TYRONE TOWNSHIP
PUBLIC HEARING & REGULAR BOARD MEETING AGENDA
AUGUST 21, 2018 - 7:00 P.M.
(810) 629-8631

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

ROLL CALL

PUBLIC HEARING – POLICE & FIRE PROTECTION SPECIAL ASSESSMENT
The purpose of the public hearing is to consider objections and comments regarding the proposed special assessment district for police and fire protection.

APPROVAL OF AGENDA – OR CHANGES

APPROVAL OF CONSENT AGENDA
Regular Board Meeting Minutes – July 17, 2018
Treasurer’s Report
Clerk’s Warrants and Bills

COMMUNICATIONS
1. AT&T Annual Video Report- July 20, 2018
2. Fire Run Report
3. Livingston County Sheriff Report- April 2018
4. Livingston County Sheriff Report- May 2018
5. Livingston County Sheriff Report- June 2018
6. Letter from Mr. & Mrs. Perez- July 3, 2018
7. Planning Commission Annual Report- July 17, 2018
8. Planning Commission Meeting Synopsis- August 14, 2018
9. Planning Commission Approved Meeting Minutes- April 10, 2018
10. Planning Commission Approved Meeting Minutes- May 15, 2018
11. Webster Garner propane rate for 2018 season

PUBLIC REMARKS

UNFINISHED BUSINESS
1. New/renovated township hall.

NEW BUSINESS
1. Payne-Dentonview boundary realignment.
2. Public Safety Resolution #180801- Distribution of levy upon land in special Assessment district.
3. Request of Jeanette Smith to appeal a fire service charge.
5. Zoning Board of Appeals (ZBA) appointments.

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 July 17, 2018 at 7:00 p.m. at the Tyrone Township Hall.

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

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- June 19, 2018
Treasurer's Report
Clerk's Warrants and Bills

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

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

Trustee Walker moved to receive and place on file Communications #1-3 as presented. (Trustee Pool seconded.) The motion carried; all ayes.

PUBLIC REMARKS
Matt Germane introduced himself as a candidate for County Commissioner.

UNFINISHED BUSINESS
None.

NEW BUSINESS
1. Request of Mr. Sahouri to appeal his fire run service charge.

Mr. Sahouri received a fire service charge after the fire department was dispatched to his residence for burning. Mr. Sahouri was burning leaves and did not have a burn permit. Trustee Walker moved to decrease the fee by half to $709.50. (Trustee Pool seconded.) The motion failed: 3 ayes (Walker, Pedersen, Pool), 4 nays (Schultz, Eden, Cunningham, Husted). The original charge of $1419.00 stands.
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.

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.

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: Trustee Walker
SUPPORTED BY: Trustee Schultz

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

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

EXHIBIT A

TOWNSHIP OF TYRONE
LIVINGSTON COUNTY, MICHIGAN
1951 PA 33 PROCEEDINGS

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

NAME
ADDRESS
CITY, STATE ZIP

PARCEL ID

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 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

3. City of Fenton contract for township fire service.

Trustee Walker moved to approve the fire service contract with the City of Fenton for a period of five years. (Trustee Schultz seconded.) The motion carried; all ayes.

4. Hartland Deerfield Authority contract for township fire service.

Trustee Walker moved to approve the fire service contract with the Hartland Deerfield Fire Authority for a period of five years. (Treasurer Eden seconded.) The motion carried; all ayes.
5. Resolution #180702 to adopt the Livingston County Hazard Mitigation Plan.

RESOLUTION #180702
TYRONE TOWNSHIP, LIVINGSTON COUNTY

APPROVING THE LIVIN GSTON 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: Trustee Schultz
SUPPORTED BY: Treasurer Eden

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

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


Trustee Walker moved to approve Keith and Patty Engberg’s request for land division of parcel 4704-27-200-004 as recommended by the Planning Commission. (Trustee Schultz seconded.) The motion carried; all ayes.


Trustee Walker moved to accept the quote of $165.00/week from Ritter's Cleaning Service to clean the township hall. (Trustee Schultz seconded.) The motion carried; all ayes.

8. Request of the Treasurer to attend the MTA Fall Conference.

Trustee Walker moved to authorize the Treasurer to attend the MTA Fall Conference, including hotel charges. (Trustee Schultz seconded.) The motion carried; all ayes.

MISCELLANEOUS BUSINESS
None.

PUBLIC REMARKS
None.

ADJOURNMENT
Trustee Walker moved to adjourn. (Trustee Pool seconded.) The motion carried; all ayes. The meeting adjourned at 7:32 p.m.
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<th>INVESTMENTS</th>
<th>MICHIGAN CLASS</th>
<th>FLG PEG CD</th>
<th>Grand Totals Each</th>
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<td>FENTON PRINTING</td>
<td>BUSINESS CARDS: ZONING ADMIN, ASSESSING</td>
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<tr>
<td>08/15/2018</td>
<td>001</td>
<td>21523</td>
<td>HARRIS &amp; LITERSKI ATTORNEYS AT LAW</td>
<td>LEGAL: ORD ENFORCEMENT, PLANNING, BOARD</td>
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<tr>
<td>08/15/2018</td>
<td>001</td>
<td>21524</td>
<td>IRON MOUNTAIN INC</td>
<td>DOCUMENT SHREDDING 7.12.18</td>
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<td>08/15/2018</td>
<td>001</td>
<td>21525</td>
<td>JAGER, THERESA</td>
<td>REFUND OF HALL RENTAL DEPOSIT</td>
</tr>
<tr>
<td>08/15/2018</td>
<td>001</td>
<td>21526</td>
<td>LIVINGSTON COUNTY TREASURER</td>
<td>TAX CHARGEBACK BOARD OF REVIEW</td>
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<tr>
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<td>21527</td>
<td>MCKENNA ASSOCIATES, INC.</td>
<td>TWP. PLANNING SERVICES JULY 2018</td>
</tr>
<tr>
<td>08/15/2018</td>
<td>001</td>
<td>21528</td>
<td>PLANTE MORAN, PLLC</td>
<td>ACCOUNTING SERVICES 6.28.18 - 7.25.18</td>
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<td>CHART OF ACCOUNTS PROJECT THRU 7.25.18</td>
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<td>Bank</td>
<td>Check</td>
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<tr>
<td>08/15/2018</td>
<td>001</td>
<td>21529</td>
<td>PSI PRINTING SYSTEMS INC</td>
<td>AP CHECKS (1000)</td>
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<td>08/15/2018</td>
<td>001</td>
<td>21532</td>
<td>RICOH USA, INC.</td>
<td>COPIER LEASES 7.28.18 TO 8.27.18</td>
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<td>08/15/2018</td>
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<td>21531</td>
<td>RICOH USA, INC.</td>
<td>4049 B&amp;W AND 1113 COLOR COPIES JULY 2018</td>
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<td>STAPLES ADVANTAGE</td>
<td>SUPPLIES: BOARD, GEN, TREAS, CLERK, ELEC</td>
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<td>08/15/2018</td>
<td>001</td>
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<td>TRI-COUNTY TIMES</td>
<td>PUBLICATIONS: BOARD, ELECT, ZBA</td>
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001 TOTALS:
- Total of 41 Checks: 85,019.05
- Less 0 Void Checks: 0.00
- Total of 41 Disbursements: 85,019.05

Bank 022 STATE BANK - PUBLIC SAFETY checking
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<tr>
<td>07/21/2018</td>
<td>022</td>
<td>1079</td>
<td>HARRIS &amp; LITERSKI ATTORNEYS AT</td>
<td>PUBLIC SAFETY LEGAL ADVICE</td>
<td>387.75 V</td>
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<td>07/21/2018</td>
<td>022</td>
<td>1080</td>
<td>HARTLAND AREA FIRE DEPARTMENT</td>
<td>6 FIRE RUNS JUNE 16-30</td>
<td>8,514.00</td>
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<td>08/15/2018</td>
<td>022</td>
<td>1083</td>
<td>CITY OF FENTON</td>
<td>18 FIRE RUNS JULY 2018</td>
<td>25,542.00</td>
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<td>08/15/2018</td>
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<td>1084</td>
<td>HARRIS &amp; LITERSKI ATTORNEYS AT</td>
<td>LEGAL PUBLIC SAFETY</td>
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022 TOTALS:
- Total of 9 Checks: 47,962.23
- Less 1 Void Checks: 387.75
- Total of 8 Disbursements: 47,574.48

Bank 101 FLAGSTAR-SEWER DEBT-CKG
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<td>101</td>
<td>1164</td>
<td>LIVINGSTON COUNTY DRAIN COMM.</td>
<td>BILLING FOR 2 BARNES PUMPS 7385 OLD US23</td>
<td>6,966.00</td>
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<td>08/15/2018</td>
<td>101</td>
<td>1165</td>
<td>LIVINGSTON COUNTY TREASURER</td>
<td>LAKE TYRONE IMPROVE BOND INTEREST</td>
<td>9,915.10</td>
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08/01/2018 101 1162 RON GORDON | REFUND OVERPAYMENT FROM 2008 | 132.13
08/01/2018 101 1163 CURTIS SCHUPBACH | 1 REU TRANSFER TO RIdENHOUR $10,000 LESS | 9,900.00
08/01/2018 101 1164 LIVINGSTON COUNTY DRAIN COMM. | BILLING FOR 1 GRINDER PUMP 10043 NIMPHIE | 4,417.60
<p>| 11,383.60 |</p>
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<td>379</td>
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<td>381</td>
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<td>UB BILLING DONE JULY 2018 DUE TO GEN FUN</td>
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<td>08/15/18</td>
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102 TOTALS:
Total of 4 Checks: 153,579.19
Less 0 Void Checks: 0.00
Total of 4 Disbursements: 153,579.19

