fire suppression agency providing services to some or all of the Township. The Township shall ensure that if another agency recommends or issues a burn ban for some or all of the Township, either the Township or the other agency shall notify the City of the ban.

6) The City shall provide such personnel or equipment, aid or assistance, as the Chief of the City Fire Department or his/her designee may, in his/her sole discretion, determine to be available, having due regard for the basic public service needs of the City. The City shall not be liable to the Township or any person for a failure to respond for any reason, in whole or in part, to a request for assistance. The City acknowledges the Township is retaining no control to direct the duties and services to be provided by the City under this Agreement.

7) All firefighting personnel assigned to assist on a run under the terms of this Agreement shall carry out such functions and duties as assigned to them by the Chief of the City Fire Department or his/her designee. All personnel and equipment of the City shall be and shall remain under the control of and responsibility of the City. The Chief of the City Fire Department shall have the sole discretion to remove or withdraw all personnel or equipment if such action is deemed necessary or appropriate. The City shall not be liable to the Township for leaving the scene of the run for any reason. The level of response, the selection of the appropriate units and apparatus for response, and the determination of priorities between the City, the Township and neighboring calls for cooperative firefighting or medical emergency activities shall be solely the responsibility of the Chief of the City Fire Department.
8) All personnel of the City Fire Department shall remain at all times solely the agent or employee of the City, and not the Township. Nothing in this Agreement shall be construed such that the City Fire Department shall be considered an employee, agent, or partner of the Township.

9) In signing this contract, the Township and City do not waive their governmental immunity nor any defenses available to them or their officers or employees under the Michigan Governmental Immunity Act, being 170 PA 1964, as amended, MCL 691.1401, MSA 3.996(101), et seq, or any other defense that may be available to them at law or equity.

10) It is expressly understood and agreed that neither this agreement nor the services to be rendered hereunder shall in any way render the City liable, directly or indirectly, for any loss or damage that may be claimed to arise through the alleged negligence, act or omission of the Fire Department or of any of the officials or employees of the City or the Township in the carrying out of this Agreement. This Agreement shall not be made the basis, directly or indirectly, for any claim of damage of any kind or nature whatsoever against the City or the Township by the other party to this Agreement.

11) The Township shall have a cost recovery ordinance that provides for full cost recovery of any costs incurred by the City in responding to a run in the Township where hazardous materials response costs are incurred. Such cost recovery may be from a responsible party or property owner or from the Township, as determined by the Township.

12) This contract shall be in effect and will remain in force from April 1, 2019 through March 31, 2024. Notwithstanding this term, this contract may be terminated by either party by giving the other party written notice not less than one hundred and twenty (120) day before the date of termination, delivered by hand or certified mail, return receipt requested, to the address of the other party. Upon any termination of this contract, all unpaid fees for services provided under this contract due from the Township to the City shall remain owing and become immediately due and payable.

13) In the event the contract is terminated, runs for service will be provided and paid for during the 120 day notice period. In the event any payment is not made on any invoice within 45 days of submission of the invoice to the Township, the City may provide seven (7) calendar days’ written notice to the Township that services to the Township will be terminated until outstanding balance is paid.

14) During the term of this Agreement, the City shall maintain public liability insurance covering it for the services to be provided under this Agreement. A declaration sheet evidencing such insurance shall be provided to the Township.

15) All notices under this Agreement shall be provided to:

City of Fenton
Attn: Clerk
301 S. Leroy Street
Fenton, MI 48430

Tyrone Township
Attn: Clerk
10408 Center Road
Fenton, MI 48430
16) Prior to the expiration of this Agreement, the parties may, in an agreement made in writing and signed by both parties, agree to extend their contractual relationship for the provision of the emergency services described herein on such terms as any future agreement may designate.

17) This contract may only be modified by a written agreement signed by all parties hereto.

18) Should the number of runs in a contract year fall below 100 or above 200 or if the dispatch Protocol is changed such that the City determines, in its sole discretion, that the number of runs to be provided by the City is likely to fall below 100 or above 200 in a contract year, either party may reopen this contract for the purposes of renegotiation before the contract termination date.

19) Should any provision of this agreement be held invalid by a court of competent jurisdiction, the remainder of this Agreement shall be considered severable and remain in full force and effect unless modified by the parties pursuant to paragraph 15.

20) This contract shall be interpreted under, and consistent with, the laws of the State of Michigan, which shall control this agreement.

21) The parties agree that, by entering into this Agreement, the Township delegates to the City, consistent with and limited to the provisions herein, its responsibility to provide fire protection and other related services, to the extent described herein, to the City.

22) This Agreement represents the entire agreement of the parties, which has been reduced to this writing.

IN WITNESS WHEREOF, the parties hereto have hereunder affixed their signatures effective the day and year first written.

CITY OF FENTON

__________________________________________________________________________
Sue Osborn, Mayor

Dated: __________________________ __________________________
Lynn Markland, City Manager

TYRONE TOWNSHIP

__________________________________________________________________________
Mike Cunningham, Supervisor

Dated: __________________________ __________________________
Marcy Husted, Clerk
NEW BUSINESS #4
FIRE SUPPRESSION, RESCUE AND EMERGENCY MEDICAL SERVICES AGREEMENT
BETWEEN HARTLAND DEERFIELD FIRE AUTHORITY AND TYRONE TOWNSHIP

This Agreement is effective the 1st day of April, 2019 between Hartland Deerfield Fire Authority (HDFA) 3205 Hartland Rd, Hartland, MI 48353 and Tyrone Township, 10408 Center Road, Fenton, Michigan 48430 ("The Township").

WHEREAS, HDFA maintains a part-paid Fire Department together with certain fire and rescue equipment within the HDFA and is willing under the terms of this Agreement to extend its fire suppression, rescue, and emergency medical services to the Township as provided herein;

WHEREAS, the Township, by action of the Tyrone Township Board of Trustees, desires to enter into a written contract with the HDFA for fire suppression, rescue, and other public safety services provided by the HDFA throughout certain properties within Tyrone Township; and

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties hereto agree as follows:

1) The HDFA will respond to the types of calls as mutually agreed to and defined in the Call Service Protocol sent to the Livingston County Central Dispatch at those locations in Tyrone Township as set forth in Exhibit A or as modified collectively by the Fire Chiefs of the Fenton City Fire Department, the Fenton Township Fire Department, and the Hartland Deerfield Fire Authority. The Call Service Protocol for medical emergencies (not including fire and public safety incidents, which will also be responded to) is set forth in Exhibit B. Any changes to the type of calls that will be responded to are subject to the agreement of the Tyrone Township Board. Tyrone Township reserves the right to make adjustments to the protocol. As used in this Agreement, other public safety calls shall not be construed as requiring the HDFA to provide law enforcement services, beyond those that may relate to assisting a duly authorized law enforcement officer with proper jurisdiction in the investigation of any possible arson crimes.