Bank 108 TAX FUND FLAGSTAR

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<td>07/21/18</td>
<td>108</td>
<td>2433</td>
<td>FENTON SCHOOLS</td>
<td>S2018 TAX RECD 7.2.18 TO 7.12.18</td>
<td>35,086.30</td>
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<td>07/21/18</td>
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<td>TRANSNATION TITLE AGENCY</td>
<td>2018 Sum Tax Refund 4704-13-201-024</td>
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108 TOTALS:
Total of 13 Checks: 594,097.38
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Total of 13 Disbursements: 594,097.38

Bank 203 TRUST & AGENCY 701 CKG

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<td>203</td>
<td>1720</td>
<td>MCKENNA ASSOCIATES, INC.</td>
<td>PLANNING REVIEWS: BENTLEY, HAGER, BECKER</td>
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<td>07/18/18</td>
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<td>1721</td>
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<td>203</td>
<td>1722</td>
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<td>07/21/18</td>
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<td>1723</td>
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<td>SPECIFIC MOBILE HOME TAX &amp; INTEREST JUNE</td>
<td>590.22</td>
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<td>08/01/18</td>
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<td>1724</td>
<td>TYRONE TOWNSHIP - COMMON ACCT</td>
<td>STURGIS 99-000-041 PD DPPT &amp; COURT FEES</td>
<td>48.67</td>
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<td>FENTON SCHOOLS</td>
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<td>GISD</td>
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<td>MOTT COMMUNITY COLLEGE</td>
<td>SPECIFIC MOBILE HOME TAX &amp; SET JUNE 2018</td>
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<td>MOTT COMMUNITY COLLEGE</td>
<td>2016 &amp; 2017 DPPT DISBURSEMENT COLLECTED</td>
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### CHECK REGISTER FOR TYRONE TOWNSHIP
**CHECK DATE FROM 07/13/2018 - 08/16/2018**

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<td>MCKENNA ASSOCIATES, INC.</td>
<td>REX HOLDINGS REVIEW</td>
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**203 TOTALS:**
- Total of 11 Checks: 9,829.79
- Less 0 Void Checks: 0.00
- Total of 11 Disbursements: 9,829.79

**Bank 205 SPECIAL ASSESSMENT ROAD IMPROVEMENT**

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<td>1036</td>
<td>STATE OF MICHIGAN</td>
<td>STATE TREASURY FILING FEE</td>
<td>209.00</td>
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<td>08/01/2018</td>
<td>205</td>
<td>1037</td>
<td>IMAGE MASTER, LLC</td>
<td>LAKE SHANNON SAD BOND OFFICIAL STATEMENT</td>
<td>2,250.00</td>
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<td>08/15/2018</td>
<td>205</td>
<td>1038</td>
<td>TYRONE TOWNSHIP - COMMON ACCT</td>
<td>REIMBURSEMENT TO GENERAL FUND FOR ROAD IMPROVEMENT</td>
<td>13,359.40</td>
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**205 TOTALS:**
- Total of 3 Checks: 15,818.40
- Less 0 Void Checks: 0.00
- Total of 3 Disbursements: 15,818.40

**REPORT TOTALS:**
- Total of 86 Checks: 938,646.85
- Less 1 Void Checks: 387.75
- Total of 85 Disbursements: 938,259.10
COMMUNICATION #1
July 20, 2018

Ms. Kavita Kale
Executive Secretary
Michigan Public Service Commission
PO Box 30221
Lansing, MI 48909

Dear Ms. Kale:

Michigan Bell Telephone Company, doing business as AT&T Michigan ("AT&T"), submits its Eleventh Annual Video Report to the Michigan Public Service Commission ("MPSC") and franchising entities in the State of Michigan regarding its deployment progress, as required by Michigan’s Uniform Video Services Local Franchise Act (2006 Public Act 480, as amended) or "Video Act". AT&T is separately providing a copy to each Clerk in the Michigan Communities where AT&T has launched its U-verse® TV service.

If you have any questions, please contact me on (517) 334-3708.

Sincerely,

Yvette Collins
Director – External/Regulatory Affairs
AT&T Michigan

Enclosures

cc:   Clerks in Franchised Communities
      Ms. Robin Ancona, Michigan Public Service Commission Staff
      Mr. Ryan McAnany, Michigan Public Service Commission Staff
      Ms. Yvette Collins, AT&T Michigan
STATUS OF AT&T'S VIDEO SERVICE DEPLOYMENT IN MICHIGAN

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

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

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

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

AT&T recently completed its eleventh year of providing video service in the state. In Michigan, AT&T currently provides access to its video service to over 50% of the households in its telecommunications service area (however, AT&T's subscription rate is less than 30%). Of these households with access to AT&T's video service in Michigan, over 35% are low-income households as defined by the Video Act. AT&T does not deny access to service to any group of potential residential subscribers because of race or income.

Since its launch in 2007 through the end of the 1st quarter of 2018, AT&T has paid more than $194 million to the local governments, made up of $151 million in video franchise fees and $43 million in public, education and government (PEG) fees.

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

² See Section 9(2) of the Video Act: "It is a defense to an alleged violation of subsection (1) if the provider has met either of the following conditions: (1) Within 3 years of the date it began providing video service under this act, at least 25% of households with access to the provider's video service are low-income households; (2) Within 6 years of the date it began providing video service under this act and from that point forward, at least 30% of the households with access to the provider's video service are low-income households."

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

AT&T invests billions to build the advanced networks that create jobs and fuel economic growth. From 2014 through 2016, AT&T invested more than $1.4 billion in its Michigan wireless and wireline networks.

AT&T’S U-verse® TV PRODUCT

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

U-verse TV includes:

- Ability to access to more than 266 IPTV National HD channels.
- Ability to record up to 4 shows at once with Total Home DVR\(^4\).
- Ability to stream shows virtually anywhere they go, on their phones, tablets or computers.
- AT&T’s deployment of Public, Educational, and Government (PEG) continues with communities who have requested AT&T to carry their PEG programming on U-verse TV.

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

---

\(^4\) Total Home DVR (Digital Video Recorder). See: [https://www.att.com/esupport/article.html#i/u-verse-tv/k1009866](https://www.att.com/esupport/article.html#i/u-verse-tv/k1009866) for more details. An AT&T U-verse customer can record 4 shows at once on a single DVR, record and playback shows from any room in the home, pause a recorded show in one room and pick it up in another and program the DVR remotely from the computer or wireless phone.

ADDITIONAL AT&T U-verse® TV INFORMATION

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

https://www.att.com/tv/u-verse.html

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

- AT&T U-verse TV channel lineup:
  https://www.att.com/channellineup/u-verse/channel-lineup.jsp

- AT&T U-verse TV availability: https://www.att.com/tv/u-verse.html
COMMUNICATION #2
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**UNIVERSAL CREDIT SERVICES**
P.O. BOX 133
HARTLAND, MI  48353
810-632-3450

INVOICE  026432
08/01/18

* RECAP *

**RECEIVED**

**TYRO**
TYR001   TYRONE TOWNSHIP FIRE DEPT.
        ATTN: MARIAN KRAUSE
MNEDDN   10408 CENTER ROAD
        FENTON, MI 48430

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Gross Collections This Cycle......$250.00

Total Enclosed Checks.............$197.50
Acknowledgment Report
Placements From 7/1/2018 Thru 7/31/2018

We acknowledge, with thanks, receipt of the following accounts upon our usual terms. Immediate collection action has commenced. Please report all direct payments promptly and all communication from the debtor to us.

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Total Accounts 3
Average Age at Listing 449
Total Amount Assigned $2,401.42

We highly appreciate your business, and will consider it our goal to provide you with the most effective, and ethical service available.

Universal Credit Services, Inc.
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## TYRONE TOWNSHIP

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PRISONER TRANSPORT 1
PUBLIC SERVICE 1
SUICIDAL SUBJECT 2
SUSPICIOUS SITUATION 5
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TREE HAZARD 1
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WEAPONS OFFENSE 1
WELFARE CHECK 5

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COMMUNICATION #6
Our Tyrone Township Elected Officials,

Please take time to read the enclosed and then display the official motto of the United States...

In God We Trust!

Thank You!

Mrs. & Mrs. Joseph Herez

July 3, 2017

For over 240 years, America has placed its trust in God. This simple act of humble faith has given our nation strength in wartime, dignity and compassion toward those less fortunate, and hope in the face of unprecedented challenges. Throughout our history, prayers have been offered by our government leaders in petition, in thanksgiving, to embrace our grief and sorrow, for our troops and first responders, in times of uncertainty and crisis, during war and in peace, for protection, provision, guidance, and the acknowledgement that in and of ourselves we are wholly insufficient.

In 2005, the Congressional Prayer Caucus was formed, and the nearly 100 members are committed to advancing prayer and protecting our religious freedom. Through the efforts of the Congressional Prayer Caucus Foundation (CPCF), a non-profit, non-partisan organization, 32 states have joined the American Prayer Caucus Network, and now over 1,000 federal and state legislators are united and mobilized to pray and to ensure that God, prayer, and the Bible will help shape America’s future.

In November of 2011, the U.S. House of Representatives voted overwhelmingly (396-9) to reaffirm “In God We Trust” as the official motto of the United States, and encouraged its display in every school and public building. Since that time, millions of “In God We Trust” displays are now in school classrooms, courthouses, government buildings, law enforcement and private vehicles, homes, and offices. PrayUSA, another initiative spearheaded by these government leaders, has brought thousands of government leaders and pastors together with one heart and one voice for the purpose of unceasing prayer on behalf of the country.

Today, more than ever, we need to lift up those who serve us in all levels of government—the God’s favor and grace would be with them, that He would give each leader the discernment and wisdom to make decisions that honor Him and to fearlessly speak truth within the halls of power. Only then, will we experience a renewed hope... a strengthened resolve... a sharpened focus... a bold declaration, and an energized movement!
COMMUNICATION #7
July 17, 2018

Township Board
Tyrone Township
10408 Center Road
Fenton, MI 48430-9439


Dear Township Board Members:

As required by the Michigan Planning Enabling Act, PA 33 of 2008, Section 19, MCL 125.3819, the following is our annual report to the legislative body concerning our operations and the status of planning activities.

1. **Number of Meetings**: The Planning Commission met 21 times during this period, including special meetings requested by applicants and the Planning Commission.

2. **Applications**: One boundary realignment, five land divisions, two accessory building size increases, one home occupation, one concept plan for residential development, and four special land uses were processed.

3. **Adopted Zoning Amendments**: The following Zoning Ordinance amendments were recommended to the Township Board and adopted:

   Adopted 2/6/18
   - Section 21.43 – Condominium Standards
   - Section 22.05.C – Cemetery Standards
   - Article 23 – Licensed designer requirements
   - Land Division Ordinance – Licensed designer requirements.

   Adopted 3/6/18:
   - Elimination of open space requirements as part of land divisions.

4. **Proposed Zoning Amendments**: The Planning Commission has developed the following amendments for submittal to the Township Board for approval during the 2018 – 2019 fiscal year:
   - Rebuilding of nonconforming structures after a disaster.
   - Public and private recreational areas in the FR district.
   - Detached accessory structures on adjacent lots in certain residential districts.
   - Medical Marijuana Uses amendments for FR district caregiver uses.

5. **Future Zoning Amendments Being Developed**: The following zoning amendments are being developed for future consideration by the Township Board during the 2018 – 2019 fiscal year:
   - Sign Regulation restructuring as a result of the US Supreme Court decision
   - Planned Office text to support the Master Plan
   - Residential Wind Generators
   - Solar Farms
   - Zoning Ordinance language to regulate adult entertainment

The Planning Commission continues to evaluate potential zoning ordinance amendments which may enhance our community, address resident needs, or address resident concerns. Input from the township zoning administrator is part of this process.

6. **Five (5) year Master Plan review**: As required by PA 33 of 2008, the Michigan Planning Enabling Act, the Planning Commission will conduct a five (5) year review of the township’s Master Plan.

Tyrone Township Planning Commission
10408 Center Road  Fenton, MI 48430-9439  (810) 629-8631
Mark Meisel, Chairman  Kurt Shulze, Vice Chair  David Wardin, Secretary  Cam Gonzalez  Al Pool  Ron Puckett  Bill Wood
7. **Recommendations for the Township Board Related to Planning and Development:** The Planning Commission offers the following observations and recommendations to support current and future development in Tyrone Township:

   a. To preserve our roads, reduce road maintenance and refuse collection cost to our residents, and consistent with the most recent township survey, a single waste hauler should be established throughout the township. Currently at least 12 different refuse trucks from not less than four companies travel our roads weekly. A single waste hauler would reduce that number to 3 per week and preserve our road infrastructure. This would also eliminate unsightly garbage cans from our road sides throughout most of the week. We see the Township continue to process SADs to address some subdivisions, but a township wide solution is needed.

   b. Road conditions at several locations within the township are poor, which has the ability to reduce development opportunities within our township and diminish our reputation. We note road maintenance by Livingston County within the Township during 2017 was very minimal with the exception of co-funded projects, and left our roads susceptible to freeze/thaw damage during the most recent winter. Sealing of cracks and repair of areas with abundant potholes did not occur. A few of these areas should be emphasized to the Livingston County Road Commission, with requests that they be particularly well maintained to protect the current and future economic viability of our township. We believe some of the key areas are:

   i. White Lake Road: This is the most heavily traveled road in our township, and carries traffic from Genesee, Ingham, Oakland, and Shiawassee counties through our township. This road provides the most common route to access the city of Fenton via Runyan Lake Road, Hartland Road, Denton Hill Road, and Old US-23, along with Fenton Township and the City of Linden via Bennett Lake Road and Linden Road. This road received little attention during 2015 and has further degraded in several areas, including concerning increased delamination between US-23 and Denton Hill. This important road continues to deteriorate due to poor maintenance.

   ii. Runyan Lake Road. These roads carry the bulk of traffic to and from Tyrone Township by it residents to the Fenton school system and the local shopping districts. These roads are heavily traveled, poorly maintained, and currently reflect poorly upon our township as one enters it. A reasonable maintenance plan is needed from the county.

   iii. Old US-23 north of White Lake Road: This area is very poor immediately north of White Lake Road which results in use avoidance. This is a major artery into Fenton. (Note – project scheduled for summer 2018)

   iv. Hartland Road from Applewood north to the Fenton city limits.

   v. Runyan Lake Road, as it abuts Shiawassee Avenue in Fenton, has significant crown issues that result in nearly all of the west (south bound) lane being covered by water after significant rainfalls and snow melts, which is causing continued deterioration of the road surface and requires constant patching.

8. **Acknowledgments:** We note the road improvements co-funded by Tyrone Township and Livingston County have been well received and offer a significant improvement to a few of our primary roads.

The Planning Commission has worked diligently during the past 12 months to process resident applications and address topics identified in prior years which are captured on our PC Action List. We added new items to the list as a result of identified needs and/or State of Michigan and federal legislative changes. We continue to have a positive working relationship with the Livingston County Planning Department and Planning Commission, and we are better leveraging their experience and expertise.

Respectfully submitted,

Tyrone Township Planning Commission

Mark Meisel
Chairman
COMMUNICATION #8
Present: Mark Meisel, Kurt Schulze, Dave Wardin, and Al Pool.

Absent: Cam Gonzalez, Ron Puckett, and Bill Wood.

Approved the agenda as amended.

APPROVAL OF THE MINUTES:
1) April 10, 2018 Regular Meeting
2) May 15, 2018 Regular Meeting and Public Hearing

OLD BUSINESS:
1) Solar Farm Regulations – The latest draft was reviewed.
2) Article 27: Signs - Review for compliance with SCOTUS decision – Content neutral requirement - Was deferred due to a lack of time.

NEW BUSINESS:
1) Rex Land Division – Was recommended for Township Board approval with conditions.
2) MMMA Michigan Court of Appeals Ruling Review – Was reviewed.
3) Declare intent to Plan for 5 Year Master Plan Amendment – An intent to plan was declared and will be communicated to surrounding communities as required by PA 33 of 2008.

MISCELLANEOUS BUSINESS:
1) Future Items: The agenda was established for the 8/22/18 workshop meeting and will include the Hagar land division application

ADJOURNMENT: The meeting adjourned at 10:17 P.M.
COMMUNICATION #9
PRESENT: Mark Meisel, Dave Wardin, Cam Gonzalez, Al Pool, Ron Puckett, Bill Wood, and Kurt Schulze

ABSENT: None.

OTHERS PRESENT: Tyrone Township Planner Brian Keeseey, Livingston County Health Department (LCHD) Director of Public Health Matt Bolang, 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 (7:02 pm): No comments were received.

APPROVAL OF THE AGENDA (7:02 pm):

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

APPROVAL OF THE MINUTES (7:03 pm): February 13, 2018 Regular Meeting

Cam Gonzalez made a motion to approve the February 13, 2018 Regular Meeting Minutes as presented. Al Pool supported the motion. The motion carried by unanimous voice vote.

OLD BUSINESS # 1 (7:04 pm): Yasin, LLC Cemetery Application

Chairman Meisel introduced the topic and thanked the residents in attendance for being present to voice their opinions and concerns on the proposed cemetery. He noted that the meeting is not a public hearing, however, the Planning Commission would be willing to take public comments from those who wish to speak on the subject. He noted that Matt Bolang, LCHD Director of Public Health, was present to aid the Planning Commission in responding to public concerns surrounding the potential environmental impact from the proposed cemetery.

Brian Keeseey read from the latest memo that he had prepared on the application to summarize the current status of the application. He explained that there are two primary (2) aspects that are being considered; the site plan review and the special land use. He summarized the site plan review standards for a cemetery special land use in the FR (Farming Residential) zoning district and indicated that they have all been fulfilled by the applicant. He then summarized the site plan review standards which apply to all special land uses and stated that the site plan also fulfills those standards. Chairman Meisel noted that although the applicant has demonstrated compliance with the Tyrone Township cemetery site plan review standards, inclusive of
perimeter fencing requirements, there is a possibility that there will need to be additional fencing (a complete perimeter fence) included on the site plan to meet the Livingston County cemetery standards. Brian Keesey continued through the review memo, moving on to the Township special land use standards, which are applicable to all special land uses in any zoning district, inclusive of commercial/industrial and residential. He explained that the special land use standards are intended to ensure harmonious character and compatibility with adjacent properties and the neighborhood. He stated that the standards take into consideration potential nuisance factors, potential environmental impact, and other pertinent information to reduce the likelihood of conflicts with existing properties and land uses in the area. He stated that the most prevalent concern that was expressed by residents regarding the proposed cemetery was the potential negative impact the cemetery may have on the ground water in the area (the possibility of potential contamination of drinking water). He continued, explaining that he feels that all other special land use standards, aside from determining the potential environmental impact, have been adequately fulfilled. He stated that Matt Bolang was present to hopefully provide some information that would be found satisfactory to the Planning Commission and residents in attendance and, depending on the outcome of the public discussion, the Planning Commission may have enough information to make a recommendation to the Township Board.