2) The Township shall pay to the HDFA the following sums:

   a. A base run charge of $1,419 for the first year, $1,433 for year two, $1,447 for year three $1,461 for year four and $1,476 for year five shall be charged by the HDFA to the Township for each run responded to by the HDFA. A "run" shall be defined as any "tone" that is issued in response to a request for dispatch by the HDFA regardless of whether Fire Department equipment leaves the Department's facilities in response to an alarm, and whether or not the run is completed or is terminated prior to arrival on the scene. A run chargeable under this section shall include, but not be limited to, a false alarm, provided the HDFA made a good faith effort to clarify the alarm before leaving the Department's facilities in situations where the location of the alarm has had a history of previous false alarms. However, in the event no equipment leaves the HDFA facilities when a call is canceled, though that call is considered a "run" for purposes of this sub-paragraph, the base run charge for that alarm will be five hundred ($500.00) dollars. In the event that diesel fuel costs for the HDFA rise
above $3.50 per gallon during this contract period the HDFA will increase the base run charge in accordance with the table listed below:

Fuel cost $3.75-$3.99 increase of $10
Fuel cost $4.00-$4.49 increase of $15
Fuel cost $4.50-$4.99 increase of $20
Fuel cost $5.00-$ and over increase of $25

Fuel surcharge will apply based on actual bulk fuel purchase price and respective dates less taxes.

3) The HDFA shall invoice the Township at least monthly or sooner if available and the Township shall pay said invoices within thirty (30) days of receipt. Invoices shall include an incident report that includes the name, drivers license number, date of birth and address of the person(s) to whom the HDFA responded and the name of the person’s insurance company, and at fault party if available. Provision of this information is not a condition precedent to payment of any invoice.

4) The HDFA shall issue rules and regulations concerning the manner in which alarms shall be received and recorded and shall set up procedures designed to alleviate false alarms. A completed report of a run within the Township shall be forwarded to the Township bi-weekly or as soon as practicable after each run.

5) HDFA will notify the Township when it determines that conditions warrant issuance of a “burn ban” for the Township. Upon notification from the HDFA, the Township will post the burn ban on its website and notify all other agencies providing fire suppression service to the Township. The Township website will be the primary location for notice to the public of any burn ban. A burn ban issued by the HDFA shall apply to the entire Township and shall be enforced by the Township. A burn ban may also be recommended by any other fire suppression agency providing services to some or all of the Township. The Township shall ensure that if another agency recommends or issues a burn ban for some or all of the Township, either the Township or the other agency shall notify the HDFA of the ban.

6) The HDFA shall provide such personnel or equipment, aid or assistance, as the Chief of the HDFA Fire Department or his/her designee may, in his/her sole discretion, determine to be available, having due regard for the basic public service needs of the HDFA. The HDFA shall not be liable to the Township or any person for a failure to respond for any reason, in whole or in part, to a request for assistance. HDFA acknowledges the Township is retaining no control to direct the duties and services to be provided by the HDFA under this Agreement.

7) All firefighting personnel assigned to assist on a run under the terms of this Agreement shall carry out such functions and duties as assigned to them by the Chief of the HDFA Fire Department or his/her designee. All personnel and equipment of the HDFA shall be and shall remain under the control of and responsibility of the HDFA. The Chief of the HDFA Fire Department shall have the sole discretion to remove or withdraw all personnel or equipment if such action is deemed necessary or appropriate. The HDFA shall not be liable to the Township for leaving the scene of the run for any reason. The level of response, the selection of the appropriate units and apparatus for response, and the determination of priorities between the HDFA, the Township and neighboring
calls for cooperative firefighting or medical emergency activities shall be solely the responsibility of the Chief of the HDFA Fire Department.

8) All personnel of the HDFA Fire Department shall remain at all times solely the agent or employee of the HDFA, and not the Township. Nothing in this Agreement shall be construed such that the HDFA Fire Department shall be considered an employee, agent, or partner of the Township.

9) In signing this contract, the Township and HDFA do not waive their governmental immunity nor any defenses available to them or their officers or employees under the Michigan Governmental Immunity Act, being 170 PA 1964, as amended, MCL 691.1401, MSA 3.996(101), et seq, or any other defense that may be available to them at law or equity.

10) It is expressly understood and agreed that neither this agreement nor the services to be rendered hereunder shall in any way render the HDFA liable, directly or indirectly for any loss or damage that may be claimed to arise through the alleged negligence, act or omission of the Fire Department or of any of the officials or employees of the HDFA or the Township in the carrying out of this Agreement. This Agreement shall not be made the basis, directly or indirectly, for any claim of damage of any kind or nature whatsoever against the HDFA or the Township by the other party to this Agreement.

11) The Township shall have a cost recovery ordinance that provides for full cost recovery of any costs incurred by the HDFA in responding to a run in the Township where hazardous materials response costs are incurred. Such cost recovery may be from a responsible party or property owner or from the Township, as determined by the Township.

12) This contract shall be in effect and will remain in force from April 1, 2019 through March 31, 2024. Notwithstanding this term, this contract may be terminated by either party by giving the other party written notice not less than one hundred and twenty (120) day before the date of termination, delivered by hand or certified mail, return receipt requested, to the address of the other party. Upon any termination of this contract, all unpaid fees for services provided under this contract due from the Township to the HDFA shall remain owing and become immediately due and payable.

13) In the event the contract is terminated, runs for service will be provided and paid for during the 120 day notice period. In the event any payment is not made on any invoice within 45 days of submission of the invoice to the Township, the HDFA may provide seven (7) calendar days’ written notice to the Township that services to the Township will be terminated until outstanding balance is paid.

14) During the term of this Agreement, the HDFA shall maintain public liability insurance covering it for the services to be provided under this Agreement. A declaration sheet evidencing such insurance shall be provided to the Township.

15) All notices under this Agreement shall be provided to:

Tyrone Township
Attn: Clerk
10408 Center Road
Fenton, MI 48430

Hartland Area Fire Department
3205 Hartland Road
Hartland, MI 48353
16) Prior to the expiration of this Agreement, the parties may, in an agreement made in writing and signed by both parties, agree to extend their contractual relationship for the provision of the emergency services described herein on such terms as any future agreement may designate.

17) This contract may only be modified by a written agreement signed by all parties hereto.

18) Should the number of runs in a contract year fall below 100 or above 200 or if the dispatch protocol is changed such that the HDFA determines, in its sole discretion, that the number of runs to be provided by the HDFA is likely to fall below 100 or above 200 in a contract year, either party may reopen this contract for the purposes of renegotiation before the contract termination date.

19) Should any provision of this agreement be held invalid by a court of competent jurisdiction, the remainder of this Agreement shall be considered severable and remain in full force and effect unless modified by the parties pursuant to paragraph 15.

20) This contract shall be interpreted under, and consistent with, the laws of the State of Michigan, which shall control this agreement.

21) The parties agree that, by entering into this Agreement, the Township delegates to the HDFA, consistent with and limited to the provisions herein, its responsibility to provide fire protection and other related services, to the extent described herein, to the HDFA.

22) This Agreement represents the entire agreement of the parties, which has been reduced to this writing.

IN WITNESS WHEREOF, the parties hereto have hereunder affixed their signatures effective the day and year first written.