Chairman Meisel asked the Planning Commission if they had any questions or comments on the application. Ron Puckett expressed concerns over possible future noncompliance with Township standards. Chairman Meisel explained that speculation over the possibility of future noncompliance cannot be taken into consideration in determining whether or not the application should be recommended for approval if all of the requirements for approval have been fulfilled. Ron Puckett inquired about who decides whether or not there is a need for a cemetery at the proposed location. Chairman Meisel stated that the applicant has submitted an application for a permitted special land use [in the FR zoning district] based on their desire to establish a cemetery and there is no requirement that a need for the cemetery must be established. He reiterated that the application must be considered for approval as long as it meets all of the Township requirements. Ron Puckett explained that there are many residents who do not want a cemetery at the proposed location so he is speaking up on their behalf. Chairman Meisel explained that they could have the same discussion on virtually every special land use that comes before the Planning Commission. He stated that there will always be people against proposed land uses just as there are people that will support them. He explained that there are people who oppose residential development near their own property but, unless they purchase the property, the current owner has the right to build a home on their own land as long as it is a permitted use for the property. He continued, stating that the applicant has the right to use the land for the purpose(s) of their choosing as long as they demonstrate compliance with all local, state, and federal requirements. He explained that the Planning Commission does not have the right to refuse a recommendation for approval unless noncompliance with requirements can be demonstrated.

Chairman Meisel brought up the documents relevant to the LCHD review of the application on the overhead display monitors. He stated that the Planning Commission had compiled a list of questions expressed during the previous meetings into a document and requested additional explanation from the LCHD for clarification (see letter below for details).
“Dear Livingston County Health Department,

Tyrone Township has received an application to construct and operate a cemetery on privately owned property. During a public hearing, a number of residents expressed concerns about possible ground water contamination, and pointed to historic issues with cemeteries leading to contamination around the world. While many of the contaminated sites have causes which arguably would not apply to this applicant, the location and proximity to wetlands, along with ground water contamination of private water wells remains a concern among a number of residents.

The Tyrone Township Planning Commission is therefore once again requesting your technical expertise and assessment of the proposed cemetery site. The Livingston County Health Department appears to have jurisdiction over these types of sites with regard to protecting the public’s health. We, and our concerned residents, need your assurance the proposed cemetery at this location will not result in ground water contamination or other public health or safety concerns over time and can safely coexist with the existing residential development in the immediate area. We also may need your attendance during a Tyrone Township Planning Commission meeting to reassure the public.

We have the following questions/concerns we need your help with:

During our Planning Commission Meeting on March 13, 2018, the public in attendance brought up numerous questions regarding the criteria contained in the “Livingston County Department of Public Health Cemetery Guidelines.” Specifically they referenced the “Minimum Site Criteria for Cemetery Establishment”.

Those Criteria and questions from either the audience in attendance or the Planning Commission are as follows:

1. Approval for the construction of the cemetery must first be determined. A site visit with both the LCDPH and the consulting engineer must first be conducted prior to plans being prepared.
   *No Concerns or questions were received.*

2. A soil evaluation must be performed in order to determine soil suitability (at least two test holes per acre). Soil conditions shall be light and well-drained (i.e., loamy sands).
   *A Significant number of comments regarding only 5 borings being conducted was discussed. The minimum number of borings required per LCHD criteria would equal 20 and the audience wanted 30. Also the PC is asking whether or not the soils encountered are considered well-drained? Most of the borings show Clay Loam and Silt Loam from 1 ft. to 7 ft. which are not generally considered “light and well-drained”.*

3. Cemetery must be located above the 100-year floodplain.
   *No Concerns or questions were received.*

4. Sites with a high water table will not be allowed for a new cemetery. Minimum depth to seasonal high water table of 6 feet shall be required

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125 It was questioned whether or not 6 feet is sufficient? If the SHWT is at 6 feet and the minimum cover required is 4 feet, in accordance with item #7 of the aforementioned criteria, then the vaults could be placed within the SHWT.

128 5. Sites with environmental sensitive areas (i.e., floodplains, swamps, wetlands, creek drainage areas) are not suitable for new cemeteries. There are many questions regarding whether this is a suitable site because it does contain and/or is in near proximity to swamps, wetlands and creek drainage areas. The absence of an Environmental Report was a frequent concern. Does the LCHD have the authority to request or require additional information beyond the borings to specifically address the residents concern about groundwater contamination?

135 6. Isolation distances shall minimize any possible impact to surface water or potable water wells. New cemeteries shall maintain the minimum distances listed in the table below.

137 There was great concern voiced about the Well Isolation distance. 75 ft. is shown in the LCHD chart. World Health Organization (WHO), which was frequently brought up by audience, suggests a 250 meter (820 feet) isolation. While all of the surrounding wells exceed the 75 ft. requirement, there maybe a few within the 820 foot distance. Ground water flow and surface water flow in this area was also a major topic. Many of the concerns about this issue were residents of Alcoy Drive. Alcoy Drive is approximately 2500 feet in a southerly direction from the subject site and has wells which average 53 feet in depth with an average static water level of 19 feet. The drainage for the site in question is contained within a drainage channel that flows southerly from the site directly thru the Alcoy Drive development. There are questions whether or not the ground water flow is generally the same as the surface water flow and whether the shallowness of the aquifer will provide adequate protection. Transmission, thru the ground and surface water, or pathogens and other components is a great concern.

149 7. Minimum depth of burial shall include at least 4 feet of cover.

151 See previous discussion regarding this in Item #4 above.

152 8. There is no minimum lot size for gravesites. However, for a “family cemetery”, the size must not exceed 1 acre of land.

154 Concerns were voiced regarding the 1 acre maximum acreage for a “family cemetery”. The applicant has stated that the cemetery will be family “owned” but will be for family, friends, and during the public hearing stated it would be open to all.

157 9. Every gravesite should have a vault or metal casket. Vaults and metal caskets aide to minimize settling problems, as well as further protect water resources.

159 (Paraphrasing) Section 1811 of Act 299 of 1980 states that a vault or similar receptacle is not required as a condition of Burial in the State although a cemetery can require it. Is the LCHD mandating the vaults, and is it allowable for them to do so? The applicant has expressed the
desire for a “green cemetery”. This item is important due to the applicants desire to have a “Green” cemetery. If in fact vaults are not required and the minimum depth of cover is maintained, the depth of actual interment could be in close proximity to the Seasonal High Water Table.

10. No burials shall lie at the cemetery boundary. A buffer zone of at least 25 feet shall be required along the cemetery boundary. Deep rooted trees shall be preserved and planted within the buffer zones. A fence shall be required around the cemetery area.

No Concerns or questions were received.

11. The proprietor of a proposed cemetery shall submit two copies of a recorded survey with the location of the plat to LCDPH for review and approval. A fee of $100.00 shall be submitted to LCDPH for a cemetery plat review. The plat should include the following:
   a. Property (legal) description and location of numbered lots;
   b. Topography;
   c. Soils information; and,
   d. Signature and seal of a registered land surveyor.

No Concerns or questions were received.

12. The approved plat shall be recorded with the Register of Deeds and must meet the zoning/land use requirements of the local township. Documentation must be provided to LCDPH to verify this action has been completed.

No Concerns or questions were received.

It is our concern that the number of borings conducted, and soils identified, are not an accurate depiction of the entire grave site area. The Tyrone Township Planning Commission is looking to the LCHD to ensure that enough testing, soils or hydrogeological, is conducted so that we may express to our residents that the surrounding ground and surface waters are protected and demonstrate how they are protected per the LCHD.

If you could kindly reply prior to April 4, 2018, it would be greatly appreciated.

Thank you,

Tyrone Township Planning Commission

Mark Meisel

Chairman

Chairman Meisel indicated that he would be opening the floor to public comments. He explained that the intent is to allow residents to express any concerns they may have pertaining
to the review of the application performed by the LCHD and allow Matt Bolang to answer and provide clarification on the concerns. He reiterated that this is not a public hearing and respectfully requested that anyone making public comments base them on factual information and refrain from making emotional or inappropriate statements. He introduced Matt Bolang and requested that he make a brief statement regarding the LCHD review of the application and the LCHD Cemetery Guidelines document.

Matt Bolang introduced himself and explained that he would be happy to go through the list of questions and provide explanations. He stated that he wanted to first explain that the document from the LCHD pertaining to cemetery guidelines was created approximately twenty (20) years ago, around the time he started his employment with the LCHD and was designed primarily as a reference for suggested guidelines for small family cemeteries or plots. He explained that the document is not an ordinance nor a list of actual requirements, but simply a reference for suggested guidelines or recommendations relative to the establishment of small family cemeteries within Livingston County. He made note that he understands one of the concerns expressed relates to the document including the word “family” in the title, which he would be addressing shortly. He explained that it is the LCHD’s goal and responsibility to thoroughly review the applications that are presented to them in order to ensure the health and safety of all Livingston County residents. He continued, stating that they do not just approve every application they receive and would not have provided the opinion that there would be little to no risk of groundwater contamination if they did not believe that to be the case.

Matt Bolang, in response to a question about the soil types present at the proposed cemetery location, stated that the cemetery guidelines document recommends lower density soils than those existing at the site. He explained that the higher density soils at the site which include a high concentration of clays are actually ideal for protecting the groundwater at the site since they create a natural, impermeable barrier between human body decomposition (at the proposed burial depths) and the water table. He stated that the soil types would indicate that there would be very little risk of any potential contaminants (originating from a decomposing human body) to penetrate the heavy clay soils and result in contamination of subsurface waters. He asked if anyone had any further questions on the soil types present at the proposed cemetery site. Jerry Sanders (12345 Alcoy Drive) introduced himself and stated that he is a microbiologist. He asked Matt Bolang what types of contaminants were being considered in the LCHD review. Matt Bolang explained that the review was based on elements typically originating from the decomposition of a human body, explaining that there are a broad range of different contaminants that can be introduced into the ground depending on what was present in a body at the time of burial. Jerry Sanders provided examples of different types of microbes, bacteria, viruses, and other contaminants that could be present in a human body. He stated that he had performed extensive research on potential environmental contamination resulting from cemeteries, specifically citing a study which was performed in 2010 in which wells within an eight hundred (800) foot radius were sampled, all of which showed a high concentration on various contaminants. Matt Bolang asked Mr. Sanders for clarification on the aquifer system and water levels at the location where the study was performed. Jerry Sanders indicated that he was not aware of the specifics so he could not definitively answer the question but would be happy to provide Mr. Bolang with the literature after the meeting. Jerry Sanders continued to list various types of contaminants, emphasizing that Hepatitis A has recently become a significant problem in
California and has contaminated sources of drinking water. Matt Bolang questioned the context of Mr. Sanders’ comments. He explained that he understands microbiology and potential environmental contaminants and requested clarification on what specific point Mr. Sanders is trying to make. Jerry Sanders stated that his point is that the embalming of bodies would greatly reduce the potential contamination of groundwater. Jerry Sanders continued, stating that the World Health Organization (WHO) recommends a separation distance of at least eight hundred (800) feet between burial sites and wells, which the proposed cemetery would not meet. He then cited the Flint water crisis (lead contamination resulting from lead being present in the water transmission pipes/infrastructure) as an example of the importance of extensively researching sources of potential groundwater contamination. Jerry Sanders continued, stating that climate and weather are major factors involved in the amount of time it takes for a human body to decompose in the ground. He stated that the average timeframe, under optimum conditions, for a body to decompose is approximately four thousand one hundred and twenty-two (4,122) days.

Gary Wasiak (12479 Alcoy Drive) stated that he was not in attendance to take sides but felt inclined to ask if the studies being cited were actually relevant or comparing apples to oranges. He asked if the studies being cited were based on typically burial practices, inclusive of the use of vaults and embalming, or different types of burials, such as natural or “green” burials. Jerry Sanders indicated that the studies he has been citing are based on different burial practices in different locations throughout the world. Gary Wasiak asked Matt Bolang what the hundred-year water table is and the relevance to separation distance between well locations and the proposed cemetery. Matt Bolang explained how the hundred-year water table is determined and explained the relevance to the LCHD review. He explained that the Livingston County recommendation for well separation is seventy-five (75) feet, which the proposed cemetery site would exceed. He stated that he understands that the WHO recommendation is eight hundred (800) feet and explained that the LCHD would take this opportunity to revisit their cemetery guidelines. Gary Wasiak stated that he understands the cemetery site would be ten (10) acres and that one point three (1.3) acres would be utilized for actual grave sites. He asked if expansion of burial sites beyond the proposed 1.3-acre area would be possible if the applicant decided they would like to increase the number of burial plots in the future. Matt Bolang stated that he believes ten (10) acres to be the Township’s minimum parcel size requirement for cemeteries. Chairman Meisel confirmed that ten (10) acres is the minimum parcel size for cemeteries and stated that the applicant would need to go through the same approval process again, being subject to the current standards at the time, if they ever desired to expand the number and/or location of burial plots beyond that which is originally approved (if approved). Gary Wasiak asked Mr. Bolang if he believed the number of soil borings conducted in the proposed burial area to be adequate in determining the suitability of the location. Matt Bolang confirmed that he does believe the number and results of the soil borings performed to be sufficient in determining the suitability of the area for burials. He continued, stating that the reason the burial plots are proposed in that location is due to less than satisfactory results from soil borings performed elsewhere on the ten (10) acre site. He stated that the 1.3-acre area identified on the site plan was determined to be the most ideal location for burials to take place.

Chairman Meisel briefly reminded the public in attendance that it would be greatly appreciated if they would refrain from repeating questions if they have already asked, to be respectful with
Ron Schilling (12330 Alcoy Drive) stated that he had a question regarding the soil borings conducted by the LCHD to sample the soil conditions in various locations throughout the site in order to determine areas most suitable for human burials. He indicated that in one of the LCHD reviews, one of the boring samples had the letter “N” in the field following the question “Met?”.

He asked Matt Bolang if that meant that “N” stood for “No”, as in the conditions were not met. Matt Bolang stated that the “N” did indicate that the conditions for the boring had not been met but clarified that the conditions were not met since additional information was required before a definite determination could be made. Ron Schilling continued, stating that the latest LCHD indicated that the water table was located at six feet (6’) below the surface, however, a previous review in which ten (10) borings were conducted, indicated that the water table was located one foot (1’), two feet (2’), and up to five and a half feet (5’6”) below the surface. Matt Bolang stated that the areas which were tested with those water table depths were found to be unsuitable and did not pass. Ron Schilling stated that out of the ten (10) boring samples in the review, only three (3) were found to be suitable areas for human burials. He continued, stating that it seems to him, based on the results of the soil borings, the property should be classified as a wetland and should not be developed for any purpose at all, including any uses that require septic systems, foundations, or anything, except for possibly a few houses. He stated that he does not understand why, after so many negative boring samples were taken, the property is even still being considered for the purpose of a cemetery. Matt Bolang replied, stating that the reason so many soil borings were conducted is because the applicant wanted to look at all the possible options on the site in order to determine which areas would be suitable for human burials. Ron Schilling indicated that he had heard that the actual intent for the property is for a large-scale housing development and that he doesn’t believe the cemetery is the only goal. Chairman Meisel stated that if a large-scale housing development was the actual intent behind having soil boring samples taken from different areas throughout the property, the applicant would need to follow the formal review process in order to develop it for that specific use. He stated that the applicant has applied for a cemetery, so if approval is granted for a cemetery, the site would be used for a cemetery. That would be the case unless the applicant were to apply and receive approval for something other than a cemetery. Ron Schilling stated that the area seems like a very bad place to build and that the soil borings prove that. He stated that he doesn’t believe taking samples, most of which were found to be unsuitable, and using only the samples with positive results is the best way to evaluate the property. He stated that there is a lot of flooding on Denton Hill Road near Alcoy Drive since the drainage ditch is plugged up on the property where the proposed cemetery would be located and that people on Alcoy Drive and Old Oaks Drive have complained about it. He said the he believes the lack of maintenance to the drainage ditch implies that there would also be a lack of maintenance of the cemetery, if approved. He stated that he had no further comments. Chairman Meisel thanked Mr. Schilling for his questions and comments.

Chairman Meisel asked if there were further questions relevant to the topics of potential groundwater and/or soil contamination.
Ed Murray (12271 Germany Road) stated that he would like to share a bit of common sense with the Planning Commission. He cited Michigan State Law, Act 239 of 1982 governing disposal of bodies of dead animals in order to protect the environment, wildlife, and human health and safety. He stated that, according to the law, for individual animal graves, there shall be no more than ten thousand pounds (10,000 lbs.) of animal flesh buried per one (1) acre of land. He stated that the proposed cemetery has one thousand five hundred and eighty-six (1,586) grave sites on one point three (1.3) acres. He continued, stating that the average weight of a human corpse is one hundred and eighty pounds (180 lbs.), which equates to two hundred eighty-six thousand and twenty pounds (286,020 lbs.) of human flesh buried on one point three (1.3) acres of land. He stated that the original application proposed three thousand eight hundred and eighty-two (3,882) gravesites on ten (10) acres of land, which equates to six hundred ninety-eight thousand seven hundred and seventy-six pounds (698,760 lbs.), which is equal to sixty-nine thousand eight hundred and seventy-six pounds (69,876 lbs.) per acre of land. He stated that humans are mammals which decompose very similarly to animals. Animals, which are typically buried using a “green burial” method, which is the same method proposed to be used in the cemetery. He stated that those figures from the Michigan state law are very important since they can essentially be applied to human burials using the “green burial” method. He said that the proposed number of gravesites on the one point three (1.3) acre site is equivalent to someone burying a herd of cattle in your front yard. He said that assuming that the ground will absorb all of the contaminants produced by decomposing human bodies without affecting the quality of the groundwater is unrealistic. He reiterated that he would like everyone to remember the figures he brought up since they are very important. He concluded his comments, thanking everyone for listening.

Chairman Meisel thanked Mr. Murray for his comments.