Hartland Deerfield Fire Authority

[Signature]

HDFA

[Signature]

HDFA

Dated: 6-28-18

TYRONE TOWNSHIP

Mike Cunningham, Supervisor

Page 4 of 5
NEW BUSINESS #5
RESOLUTION #180702
TYRONE TOWNSHIP, LIVINGSTON COUNTY

APPROVING THE LIVINGSTON COUNTY HAZARD MITIGATION PLAN

WHEREAS, the Livingston County Emergency Management Department is hereby suggesting the Tyrone Township, as a local unit of government, to formally adopt the Livingston County Hazard Mitigation Plan, and;

WHEREAS, the Livingston County Emergency Management Department in conjunction with the Livingston County Planning Department, has compiled and developed a Hazard Mitigation Plan unique to Livingston County, and;

WHEREAS, the Michigan State Police Emergency Management and Homeland Security Division has reviewed and approved the plan, and the FEMA subject matter expert has reviewed and accepted the plan with a letter of initial approval, and;

WHEREAS, the formal approval of this plan by FEMA is contingent of the adoption by the Livingston County Board of Commissioners and the Tyrone Township as a participating jurisdiction in the plan, and;

WHEREAS, the Livingston County Board of Commissioners has adopted the Livingston County Hazard Mitigation Plan, dated and sealed on March 20, 2017, and;

WHEREAS, FEMA accepted and approved the Livingston County plan on April 4, 2017.

THEREFORE, BE IT RESOLVED, the Tyrone Township Board formally approves the Hazard Mitigation Plan developed by Livingston County.

RESOLVED BY:
SUPPORTED BY:

VOTE:

ADOPTION DATE: July 17, 2018
CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on July 17, 2018, 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

__________________________
Michael Cunningham, Township Supervisor

__________________________
Marcella Husted, Township Clerk

Resolution #180702
Livingston County Hazard Mitigation Plan
NEW BUSINESS #6
Subject: Agenda Request – Engberg Land Division

Dear Township Board Members:

During our meeting on July 10, 2018, we reviewed the Engberg land division application. Dave Wardin made a motion to recommend Township Board approval of the Engberg land division without conditions because the applicant has complied with the requirements set forth in our Land Division and Zoning Ordinances. Cam Gonzalez supported the motion. The motion carried by unanimous voice vote.

The applicant submitted updated documents prior to the Planning Commission meeting in response to the McKenna review memo, addressing most of the concerns expressed within the memo. The existing 35.9 acre parcel is being divided into three conforming parcels. It was noted during the meeting that the Livingston County Road Commission (LCRC) evaluated two entrance points for parcel 3, finding one compliant and the other requiring modifications to result in clear vision prior to issuance of a driveway permit. As required by the Land Division Act, the applicant has demonstrated the parcels to be created all have a means of access, regardless of whether parcel 3 may require improvements to comply with LCRC standards if one access point is chosen versus the other.

The McKenna review memo listed the following items for resolution, all of which have been satisfied:

1. The parcels status as a parent parcel and/or a portion of a parent tract should be confirmed. The Planning Commission is satisfied the applicant has the right to divide the parcel in question based on its historical ownership.
2. The plan should exclude wetlands/water bodies from the buildable area of the proposed parcels and should also incorporate the required 50-foot setback therefrom…. The applicant updated the drawings to address this issue.
3. A solution to the nonconforming condition that would be created by having a) a shed straddling a lot line that is not under common ownership and b) having an accessory structure on a lot without a principal structure should be proposed by the applicants. The applicant has removed the sheds to resolve these concerns.

The Planning Commission therefore recommends your consideration and approval of the requested land division.

Respectfully submitted,

Tyrone Township Planning Commission
Mark Meisel
Chairman
July 5, 2018

Planning Commission
Tyrone Township
10408 Center Road
Fenton, MI 48430

Subject: Engberg Land Division
Application received on 6-26-18, and survey drawings dated 6-25-18

Dear Commissioners:

The owners and applicants, Keith and Patty Engberg, through their authorized agent, Bill Strebbing of Livingston Engineering, have proposed a land division of Parcel 4704-27-200-004, located at the southwest corner of Mabley Hill and Germany Roads, which is a U-shaped, 35.90-acre parcel owned by the applicants, into three (3) parcels. The applicants appear to also own the 5-acre exception parcel within the “U”.

The applicant represents that the 35.90-acre site is a parent parcel. Based upon the common ownership of the contiguous exception parcel, it appears that the two parcels could constitute a parent tract under the Michigan Land Division Act (“LDA”), but we would need to know the ownership that prevailed for those two parcels at the date of adoption of the LDA. In any event, since that parent tract could achieve seven land divisions, the three parcels that are proposed to be created from the subject property would be allowable divisions, so long as the applicants did not previously own other contiguous lands to which those divisions were assigned. This should be confirmed.

We have reviewed the site plan application in accordance with the Township’s Land Division ordinance, the LDA, the regulations of the FR District, and sound planning and zoning principles. We offer the following comments for your consideration.

Land Division General Requirements
The Tyrone Township Land Division Ordinance, Section 17.254, lists required application information for land divisions.

The applicant has submitted an unrecorded copy of a warranty deed for Parcel 4704-27-200-004 to show that it is owned by the applicants.

Scaled and dimensioned plans have been provided for the existing and proposed conditions. The required setbacks from property lines have been outlined on each proposed parcel, however, the setbacks required from wetlands and water bodies have not been shown. Each proposed parcel has a separate legal description.
A topographic survey has been provided that also shows the existing natural features, structures, and overhead lines. No easements are shown, though it does not appear that the overhead line along Mabley Hill Road confines itself to the right-of-way. The applicant should confirm that no easements encumber the subject property. There appear to be two, existing sheds which are located all or in part on Parcel 3. While this is an existing condition that is unchanged by the proposed land division, since the exception parcel is also owned by the applicant, and since these seem to be accessory structures for that parcel, it will be appropriate to address this situation before the ownership of Parcel 3 changes hands.

Section 4.A.7. Wetlands and Natural Features.
The plan shows several wetland and pond locations on the site. As noted above, their impact on the buildable portion of the proposed sites should be depicted. Aerial imagery shows the existence of stands of trees across the site, and the Planning Commission may wish to request information on the character of this vegetation. The topographic survey shows the presence of steep slopes throughout the site.

The Township recently amended its Zoning Ordinance to remove the specific requirement for dedicated open space that was contained in Section 20.02.AA thereof. This section of the Land Division Ordinance still requires an application to detail the amount and location of open space to be provided. This requirement may no longer be relevant in light of ordinance changes, but, in any event, now such information has been provided.

The plan shows locations and widths of existing roads abutting the site, which would provide access to all the parcels proposed. The Livingston County Road Commission performed a Sight Distance Review for the proposed parcels on 6-26-18. It found that Parcels 1 and 2 would be entitled to residential driveway permits under existing conditions, but that Parcel 3 would require a clear vision area to be established before such a permit could be issued, and then only at a point 500 feet west of Mabley Hill Road.

The applicant has provided a topographic survey with 2-foot contour intervals. As noted above, the sites each contain steep slopes. Grades vary by over 20 feet across Parcels 1 and 2, and by over 30 feet across Parcel 3.

Standards for Approval (Section 17.255)
We find the following:

Zoning District Dimensional Requirements.
The proposed plan shows that the resultant lots are compliant with the dimensional standards of the Ordinance. All parcels exceed the FR District requirements for a minimum width of 250 feet and minimum site size of three acres.
As noted above, the building limits shown on the applicant’s drawings do not take account of the limitations created by wetland and pond areas on the site. At the least, they should be exclusive of those areas, unless the applicants are suggesting that they intend to seek approval to add fill. In addition, because none of the wetlands/water bodies at issue will be located solely on any of the proposed sites, Section 21.52.F.3 of the Zoning Ordinance requires most structures to be setback 50 feet from the wetland/water body boundary, unless the Planning Commission determines that locating a structure closer will not impact neighbors’ views.