Robert Johnston (12150 Germany Road) stated that the latest LCHD review of the proposed cemetery site concluded that the groundwater in the area generally travels to the north but indicated that the stamen was inaccurate. Matt Bolang stated that the statement in the review indicating the direction of groundwater flow was an educated guess determined by the limited information available to him, mostly topographical contour maps. Robert Johnston stated that the groundwater actually travels to the west a short distance before being dispersed in multiple directions. He stated that he has witnessed flooding over the top of the road surface resulting from the direction of the groundwater flow. He continued stating that another concern he has about the proposed cemetery is the shallow grave aspect. He indicated that animals, such as woodchucks could easily burrow three (3) feet below the surface and asked what would happen if they started bringing up human bones from the ground. Another resident (name not stated) added that coyotes could also dig up human remains. Robert Johnston continued, asking what would happen if someone buried in the cemetery was embalmed. He wanted to know how the Township could ensure that any embalmed bodies would be encapsulated in the correct type of vaults to prevent potential groundwater contamination. He then asked the Planning Commission if they felt comfortable guaranteeing that there is absolutely no risk of groundwater contamination from the proposed cemetery before signing off on it. He stated that contamination of the groundwater would be devastating to the existing and any future residential property owners in the immediate areas surrounding the proposed cemetery. He concluded, stating that the area of the proposed cemetery has historically had significant flooding and drainage issues and he is very concerned about potential the impact the cemetery could have on the surrounding...
properties, especially the possible contamination of private water wells. Chairman Meisel thanked Mr. Johnston for his comments.

Elaine Schilling (12330 Alcoy Drive) stated that she understands that the LCHD guidelines for cemeteries were originally intended to be applied to small family cemeteries and are not all directly applicable to the proposed cemetery but asked if herself and the other residents in attendance are not just as important as people located near small cemeteries. Matt Bolang explained that he never intended to imply that she and the other residents were not important. He stated that the proposed cemetery site was evaluated based on the merit of the site and not on the family cemetery guidelines. Elaine Schilling stated that the guidelines for family cemeteries suggested two (2) soil boring samples per one (1) acre of land. She continued, stating that the proposed cemetery is a much larger area of land and some of the soil boring samples were not even performed in the areas where the burial sites are proposed. Matt Bolang explained that the one point three (1.3) acre portion of the ten (10) acre site is proposed to be used for burials and the soil borings taken from that one point three (1.3) acre area indicated adequate soil conditions for human burials. He stated that the soils in the remainder of the proposed cemetery site are not relevant in the evaluation since no burial sites are proposed in those areas. Elaine Schilling asked how the areas outside of the proposed burial sites could not matter since the burial site area is surrounded by wetlands. Matt Bolang replied, stating that the surrounding wetland areas would matter if they were located adjacent to the proposed burial site. He indicated that there are hundreds of feet between the proposed burial site and the closest wetland area. He stated that the LCHD has determined that the separation distances between the edge of the proposed burial site and wetlands to be adequate based on their review standards and expertise. He then asked the residents in attendance how many of them have homes utilizing a septic system for the disposal of sewage. Most of the residents in attendance indicated that they did have homes utilizing septic systems. He asked where they think the waste from the septic system goes. Jerry Sanders (12345 Alcoy Drive) questioned Matt Bolang’s comparison between septic systems and decomposing human remains. Chairman Meisel respectfully asked that Mr. Sanders wait until after Elaine Schilling is finished with her questions before he made additional comments. He asked Elaine Shilling if she had finished with her questions and comments. Elaine Schilling stated that she was not satisfied with the number of soil borings conducted on the proposed cemetery site. She stated that the surface water and groundwater would all eventually flow into the wetlands. She indicated that her well is located in close proximity to surface water which flows from the site of the proposed cemetery. Matt Bolang stated that he is very concerned about the potential contamination of the well water in the area and the LCHD’s review was performed very thoroughly and in a professional manner, in order to ensure that there would be no potential risk for well water contamination on the site or other properties in the surrounding area. He continued, stating that he and everyone at the LCHD take their jobs very seriously and he doesn’t feel good about being accused of not doing his job. He stated that the review was based on their evaluation of the site in accordance with LCHD standards and guidelines and extensive research on green burial methods and groundwater contamination resulting from cemeteries in general. He stated that he feels, in his professional opinion, that the results of the testing, research, and review clearly indicates that there is no significant risk to groundwater contamination resulting from the proposed cemetery. He explained that he would not have his position at the LCHD without being subject to being accountable for his determination. He stated that he would not give his blessing on the proposed cemetery if he did not truly believe that there is no risk for
Chairman Meisel asked if there were any additional questions or comments. Ed Murray suggested allowing Jerry Sanders and Matt Bolang a chance to continue their discussion on septic systems and their comparability to human decomposition.

Jerry Sanders stated that comparing septic systems to cemeteries is like comparing apples to oranges, implying that Matt Bolang’s previous statement on the topic was invalid. He stated that septic systems break down organic materials year-round, three hundred and sixty-five (365) days a year, with water being added constantly, and with a limited load of waste materials. He stated that the decomposition of a human corpse is limited by environmental factors such as climate, temperature, water levels, etc. He stated that a human corpse generally ways between one hundred and fifty-five pounds (155 lbs.) and one hundred and eighty-five pounds (185 lbs.).

Matt Bolang asked Jerry Sanders if he knew approximately how many gallons of waste is produced from a typical human body during decomposition, stating that he believes that it is typically around twelve (12) to fifteen (15) gallons. Jerry Sanders stated that there are variable amounts of gallons depending on a number of factors. He continued, stating that a human body with a wet weight of one hundred and seventy pounds (170 lbs.) has a certain amount of fecal content which, if comparing with a septic system, is equivalent to approximately five hundred and fifty (550) fecal deposits in one day. He stated that with fifteen hundred (1,500) bodies being buried on the same site, that would be a very large septic system without a tank to contain the waste. Matt Bolang stated that there is an end term to the decomposition of a body in the ground. He stated that after a body is placed in the ground, it decomposes for a certain amount of time, generally about six (6) to eighteen (18) months before the decomposition stops. Jerry Sanders argued that decomposition of a human corpse usually takes much longer than that, especially with the changing seasons and climate conditions in Michigan. Matt Bolang explained that he understands that decomposition typically slows down during winter months and stated that soil borings were performed in winter as well as during warmer months to take that into account. He explained that the soil borings taken at different points throughout the year show not only the current water table at those times, but also the water table levels over the past approximately one hundred (100) years. He stated that all of the data collected was used to understand the conditions of the soils and groundwater throughout the year and based on that data showed and research he has done on human decomposition, he still believes there to be no risk for soil or groundwater contamination at the proposed burial site.

Gerald Mantela (12210 Germany Road) stated that when he had a new well drilled on his property about five (5) years ago, he was required to have the water from the well tested at a state lab to verify there weren’t unacceptable levels of harmful contaminants present. He stated that he intends to have the well water tested again in the near future to establish a baseline and continue to test periodically after the cemetery has become operational to ensure his personal drinking water is not contaminated as a result of the cemetery. He encouraged other residents in the area to follow his advice and do the same. He stated that the applicant should be happy to post a thirty (30) year bond which could be used in the case that the drinking water of any surrounding properties becomes contaminated as a result of the cemetery. Chairman Meisel
requested clarification on the purpose of the bond. Gerald Mantela stated that he thinks the bond should be used towards reimbursing any property owners whose water becomes contaminated as a direct result of the cemetery. Chairman Meisel thanked Mr. Mantela for the clarification and his comments.

Donita Sanders (12345 Alcoy) stated that she has been reading through a lot of the Michigan bylaws governing cemeteries. She stated that, in the bylaws, there is a statement that says if an aquifer is contaminated from a cemetery it will cost approximately two million dollars ($2,000,000) to repair, assuming that it can be repaired. She said that the aquifer in the area is very large and could even cost more than that. She stated that she has been having discussions with her husband about just moving away from the area since their property is at the lowest point away from the cemetery and there are streams running on three (3) sides from the area where the proposed cemetery would be located. She continued, stating that if the groundwater was contaminated, her property would be the first to be affected and, if that occurs, she will be the first one demanding that the Township fixes the problem. She stated that she doesn’t know what would need to be done to prevent the risk for groundwater contamination, whether that be a significant reduction in size or simply not creating the cemetery at all, but she believes it should not be located in the wetlands. She proposed that the applicant find a piece of property located high up on a hill and not in the area currently proposed because it is not on a hill and there is water surrounding it. Chairman Meisel thanked Donita Sanders for her comments. He then asked Matt Bolang, if the LCHD has any requirements for periodic monitoring on a voluntary or required basis look for potential contamination seeping from the site. Matt Bolang stated that there are currently no requirements in place for the periodic monitoring of contaminants from cemeteries. Chairman Meisel asked if the residents requested annual monitoring of the site by the LCHD if they would be willing to do so. Matt Bolang explained that monitoring a site is much more complicated that what most believe. He stated that the first step is to determine what types of specific contaminants they would be screening for. He stated that if they were monitoring for viruses and bacteria in the groundwater, there are so many different species that it is very difficult to do and not many labs would be willing to do testing for this type of situation. He said that the testing the LCHD performs for residential wells is done to detect only a certain species of bacteria to verify that the well has been properly disinfected, as well as other harmful substances such as nitrates and arsenic. He stated that chloroforms which are typically released from decomposition could be tested for as well as known bacteria associated with human bodies, but stated he was not aware of all of the contaminants that the water would need to be tested for. He asked Jerry Sanders if he knew what types of specific bacteria they would need to test for in this instance. Jerry Sanders stated that the laboratory at the university he works at has the ability to do specific types of genome identification testing which can identify many different species of viruses and bacteria present in a sample. Matt Bolang stated that he is aware that some sophisticated research laboratories have that capability but was not familiar with any local laboratories in the County which are capable of performing such tests. A resident (name not stated) indicated that “PCR testing” could be used to identify any types of contaminants present in a sample of water and would likely be the best option in this situation. Jerry Sanders explained how the “PCR testing” is performed and stated that it is simple to do and many laboratories should be capable of using that method. Matt Bolang stated that that may be the best option, however, the LCHD does not have a laboratory to perform such testing.
Chairman Meisel asked for additional comments and/or questions.