Tax Status.
Proof that taxes are paid through 2017 has been provided.

Depth to Width Ratio.
The proposed parcels comply with the 4:1 depth-to-width ratio required by the Zoning Ordinance and the LDA.

Land Division Comments and Recommendation
Based on our comments herein, we find that the proposed land division of Parcel 4704-27-200-004 into three separate lots meets the dimensional requirements of the FR District and achieves the standards defined in the Township Land Division Ordinance and the LDA. This is a feasible plan that is supportive of the intent of the FR district to provide for single-family residential parcels of a variety of parcel sizes.

The following items should be addressed prior to consideration for approval:

1. The parcels status as a parent parcel and/or a portion of a parent tract should be confirmed.

2. The plan should exclude wetlands/water bodies from the buildable area of the proposed parcels and should also incorporate the required 50-foot setback therefrom, unless the Planning Commission determines that views will be adequately protected without it.

3. A solution to the nonconforming condition that would be created by having a) a shed straddling a lot line that is not under common ownership and b) having an accessory structure on a lot without a principal structure should be proposed by the applicants. We understand that it may be the applicants’ intent to tear these down.

The drawings should be revised and resubmitted to address these concerns and any others raised by the Planning Commission.

We look forward to discussing this information with you. Please let us know if there are questions or concerns regarding the statements in this review.

Respectfully submitted,

McKENNA

Brian Keesey, AICP   Gregory M. Elliott, AICP
Senior Planner     Principal Planner
PROPOSED LAND DIVISION

NORTH LINE OF SE 1/4 OF NE 1/4 OF
SECTION 27 AS PREVIOUSLY
SURVEYED AND MONUMENTED

PARENT PARCEL
(AS SURVEYED)
35.90 AC.

"HOUGHTON'S ACRES"
S, PGR 45 L.C.R.

LEGEND
SECTION CORNER
O SET IRON ROD
© FOUND MONUMENT
© FOUND IRON ROD/PIPE
© SOIL BORING

I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY, THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS 1/10,000 AND THAT SAID SURVEY FULLY COMPLIES WITH THE REQUIREMENTS OF PUBLIC ACT 132-10.

LIVINGSTON ENGINEERING
CIVIL ENGINEERING SURVEYING PLANNING
INTERNET: WWW.LIVINGSTONENG.COM PHONE: (810) 225-7100 FAX: (810) 225-7699

DESCRIPTON NE 1/4 SECTION 27
T4N-R6E, TYRONE TOWNSHIP
LIVINGSTON COUNTY, MICHIGAN

0' 300' 600'

SCALE 1"=300' JOB No. 18163 CREWME

SHEET No.1 of 5 DRAWN WRS CHECK

REV. 07-04-2018

51686

CLIENT ENGBERG

DATE 06-26-2018

C:\Users\User\Dropbox (Living)\Projects\2018\18163 England Real Mobley Hill\03 DWG\East Confs\18163_E1.dwg
PROPOSED LAND DIVISION

LEGEND  SECTION CORNER  SET IRON ROD  FOUND MONUMENT  FOUND IRON ROD PIPE  SOIL BORING

I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY, THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS 1/10,000 AND THAT SAID SURVEY FULLY COMPLIES WITH THE REQUIREMENTS OF PUB ACT 132-10.

LIVINGSTON ENGINEERING
CIVIL ENGINEERING  SURVEYING  PLANNING
3300 S. OLD U.S., BRIGHTON, MI 48114
INTERNET: WWW.LIVINGSTONENG.COM  PHONE: (810) 225-7100  FAX: (810) 225-7699

CLIENT ENGBERG
DESCRIPTION NE 1/4 SECTION 27
T4N-8R6E, TYRONE TOWNSHIP
LIVINGSTON COUNTY, MICHIGAN

0'  300'  600'  DATE 06-25-2018

SCALE 1"=300'  JOB No. 18163  CREW ME
SHEET No.2 of 5  DRAWN WRS  CHECK

C:\Users\User\Dropbox\(Living\)\Projects\2018\18163 England Real Matley Hill\03 DWG\03 Ext Conf\18163_00.dwg
PARENT PARCEL (Tax ID#4704-27-200-004): As recorded in Warranty Deed 2011R-019449:
The following described premises situated in the Township of Tyrone, County of Livingston, State of Michigan,
described as:
The Southeast quarter of the Northeast quarter of Section 27, Town 4 North, Range 6 East. Excluding
therefrom the following parcel: Beginning at a point on the East line of said Section, North 0°02′20″ East 330 feet from
the East quarter corner of said Section; thence North 0°02′20″ East 330 feet; thence West 660 feet; thence South
0°02′20″ West 330 feet; thence East 660 feet to the point of beginning.
More commonly known as vacant 35 acres

PARENT PARCEL (As Surveyed):
Part of the Northeast 1/4 of Section 27, T4N-R6E, Tyrone Township, Livingston County, Michigan, more
particularly described as follows: BEGINNING at the East 1/4 Corner of said Section 27: thence along the
East-West 1/4 line of said Section 27 and the centerline of Germany Road (66 foot wide Right of Way),
S 86°51′59″W, 1315.35 feet; thence along the East line of “HOUGHTON’S ACRES”, a subdivision as
recorded in Liber 8 of Plats on pages 45 and 46 of the Livingston County Records, N 03°06′19″ W (plotted as
N 00°57″ W), 527.63 feet to a found concrete monument; thence along the West line of the Southeast 1/4
of said Northeast 1/4 of said Section 27, as previously surveyed and monuments, N 03°13′19″W, 815.91 feet
to a found 1/2″ iron rod; thence along the North line of the Southeast 1/4 of the Northeast 1/4 of said
Section 27, as previously surveyed and monuments, N 86°35′32″E, 1331.05 feet (previously recorded as
N 86°35′30″E, 1331.23 feet); thence along the East line of said Section 27 and the centerline of Mabley Hill
Road (66 foot wide Right of Way), S 02°30′36″E, 690.24 feet; thence along a previously surveyed and
monumented line, S 87°20′00″ W, 660.43 feet (previously recorded as West 660 feet) to a found iron rod;
thence along a line parallel to the said East Section line, S 02°30′36″E, 330.00 feet (previously recorded as
S 02°02′20″ W, 330 feet); thence N 87°20′00″ E, 660.43 feet (previously recorded as East 660 feet);
thence along the said East line of Section 27 and the centerline of Mabley Hill Road, S 02°30′36″E,
329.75 feet (previously recorded as S 02°02′20″ W, 330 feet) to the Point of Beginning, containing 35.90
acres, more or less, and subject to the rights of the public over the German Road and Mabley Hill Road.
Also subject to any easements or restrictions of record.