Elaine Schilling asked if there was a reason that the LCHD does not want the applicant to have an environmental impact study performed on the proposed cemetery site. Matt Bolang stated that, based on their thorough review and evaluation of the site, they found that there would be no need for an environmental impact study since their results indicated there to be no significant public health or safety risks. Elaine Schilling stated that she and the other concerned residents do not believe that the LCHD review was done thoroughly enough and they feel jeopardized because their drinking water is definitely at stake. Matt Bolang stated that the opinion of the LCHD is that an environmental impact study should not be required, but the Township could potentially request that one is provided. He explained that environmental impact studies are only required for high-risk scenarios and they cost tens of thousands of dollars, which would be a significant burden on the applicant. He stated that if the LCHD felt there to be any significant risk of groundwater or soil contamination from the proposed cemetery, they would have recommended an environmental impact study, however, in this case, one is not warranted.

Donita Sanders stated that a two-million-dollar ($2,000,000) cleanup cost should be enough to warrant an environmental impact study. Matt Bolang replied, stating that she is assuming that there will be actual contamination. Donita Sanders stated that she has absolutely no doubt that the groundwater is going to become contaminated.

Ron Schilling stated that he would like to follow up on a previous comment. He stated that on one of the soil boring result pages, there is a sample that failed which is right in line with several other borings which passed. Matt Bolang stated that the sample which failed was located in an area much lower than those which passed. He explained that the borings he was referencing are not located in or within close enough proximity to the proposed burial site. Ron Schilling stated that it appears the testing was performed in a way where they just kept testing different areas until they could find a few that could be deemed suitable for burials. He said that that seems to be an “escape” or a way to get around the fact that most of the soil borings conducted were found to be unsuitable. Matt Bolang stated that they used the method of selective borings in order to find any areas that would be suitable for a burial site. He stated that is the best way to test in order to identify the less desirable areas and separate them from those found to be suitable for burials. A resident (name not stated) stated that selective borings does not sound like a good enough answer. Donita Sanders said that she believes the borings should have been done randomly throughout the entire site as opposed to systematically using a selective sample method. Elaine Schilling asked Chairman Meisel if he understood what Matt Bolang was talking about. Chairman Meisel stated that he does to a certain degree. He said he believes they are just picking the areas where they can get the best data from the borings by looking at the drainage patterns and soil types in each area to determine which areas could be suitable for the proposed use. He stated that he does not claim to be an expert in the field and that is why the Planning Commission needs to rely of the expertise provided by Matt Bolang and the LCHD. Ron Schilling stated that the water table is very high at one of the borings. Chairman Meisel stated that he was referring to the boring sample taken in the area where the driveway is proposed near Denton Hill Road which is nowhere near the proposed burial site. Ron Schilling stated that he wasn’t sure where the sample was taken because he did not look at the map. Chairman Meisel stated that we need to understand what that data means. He said that in this particular instance, the sample he has referenced is not adjacent to, or located in close proximity of the area in which
burial sites have been proposed. Ron Schilling stated that there was another failed boring sample near the southern property line of the site. Chairman Meisel stated that boring sample was likely taken since it was in a higher elevation, however, it is still not within close proximity to the proposed burial site. Matt Bolang stated that the samples were taken in various locations throughout the site because the applicant wanted to look at all possible options when he was planning the locations for the proposed features of the cemetery. Donita Sanders asked if the LCHD should have sampled everywhere on the site instead of selectively. Matt Bolang explained that it is not necessary or realistic to perform soil borings throughout the entire eighty (80) acre parcel since the applicant has identified a ten (10) acre area for the cemetery, one point three (1.3) acres of which would be utilized for burials, since the burial site area had already been identified based on the results of the soil borings (which indicated that the 1.3-acre proposed burial site would be suitable). Donita Sanders asked if the LCHD should have done more borings within the 1.3-acre burial site. Ed Murray asked if multiple boring samples had been taken from the proposed burial site area. Matt Bolang said yes.

Kathleen Kortge (12270 Germany Road) stated that she read through all of the LCHD documentation and was unclear on the portion pertaining to soil borings. She stated that her property has a lot of sandy soils and not far away there are a lot of clays in the soils. She asked Matt Bolang if he feels that the LCHD performed enough soil borings to ensure that the soil types are consistent in the proposed burial area. Matt Bolang stated that they did perform four (4) soil borings in the 1.3-acre proposed burial site and he is confident that the soil types are consistent in that area.

Walter Johnson (12368 Parkin Lane) stated that he has been a resident of Tyrone Township since 1994. He said that he has been allowed to make improvements to his property, but only improvements. He asked the Planning Commission to think about whether or not they truly believe that the proposed cemetery would improve the Township. Chairman Mesiel thanked Mr. Johnson for his comment.

Linda Kurnik (12231 Germany Road) stated that the original site plan for the proposed cemetery included approximately four thousand (4,000) gravesites, which has since been reduced to approximately fifteen hundred (1,500) gravesites. She stated the total cemetery site would be ten (10) acres and asked what would keep the owner of the cemetery from expanding beyond the currently proposed 1.3-acre burial area. She stated that if a land use permit is issued for a cemetery on a ten (10) acre site, they should require soil borings throughout the entire 10 acres since someone could possibly expand the burial area in the future. She said that somebody, either the current owner or a future owner, will eventually want to expand the burial area. Chairman Mesiel explained that the special land use permit, if granted, would remain with the site regardless of ownership. He stated that if the application is approved, the approved site plan would include the 1.3-acre area designated for burials. If anyone wanted to expand the burial area, they would need to go through the formal review process to get approval to do so. He continued, stating that expansion beyond the 1.3-acre area is likely not even possible since most of the soil conditionals outside of that area have been found to be unsuitable for burials. Linda Kurnik asked if that means that the originally proposed four thousand (4,000) gravesites would not have been approved. Chairman Meisel stated that he cannot guarantee the outcome since the testing was not intended to be applied to an area larger than the proposed 1.3-acre burial area.
Linda Kurnik asked how the Planning Commission could guarantee that the LCHD assessment of the site is accurate. Chairman Meisel explained the formal application procedure and indicated that the technical experts who have been involved in determining the suitability of the cemetery have not identified any potential for groundwater contamination and, therefore, the Planning Commission should have enough information available to make a recommendation to the Township Board. He stated that the Planning Commission needs to make the recommendation based on facts and the fulfillment of the requirements for approval. He explained that if the applicant has met all of the requirements and the environmental experts indicate there is no risk to public health and safety, they will need to recommend approval. He explained that the Township Board could possibly require additional information before granting approval, but the Planning Commission cannot recommend denial if all of the requirements have been met. Linda Kurnik stated that the Planning Commission needs to look towards the future and take care of the residents of the Township. A resident (name not stated) cited the Flint water crisis as an example of government failing its residents. Chairman Meisel thanked Linda Kurnik for her questions and comments.

Virginia Mantela (12210 Germany Road) asked how the cemetery would be monitored if it is approved. Chairman Meisel stated that it is a good question and it is something the Planning Commission is still looking into. He stated that is the reason he inquired about the possibility of the LCHD doing some type of water quality monitoring earlier.

Ed Murray stated that he had a question for Matt Bolang. He asked him how he feels about the proposed cemetery now that he is aware of Michigan Act 239 and that the weight of the bodies that would be buried there would far exceed the maximum ten thousand pounds (10,000 lbs.) per acre for animal corpses. Matt Bolang stated that he is very familiar with the act since the LCHD is responsible for handling animal burials as well. He stated that the difference between the requirement he is referencing and the proposed cemetery is that the 10,000 pounds per acre maximum applies specifically to mass animal burials performed at the same time whereas human burials would typically occur over a long period of time (meaning that all the corpses that would be needed to fill the proposed grave sites would not be decomposing simultaneously). He stated that the applicant believes there will likely be approximately two (2) to five (5) burials per year. Matt Bolang stated that, based on the information from the applicant and the extensive evaluation of the proposed burial area he is comfortable with the LCHD assessment that the proposed cemetery will not result in groundwater contamination. Ed Murray stated that he is not comfortable.

Chairman Meisel asked Matt Bolang if he would like to make any additional statements regarding the proposed cemetery. Matt Bolang stated that they had really only covered the first item on the LCHD review and suggested continuing to work through item by item.

Chairman Meisel read through the list of questions and concerns that the Planning Commission had previously sent to the LCHD for comment while Matt Bolang elaborated on the responses. On the question regarding the need or requirement for burial vaults, Chairman Meisel asked the applicant for clarification on whether or not he intends to use vaults for each grave site. Hasan Siddiqui indicated that the use of a vault would be up to whoever is purchasing the grave plot.
Matt Bolang explained that the purpose of vaults is to prevent caskets from caving in, not to prevent seepage of bodily fluids into the soil and the LCHD does not require vaults for cemeteries. Ed Murray stated that Michigan law requires that vaults are used for burials of people who die from infectious diseases. Chairman Meisel thanked Ed Murray and continued reading through the list of questions.

Donita Sanders stated that she has been reading the Michigan bylaws. She asked the applicant if he would be working with funeral homes to deliver bodies to the cemetery. Hasan Siddiqui confirmed that the plan would be to work with a funeral home. Donita Sanders stated that Michigan law requires that the funeral home is a separate entity from the cemetery. She explained the required procedure of what must happen with a body from death to burial according to Michigan law.