PARCEL 1
Part of the Northeast 1/4 of Section 27, T4N-R6E, Tyrone Township, Livingston County, Michigan, more
particularly described as follows: Commencing at the East 1/4 Corner of said Section 27, thence along the
East line of said Section 27 and the centerline of Mabley Hill Road (66 foot wide Right of Way),
N 02°30′36″ W, 659.75 feet (previously recorded as N 02°02′20″ E, 660 feet) to the POINT OF
BEGINNING of the parcel to be described; thence along a previously surveyed and monumented line,
S 87°20′00″ W, 660.43 feet (previously recorded as West 660 feet) to a found iron rod; thence
S 87°43′07″ W, 662.16 feet; thence along the West line of the Southeast 1/4 of the Northeast 1/4 of said
Section 27, as previously surveyed and monuments, N 03°13′19″ W, 668.60 feet to a found 1/2″ iron rod;
thence along the North line of the Southeast 1/4 of the Northeast 1/4 of said Section 27, as previously
surveyed and monuments, N 86°35′32″E, 1331.05 feet (previously recorded as N 86°35′30″ E, 1331.23
feet); thence along the East line of said Section 27 and the centerline of Mabley Hill Road, S 02°30′36″E,
690.24 feet to the Point of Beginning, containing 20.73 acres, more or less, and subject to the rights of
the public over Mabley Hill Road. Also subject to any easements or restrictions of record.

PARCEL 2
Part of the Northeast 1/4 of Section 27, T4N-R6E, Tyrone Township, Livingston County, Michigan, more
particularly described as follows: Commencing at the East 1/4 Corner of said Section 27; thence along the
East-West 1/4 line of said Section 27 and the centerline of Germany Road (66 foot wide Right of Way),
S 86°51′59″W, 659.83 feet to the POINT OF BEGINNING of the parcel to be described; thence continuing
along the said East-West 1/4 line of said Section 27 and the centerline of Germany Road, S 86°51′59″ W,
655.53 feet; thence along the East line of “HOUGHTON’S ACRES”, a subdivision as recorded in Liber 8 of
Plats on pages 45 and 46 of the Livingston County Records, N 03°06′19″ W (plotted as N 00°57″ W), 527.63
feet to a found concrete monument; thence along the West line of the Southeast 1/4 of the Northeast 1/4
of said Section 27, as previously surveyed and monuments, N 03°13′19″ W, 147.31 feet; thence
N 87°43′07″ E, 662.16 feet to a found iron rod; thence along a line parallel to the said East Section line,
S 02°30′36″ E, 330.00 feet (previously recorded as S 02°02′20″ W, 330 feet); thence S 02°37′12″ E, 335.13
feet to the Point of Beginning, containing 10.13 acres, more or less, and subject to the rights of the public
over Germany Road. Also subject to any easements or restrictions of record.
PARCEL 3
Part of the Northeast 1/4 of Section 27, T4N-R6E, Tyrone Township, Livingston County, Michigan, more particularly described as follows: BEGINNING at the East 1/4 Corner of said Section 27; thence along the East-West 1/4 line of said Section 27 and the centerline of Germany Road (66 foot wide Right of Way), S 86°51’59” W, 659.83 feet; thence N 02°37’12” W, 335.13 feet; thence N 87°20’00”E, 660.43 feet (previously recorded as East 660 feet); thence along the East line of Section 27 and the centerline of Mabley Hill Road (66 foot wide Right of Way), S 02°30’36”E, 329.75 feet (previously recorded as S 02°02’20”W, 330 feet to the Point of Beginning, containing 5.04 acres, more or less, and subject to the rights of the public over Germany Road and Mabley Hill Road. Also subject to any easements or restrictions of record.

Bearings are based on Grid North from GPS RTK observations.

Witnesses:  East 1/4 Cor. Sec. 27, T4N-R6E I-10 (LSC 1137m)
Found “Livingston County Monumentation” Brass Disk in gravel road intersection 2 ft. north & 3 ft. west of centerline.
S45°W  78.78’  Found Liv Eng. Nail/Tag N/side 7” Poplar
N20°W  63.77’  Found Remon Nail/Tag S/side P. Pole
S71°E  87.15’  Set Livingston Eng. N/side 21” Twin Cherry
S20°E  67.00’  Set Livingston Eng. E/side 10” Hickory

Northeast Cor. Sec. 27, T4N-R6E I-09 (2012C-0050 L.C.R)
Found “Livingston County Monumentation” Brass Disk in monument box in road centerline.
S49°E  35.42’  Found Remon Nail/Tag N/side 8” Sycamore
N68°E  35.94’  Set Remon Nail/Tag S/side 10” Hickory
N38°W  37.56’  Set Livingston Eng. Nail/Tag NE/side 9” Apple
S25°W  55.52’  Set Livingston Eng. Nail/Tag E/side 11” Oak
N86°W  23.80’  Found Remon Nail/Tag Dead Oak stump
TYRONE TOWNSHIP
PLANNING COMMISSION REVIEW APPLICATION

Property Address / Location
313 Mabley Hill Rd

Parcel ID/Zoning District
4704-27-200-004

Property Owner(s)
Keith & Patty Engberg

Telephone
810 348-9742

Street Address
313 Mabley Hill Rd

Cell Phone
Same

City
Fenton

FAX or E-Mail
Same

State and Zip code
48430

Authorized Agent
Bill Strebloing - Livingston Engineering

Telephone
810 225-7100

Street Address
3300 01D US-23 B

Cell Phone
Same

City
Brighton

State and Zip code
48114

Type of Review:

- Boundary Realignment
- Open Space Relocation
- Site Plan Review
- Concept Review
- Private Road/Shared Drive
- Site Visit
- Conditional Zoning
- Planned Unit Development
- Special Land Use
- Home Occupation
- Public Hearing
- Special Meeting
- Land Division
- Rezoning
- Subcommittee Meeting
- Open Space Preservation
- Site Condominium
- Subdivision Plat
- Other

Project Description:
Divide 35 acre parcel at the NW corner of Mabley Hill
to Germany Rd into a 20 acre, 10 acre & 5 acre parcels.

Planning Commission applications should be filed with the Planning Commission Recording Secretary at least
14 days (21 days for land divisions/realignments) prior to review. Applications will not be scheduled for review
until all information has been received. This Signature constitutes the applicant's acknowledgement of the
application requirements and permission for site inspection by Tyrone Township representatives.

Signature of Owner(s) or Authorized Agent

Date
06/26/2018

Received By
RN

Tax Status

Fees: 101-000000-007-006
Escrow: 701-000000-285-1

$400-

$1000-

View the Tyrone Township Ordinance at <tyronetownship.us>
To Whom It May Concern:

We, Keith and Patricia Engberg hereby authorize William Strebbing III of Livingston Engineering to act as our Representative for the purpose of handling the land division of property known as 35 acres in Tyrone Township. Tax ID# 04-24-200-004.

Keith Engberg

Patricia Engberg
WARRANTY DEED

GRANTORS: BARBARA R. WASSER, survivor of herself and ALFRED G. WASSER, Deceased, whose death certificate is recorded in Instrument #2011R-016053, and FREDERICK WASSER also known as FRED WASSER and NORMA WASSER, husband and wife, whose address is 2573 Ridge Road, White Lake, Michigan 48383,

CONVEYS and WARRANTS TO: KEITH A. ENGBERG and PATRICIA L. ENGBERG, whose address is P.O. Box 1181, Fenton, Michigan 48430,

the following described premises situated in the Township of Tyrone, County of Livingston, State of Michigan, described as:

The Southeast quarter of the Northeast quarter of Section 27, Town 4 North, Range 6 East,

Excluding therefrom the following parcel: Beginning at a point on the East line of said Section, North 0’ 02’ 20” East 330 feet from East quarter corner of said Section; thence North 0’ 02’ 20” East 330 feet; thence West 660 feet; thence South 02’ 02’ 20” West 330 feet; thence East 660 feet to the point of beginning.

More commonly known as vacant 35 acres


for the full consideration of Ninety-Five Thousand and No/100 ($95,000.00) Dollars

SUBJECT TO: all applicable building and use restrictions, zoning ordinances and easements of record, if any.

The Grantors grant to the Grantees the right to make all divisions under section 108 of the land division act, Act 288 of the Public Acts of 1967.

This property may be located within the vicinity of farmland or farm operation. Generally accepted agricultural and management practices which may generate noise, dust, orders, and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

Dated this 21st day of June, 2011.

SIGNED AND SEALED:

[Signatures]
Frederick Wasser a/k/a Fred Wasser

Barbara R. Wasser

Norma Wasser

1
STATE OF MICHIGAN  
COUNTY OF OAKLAND  

The foregoing instrument was acknowledged before me, this 21st day of June 2011 by BARBARA R. WASSER, survivor of herself and ALFRED G. WASSER, Deceased, whose death certificate is recorded in Instrument #2011R-016053.

Christopher B. Smith, Notary Public
Oakland County, Michigan
My Commission Expires: April 16, 2015

STATE OF MICHIGAN  
COUNTY OF OAKLAND  

The foregoing instrument was acknowledged before me, this 24th day of June 2011 by FREDERICK WASSER also known as FRED WASSER and NORMA WASSER, husband and wife.

Christopher B. Smith, Notary Public
Oakland County, Michigan
My Commission Expires: April 16, 2015

INSTRUMENT DRAFTED BY:  
Christopher B. Smith
Law Firm of Smith & Smith
209 E. Liberty Street
Milford, MI 48381
(248) 884-2735

WHEN RECORDED, RETURN TO: Grantees

State Transfer Tax: $712.50
County Transfer Tax: 104.50
LIVINGSTON COUNTY
DELINQUENT PROPERTY TAX RECEIPT

JENNIFER M. NASH
LIVINGSTON COUNTY TREASURER
200 E GRAND RIVER
HOWELL MI 48843
517-546-7010

RECEIPT NO: 18-0119151
DATE PAID: 06/18/18
TAX YEAR: 2017
CHECK NO: 3787
CASHIER: Rhodge

UNIT: TYRONE TOWNSHIP
PARCEL: 4704-27-200-004

ENGBERG KEITH A & PATRICIA L
7313 MABLEY HILL RD
FENTON MI 48430

PLEASE NOTIFY YOUR TOWNSHIP/CITY IF THE NAME & ADDRESS SHOWN AT THE LEFT ARE INCORRECT.

IF PAYMENT IS MADE BY CHECK OR DRAFT WHICH IS DISHONORED FOR ANY REASON, THEN THIS RECEIPT IS VOID AND THE TAX WILL CONTINUE AS UNPAID WITHOUT FURTHER NOTICE TO THE PAYER OR ANY OTHER PARTY OF INTEREST. INTEREST AND OTHER CHARGES CONTINUE TO ACCRUE ON ANY UNPAID BALANCE. FOR TAX PAYOFF INFORMATION, CONTACT THE COUNTY TREASURER'S OFFICE.

| BASE TAX | PREV. AMT DUE | 1,404.96 |
| INTEREST | 56.20 | 56.20 |
| ADMIN FEE | 56.20 | 56.20 |
| EXPENSE OF SALE | 0.00 |
| OTHER | 0.00 |
| OVER/UNDER | 0.00 |
| TOTAL | 1,517.36 | 1,517.36 |

CHECK YOUR DESCRIPTION:
If you pay on the wrong description, we are not permitted to make adjustments later.

LEGAL DESCRIPTION:
SEC 27, T48R, E8E 1/4 OF NE 1/4 EXC BKG 330 FT, N 8°32'20"W FROM E 1/4 COR OF SEC, N 5°02'20"E 330 FT, W 660 FT, S 8°02'20"W 330 FT, E 660 FT TO BKG 33 AC

RECEIVED

JUN 26 2018
TYRONE TOWNSHIP
PLANNING & ZONING

I hereby certify that application was made to pay all taxes and special assessments due and payable at this office on the property identified herein for the year of tax shown, except as indicated

JENNIFER M. NASH
PARENT PARCEL (Tax ID#4704-27-200-004): As recorded in Warranty Deed 2011R-019449: The following described premises situated in the Township of Tyrone, County of Livingston, State of Michigan, described as:

The Southeast quarter of the Northeast quarter of Section 27, Town 4 North, Range 6 East, Excepting therefrom the following parcel: Beginning at a point on the East line of said Section, North 00'02"20' East 330 feet from the East quarter corner of said Section; thence North 00'02"20' East 330 feet; thence West 660 feet; thence South 00'02"20' West 330 feet; thence East 660 feet to the point of beginning.

More commonly known as vacant 35 acres

PARENT PARCEL (As Surveyed): Part of the Northeast 1/4 of Section 27, T4N-R6E, Tyrone Township, Livingston County, Michigan, more particularly described as follows: BEGINNING at the East 1/4 Corner of said Section 27; thence along the East-West 1/4 line of said Section 27 and the centerline of Germany Road (66 foot wide Right of Way), S 86°51'59"W, 1315.35 feet; thence along the East line of "HOUGHTON'S ACREs", a subdivision as recorded in Liber 8 of Plats on pages 45 and 46 of the Livingston County Records, N 03°06'19"W (plotted as N 00°57"W), 527.63 feet to a found concrete monument; thence along the West line of the Northeast 1/4 of said Section 27, as previously surveyed and monumented, N 03°13'19"W, 815.91 feet to a found 1/2" iron rod; thence along the North line of the Northeast 1/4 of the Northeast 1/4 of said Section 27, as previously surveyed and monumented, N 86°35'32"E, 1331.05 feet (previously recorded as N 86°37'30"E, 1331.23 feet); thence along the East line of said Section 27 and the Centerline of Mabley Hill Road (66 foot wide Right of Way), S 02°30'36"E, 690.24 feet; thence along a previously surveyed and monumented line, S 87°20'00"W, 660.43 feet (previously recorded as West 660 feet) to a found iron rod; thence along a line parallel to the said East Section line, S 02°30'36"E, 330.00 feet (previously recorded as S 02°02'20"W, 330 feet); thence N 87°20'00"E, 660.43 feet (previously recorded as East 660 feet); thence along the said East line of Section 27 and the Centerline of Mabley Hill Road, S 02°30'36"E, 329.75 feet (previously recorded as S 02°02'20"W, 330 feet) to the Point of Beginning, containing 35.90 acres, more or less, and subject to the rights of the public over Germany Road and Mabley Hill Road. Also subject to any easements or restrictions of record.

PARCEL 1 Part of the Northeast 1/4 of Section 27, T4N-R6E, Tyrone Township, Livingston County, Michigan, more particularly described as follows: Commencing at the East 1/4 Corner of said Section 27; thence along the East line of said Section 27 and the Centerline of Mabley Hill Road (66 foot wide Right of Way), N 02°30'36"W, 659.75 feet (previously recorded as N 02°02'20"W, 660 feet) to the POINT OF BEGINNING of the parcel to be described; thence along a previously surveyed and monumented line, S 87°20'00"W, 660.43 feet (previously recorded as West 660 feet) to a found iron rod; thence S 87°43'07"W, 662.16 feet; thence along the West line of the Northeast 1/4 of the Northeast 1/4 of said Section 27, as previously surveyed and monumented, N 03°13'19"W, 668.60 feet to a found 1/2" iron rod; thence along the North line of the Northeast 1/4 of the Northeast 1/4 of said Section 27, as previously surveyed and monumented, N 86°35'32"E, 1331.05 feet (previously recorded as N 86°37'30"E, 1331.23 feet); thence along the East line of said Section 27 and the Centerline of Mabley Hill Road, S 02°30'36"E, 690.24 feet to the Point of Beginning, containing 20.73 acres, more or less, and subject to the rights of the public over Mabley Hill Road. Also subject to any easements or restrictions of record.

PARCEL 2 Part of the Northeast 1/4 of Section 27, T4N-R6E, Tyrone Township, Livingston County, Michigan, more particularly described as follows: Commencing at the East 1/4 Corner of said Section 27; thence along the East-West 1/4 line of said Section 27 and the Centerline of Germany Road (66 foot wide Right of Way), S 86°51'59"W, 659.85 feet to the POINT OF BEGINNING of the parcel to be described; thence continuing along the said East-West 1/4 line of said Section 27 and the Centerline of Germany Road, S 86°51'59"W, 655.53 feet; thence along the East line of "HOUGHTON'S ACREs", a subdivision as recorded in Liber 8 of Plats on pages 45 and 46 of the Livingston County Records, N 03°06'19"W (plotted as N 00°57"W), 527.63 feet to a found concrete monument; thence along the West line of the Southeast 1/4 of the Northeast 1/4 of said Section 27, as previously surveyed and monumented, N 03°13'19"W, 147.31 feet; thence N 87°43'07"E, 662.16 feet to a found iron rod; thence along a line parallel to the said East Section line, S 02°30'36"E, 330.00 feet (previously recorded as S 02°02'20"W, 330 feet); thence S 02°37'12"E, 335.13 feet to the Point of Beginning, containing 10.13 acres, more or less, and subject to the rights of the public over Germany Road. Also subject to any easements or restrictions of record.
PARCEL 3
Part of the Northeast 1/4 of Section 27, T4N-R6E, Tyrone Township, Livingston County, Michigan, more particularly described as follows: BEGINNING at the East 1/4 Corer of said Section 27; thence along the East-West 1/4 line of said Section 27 and the centerline of Germany Road (66 foot wide Right of Way), S 86°51'59" W, 659.83 feet; thence N 02°37'12" W, 335.13 feet; thence N 87°20'00" E, 660.43 feet (previously recorded as East 660 feet); thence along the East line of Section 27 and the centerline of Mabley Hill Road (66 foot wide Right of Way), S 02°30'36" E, 329.75 feet (previously recorded as S 02°02'20" W, 330 feet to the Point of Beginning, containing 5.04 acres, more or less, and subject to the rights of the public over Germany Road and Mabley Hill Road. Also subject to any easements or restrictions of record.

Bearings are based on Grid North from GPS RTK observations.

Witnesses: East 1/4 Cor. Sec. 27, T4N-R6E I-10 (LSC 1137m)
Found “Livingston County Monumentation” Brass Disk in gravel road intersection 2 ft. north & 3 ft. west of centerline.
S45°W 78.78' Found Liv Eng. Nail/Tag N/side 7" Poplar
N20°W 63.77' Found Remon Nail/Tag S/side P. Pole
S71°E 87.15' Set Livingston Eng. Nail/Tag N/side 21" Twin Cherry
S20°E 67.00' Set Livingston Eng. Nail/Tag E/side 10" Hickory

Northeast Cor. Sec. 27, T4N-R6E I-09 (2012C-0050 L.C.R)
Found “Livingston County Monumentation” Brass Disk in monument box in road centerline.
S49°E 35.42' Found Remon Nail/Tag N/side 8" Sycamore
N68°E 35.94' Set Remon Nail/Tag S/side 10" Hickory
N38°W 37.56' Set Livingston Eng. Nail/Tag NE/side 9" Apple
S25°W 55.52' Set Livingston Eng. Nail/Tag E/side 11" Oak
N86°W 23.80' Found Remon Nail/Tag Dead Oak stump

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JUN 26 2018
TYRONE TOWNSHIP
PLANNING & ZONING

LIVINGSTON ENGINEERING
3300 S. Old US-23
Brighton, Michigan 48114
(810) 225-7100  Fax (810) 225-7699
Page 4 of 4
Tyrone Township Escrow Agreement

This Escrow Agreement is for the cost of review, inspection and monitoring of the project of the Applicant. This includes, but not limited to:

a) The cost of the review of applications for approvals and variances;
b) Site Plan Reviews;
c) Any Planning Commission meetings;
d) Special meetings;
e) Reviews by Township Attorney and preparation of appropriate approving resolutions or ordinances;
f) Reviews by Township planner and/or engineer;
g) Publications and notices of public hearings or meetings;
h) Traffic studies;
i) Environmental impact studies;
j) Engineering Construction Reviews
k) Zoning administrator inspections and involvement;
l) Any other services or expenses relating to the application, inspection or monitoring processes incurred by the Township that are necessary and incident to the completion of the work or project.

Accordingly the Applicant shall pay, simultaneously with the execution of this Agreement, the sum of $1,000.00 to be held in escrow by the Township to cover the aforementioned costs and expenses. The escrow deposits shall bear no interest.

If, during the project, the escrow balance falls below the amount necessary to complete the project, the Applicant shall make additional deposits sufficient to cover any deficit.

Any excess funds remaining in any escrow account after the project completion will be refunded to the Applicant less any administrative fees.

If the project costs and expenses exceed the amount remaining in the escrow after final project approval, the Township shall send the Applicant a statement for such additional costs. Until the Applicant pays for such costs, no further Township permits or approvals shall be issued.

TYRONE TOWNSHIP
By: ____________________________
Its: ____________________________

APPLICANT

RECEIVED
JUN 26 2018
TYRONE TOWNSHIP
PLANNING & ZONING

12/1/11
TYRONE TOWNSHIP

10408 CENTER ROAD
FENTON, MI 48430
810-629-8631
WWW.TYRONETOWNSHIP.US

Payment for:
ESCROW
PARCEL 4704-35-400-019

Receipt: 81718  06/26/18
Cashier:  JOANNE
Received OF:  ENGBERG KEITH A & PATRICIA L
7313 MABLEY HILL RD
FENTON MI 48430

The sum of:  1,000.00

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TENDERED: CHECKS  3821  1,000.00

RECEIVED
JUN 26 2018
TYRONE TOWNSHIP
PLANNING & ZONING

Signed: ____________________________
TYRONE TOWNSHIP

10408 CENTER ROAD
FENTON, MI 48430
810-629-8631
WWW.TYRONETOWNSHIP.US

Payment for:
MEETING JULY 10, 2018

Receipt: 81717  06/26/18
Cashier: JOANNE
Received OF: ENGBERG KEITH A & PATRICIA L

7313 MABLEY HILL RD
FENTON MI 48430

The sum of:  400.00

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TENDERED: CHECKS  3800  400.00

RECEIVED

JUN 26 2018
TYRONE TOWNSHIP
PLANNING & ZONING

Signed: ___________________________
LIVINGSTON COUNTY TREASURER'S CERTIFICATE

I hereby certify that there are no TAX LIENS OR TITLES held by the State or any individual against the within description, and all TAXES are same as paid for five years previous to the date of this instrument or appear on the records in this office except as stated.

6-30-11 Dianne H. Hardy, Treasurer
Sec 185 Act 266 1993 as Amended
Taxes not examined Certificate # 17109

HOMESTEAD DENIALS NOT EXAMINED

WARRANTY DEED

GRANTORS: BARBARA R. WASSER, survivor of herself and ALFRED G. WASSER, Deceased, whose death certificate is recorded in Instrument #2011R-016053, and FREDERICK WASSER also known as FRED WASSER and NORMA WASSER, husband and wife, whose address is 2573 Ridge Road, White Lake, Michigan 48383,

CONVEYS and WARRANTS TO: KEITH A. ENGBERG and PATRICIA L. ENGBERG, whose address is P.O. Box 1181, Fenton, Michigan 48430,

the following described premises situated in the Township of Tyrone, County of Livingston, State of Michigan, described as:

The Southeast quarter of the Northeast quarter of Section 27, Town 4 North, Range 6 East, Excepting therefrom the following parcel: Beginning at a point on the East line of said Section, North 0° 02' 20" East 330 feet from East quarter corner of said Section; thence North 0° 02' 20" East 330 feet; thence West 660 feet; thence South 02° 02' 20" West 330 feet; thence East 660 feet to the point of beginning.

More commonly known as vacant 35 acres

for the full consideration of Ninety-Five Thousand and No/100 ($95,000.00) Dollars

SUBJECT TO: all applicable building and use restrictions, zoning ordinances and easements of record, if any.

The Grantors grant to the Grantees the right to make all divisions under section 108 of the land division act, Act 288 of the Public Acts of 1967.

This property may be located within the vicinity of farmland or farm operation. Generally accepted agricultural and management practices which may generate noise, dust, orders, and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

Dated this 21st day of June, 2011.

SIGNED AND SEALED:

Frederick Wasser a/k/a Fred Wasser

Barbara R. Wasser

Norma Wasser

STATE OF MICHIGAN
REAL ESTATE TRANSFER TAX
Livingston County
06/30/2011
2011R-019449

CISLO TITLE CO.
STATE OF MICHIGAN

COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me, this 21st day of June 2011 by BARBARA R. WASSER, survivor of herself and ALFRED G. WASSER, Deceased, whose death certificate is recorded in Instrument #2011R-016053.

Christopher B. Smith, Notary Public
Oakland County, Michigan
My Commission Expires: April 16, 2015

STATE OF MICHIGAN

COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me, this 24th day of June 2011 by FREDERICK WASSER also known as FRED WASSER and NORMA WASSER, husband and wife.

Christopher B. Smith, Notary Public
Oakland County, Michigan
My Commission Expires: April 16, 2015

INSTRUMENT DRAFTED BY: WHEN Recorder, RETURN TO: Grantees
Christopher B. Smith
Law Firm of Smith & Smith
209 E. Liberty Street
Milford, MI 48381
(248) 684-2735

State Transfer Tax: $712.50
County Transfer Tax: 104.50
NEW BUSINESS #7
June 26, 2018

BUILDING CLEANING BID

Tyrone Township
10408 Center Rd
Fenton, MI 48430

WEEKLY CLEANING:

. Office areas, kitchen, hallways, foyers, and meeting room.
. Wash tables tops in kitchen and meeting room.
. Bathrooms: clean and sanitizing front and rear restrooms (sinks, mirrors, toilets, seats, urinals and flooring).
. Vacuuming all rugs and carpets.
. Sweep and mop all floor areas.
. Cleaning and dusting of desk, tabletops (please clear desk off as much as possible to provide for a better cleaning of the areas) glass cabinet in foyer, file cabinets tops, countertops, kitchen sink (please have sink empty), and decob webbing as needed, window casings as needed.
. Washing and dusting of office chairs legs as needed.
. Washing front glass doors and interior glass as needed.
. Empty all waste baskets and kitchen recycle bin.
. Clean any lids of waste containers (especially kitchen).
. Put trash outside in specified garbage containers (garbage, recycle).
EVERY OTHER WEEK:

• Bi-weekly cleaning: wet washing of floors, kitchen, foyer, hallways and meeting room (if possible please have chairs folded up and stored).

EQUIPMENT AND MATERIAL:

I will supply all cleaning and disinfectant products, flooring products, broom and vacuum cleaner. Except hand towels, hand soap, waste basket liners, and toilet tissue required for cleaning of the township hall. The Township will provide a storage closet for chemicals and equipment to be left there for our company’s use only.

I will provide a copy of the Certificate of Liability Insurance to the township.

Weekly Cleaning provided at the rate of $165.00

Our mission is to provide you with the best cleaning experience as possible.

RITTERS CLEANING SERVICE INC. 6500 Victoria Ct., Fenton, MI 48430
1-810-623-7603
TYRONE TOWNSHIP CONTRACT
FOR TOWNSHIP HALL CLEANING SERVICES

This agreement made this July 9, 2018 by and between Tyrone Township, Livingston County, Fenton, Michigan (hereafter called Township) and JW Cleaning, 7138 Alger Drive, Davison, Michigan 48423 (hereafter called the Company) as follows:

1. Services:

   - Weekly cleaning of office areas, kitchen, clean and sanitize front and rear restrooms (toilet and seats, urinals, etc.), polishing fixtures, hallways, foyers, and meeting rooms, including spot washing of walls (once a week on Friday evenings after 5pm, or the weekends unless there is a scheduled meeting).
   
   - General cleaning should include:
     
     - Vacuuming or dust mopping of all floors.
     - Clean or dust desks and tabletops, file tops, chair seats and legs, window casings, countertops, kitchen sink, cobwebs and sanitizing telephones.
     - Empty waste baskets and put waste in outside trash container, and cleaning tops of waste bins as needed.
     - Bi-monthly wash and polish (damp mop) floors.

2. COMPENSATION:

   - The Township will pay to the Company in full satisfaction of this agreement, and in full payment for all services as follows:

     - Weekly fee for services as outlined in Item 1. $115.00 per time + $27.00 once monthly for supplies.
     
     - Additional Hourly Service $22.50
     - Stripping and Waxing Tile Floors On Request
     - Paper Towels Supplied
     - Tissue Paper Supplied
     - Hand Soap Supplied

3. TERM:

   - The term of this agreement shall be for a period commencing July 1, 2018 and it shall continue thereafter until June 30, 2021 or until terminated by either party, giving the other party 30 days prior written notice of such termination.
NEW BUSINESS #8
40TH ANNUAL
MMTA FALL CONFERENCE
September 23 - 26, 2018
DoubleTree By Hilton Riverfront • Bay City

✓ Further Your Professional Development
✓ Learn Job Skills
✓ Network with Your Peers
✓ Earn MiCPT and CPFA Credits
✓ Get Involved in the Annual Meeting
✓ Celebrate the PRIME Award Winner
✓ Honor Past Presidents

Reaching Further, Together

See you on the river! Join the MMTA Board of Directors and all your peers at the Bay City DoubleTree Riverfront Hotel this September for education, networking, and celebration.

WWW.MMTA-ML.ORG
For More Info & To Register