Gary Wasiak asked Matt Bolang what the one hundred (100) year water table is since he doesn’t believe the question was answered earlier. Matt Bolang stated that his answer earlier was that the LCHD looks at seasonal high-water tables based on the results of soil boring samples. Gary Wasiak stated that does not answer the question about the 100-year water table. Matt Bolang explained what is a 100-year floodplain. Gary Wasiak asked if there was a record of that. Matt Boland stated that he was not certain off the top of his head but explained that the environmental engineer who performed the initial wetlands delineation study of the proposed cemetery site did include that information in his report (provided in the original and subsequent special land use applications). The conversation continued. Brian Keese stated that the 100-year flood plain is frequently misunderstood. Gary Wasiak agreed that the name is confusing and explained that the term is really intended to describe an area where there is a one percent (1%) chance that the high-water table could reach that point, as opposed to it literally indicating that the water table will actually get to that point once every one hundred years. Matt Bolang added that he believes there have been hundred-year storms about five (5) or six (6) times during the past ten (10) years. Brian Keese stated that the terminology is commonly misunderstood. Chairman Meisel added that the intent of the one hundred (100) year mark is to predict the worst possible conditions within a 100-year period which is sometimes accurate but not always since it is only an educated guess based on past data patterns.

Chairman Meisel suggested moving on to discuss the revised use statement for the proposed cemetery that was submitted shortly before the meeting. He pulled up the use statement on the overhead display monitors and briefly summarized the recent revisions that had been made since the previous version. Details on hours of operation were added, stating that they would be Monday through Sunday from nine (9) am until sundown. Chairman Meisel asked the applicant if the proposed hours of operation would be visiting hours or burial hours. Hasan Siddiqui indicated that both burials and public visitations would be during the same hours, from nine (9) am to sundown, Monday through Sunday. Other additions to the use statement included; the total number of gravesites- one thousand five hundred and eighty-nine (1,589), gravesite details, information on “green burial” techniques, a statement on road maintenance- indicating that the owner/operator would be responsible for periodic road maintenance as needed. Chairman Meisel stated that additional clarification should be added to the use statement to specify that the one
thousand five hundred and eighty-nine (1,589) gravesites are located on one point three (1.3)
acres of the ten (10) acre cemetery site, including a reference to the site plan describing the exact
location. Al Pool agreed that adding that clarification would be advisable. Chairman Meisel
explained that a significant portion of the provided document describes developmental
requirements which should not necessarily be included in a use statement. He stated that a use
statement should tell people the hours of operation (specifying the specific functions that would
occur during the hours indicated), indicate that the proposed cemetery is a “green burial” site
(and briefly define/explain “green burial” practices/procedures), road maintenance details, details
on site monitoring, and everything pertaining to the operation and maintenance procedures. He
explained to the applicant that he doesn’t believe they are far off from an acceptable use
statement and that the Planning Commission could assist them in making the necessary revisions.
Chairman Meisel asked the Planning Commission if they had any additional comments or
suggestions regarding the proposed use statement. Kurt Schulze asked if it would be appropriate
to include the anticipated number of burials annually in the use statement. Chairman Meisel
stated that it may be good information if the applicant feels comfortable providing an estimate,
however, the reality is that there is no way to predict what the actual number of burials per year
would be. Kurt Schulze asked the applicant for clarification on whether or not the proposed
cemetery would accept reinternments (reburying of bodies from other burial sites). Hasan
Siddiqui indicated that they are not proposing to accept reinternments. Chairman Meisel
suggested indicating that on the use statement would be beneficial.

Chairman Meisel went through the remaining documents in the application including the
wetlands delineation report, driveway details, LCHD and LCRC correspondence and reviews,
etc. He stated that nearly all of the requirements have been met, noting that a few additional
details should be added to the use statement. Dave Wardin suggested including the word
“embalming” in the use statement in addition to the details on “green burial” techniques to
clarify that no burials of embalmed bodies would be performed at the proposed cemetery unless
required by law.

Chairman Meisel brought up the proposed parcel drawing and asked Brian Keesey where they
had previously left of in respect to the proposed land division of the proposed ten (10) acre
cemetery site from the eighty (80) acre parent parcel, asking whether or not it should be required.
Ross Nicholson stated that the requirement for cemeteries is that the total site must be a
minimum of ten (10) acres and no maximum size is specified. Brian Keesey confirmed that the
requirement for new a new cemetery special land use is that the site is a minimum of ten (10)
acres and, therefore, a land division would not be required for approval of the application. He
noted that, although it is not necessarily required by the Zoning Ordinance, the original and
current proposal in the application is to divide off the proposed ten (10) acre cemetery site from
the eighty (80) acre parent parcel. Chairman Meisel asked the applicant if the intent was still to
divide off the ten (10) acre cemetery site through a land division or to simply allocate the ten
(10) acres for the proposed cemetery use. Hasan Siddiqui stated that the current intent is to
allocate the ten (acres) of the eighty (80) acre parcel for the cemetery special land use. Dave
Wardin stated that the application implied that the land division would occur prior to the
approval of the special land use and has been reviewed based on that fact from the beginning.
He added that he does not feel comfortable recommending approval of the proposed cemetery
special land use unless the parcel is split off specifically for that use. Chairman Meisel stated
that the Zoning Ordinance only requires a minimum parcel size of ten (10) acres, which the current parcel configuration exceeds. Dave Wardin stated that he understands the requirement but, due to the way that the application has been presented from the beginning, he believes the execution of the land division to be necessary before the special land use can be recommended for approval. Brian Keesey replied to Dave Wardin’s comment, comparing the proposed development of the property with the development of a single-family use. He stated that if a person owns a ten (10) acre parcel and they build on one (1) acre, they are not required to divide the developed portion of the site from the remainder. He continued, stating that allocating the cemetery site from the larger parcel instead of dividing would still mandate that the owner/operator follow the same approval process for any expansion of the burial site or increase in the intensity of the use. He added that if the ten (10) acre cemetery site was not divided concurrently with the special land use approval and a use of any kind was proposed anywhere on the remainder of the eighty (80) acre site at a later date, the division would need to occur before approval of the other use could be considered. He stated that neither one of the options would change the special land use aspect and, therefore, there are no additional benefits from requiring the land division to occur. Dave Wardin suggested that development of a property for a single-family use is completely different from the proposed cemetery special land use because the original and subsequent site plans for the cemetery have shown a boundary (as a bold black line) surrounding the ten (10) acre portion of the parcel where the cemetery is proposed, implying that it would be located on a separate parcel if approved. Chairman Meisel brought up the drawings included in the application to demonstrate the point Dave Wardin was making. He explained to the applicant that if the intent of the application is to allocate the cemetery site instead of dividing it, revisions should be made to clarify (including revising the site plan, removing the proposed land division drawings, and making note of the allocation on the site plan and use statement). Chairman Meisel asked the applicant if he would like to make the revisions to the application to clearly indicate the allocation of the ten (10) acre cemetery site or to proceed with the land division as originally proposed. Hasan Siddiqui stated that they will continue with the land division if that is the best way to proceed. Chairman Meisel thanked the applicant and explained that he believes proceeding with the land division will help to make things easier to manage since it would allow the cemetery site to stand as a separate entity. He stated that since the intent is to perform the land division, the current proposed parcel configuration drawings and related documents included in the application are adequate.

Chairman Meisel asked if there were any additional questions or comments from the Planning Commission. Cam Gonzalez stated that he believes that the Planning Commission has learned a great deal about cemetery standards, guidelines, and requirements at the local, state, and federal levels since the application was received. He continued, stating that although they have learned a lot, they may not know enough to fully understand the possible implications that may result from a new cemetery. He added that it has been many years since a new cemetery was established in the Township and that there have been many changes in requirements at all levels since the last cemetery was approved. He stated that he feels that most of the cemetery regulations are mandated and overseen under the state of Michigan approval process. He stated that the Planning Commission may not be equipped to sufficiently make a decision on the application. He thanked the applicant for all of his professionalism throughout the application process and for the quality of the application. Chairman Meisel thanked Cam Gonzalez for his comments and asked if there were any additional questions or comments from the Planning
Bill Wood stated that he is very supportive of local business but he takes issue with businesses that negatively impact adjacent uses. He stated that, as a business owner who lives in the community, he sincerely understands and appreciates the concerns being brought up by the residents who live in the area of the proposed cemetery. He mentioned some of the estimated financial figures previously brought up by the applicant and concluded that it would be highly unlikely that the proposed cemetery could make any profit or even break even even for many years. He explained that it would take over three hundred (300) years, based on the estimated costs for construction, maintenance, and operations compared to the approximate cost of burial plots, before the proposed cemetery could make any profit at all. Chairman Meisel replied, stating that he understood where Bill Wood was coming from but explained that the applicant had indicated since the beginning of the application process that the intent of the proposed cemetery use is to create a final resting place for friends and family to be buried together in perpetuity, not to make a profit. Bill Wood asked who would be responsible for maintaining and operating the cemetery if it fails financially. Chairman Meisel explained there is a possibility that the Township may need to take over the cemetery at some point if it were to fail, however, the State of Michigan has financial mechanisms in place that would require the cemetery to maintain an escrow account to be used for continuing operations and maintenance in case of scenarios such as financial failure. He stated that this mechanism was not in place when the existing cemeteries the Township is responsible for maintaining were established. Bill Wood stated that he was still uncomfortable with the financial figures that have been presented. Hasan Siddiqui stated that the intent for the proposed cemetery has always been to have a place where it is guaranteed that friends and family can be buried together as opposed to finding plots scattered far apart in existing cemeteries farther away from their homes. Bill Wood accepted the explanation and stated that it makes sense from that perspective. Hasan Siddiqui continued, explaining that the estimated financial figures he presented are just the bare minimum costs for being able to create a place for friends and family to be buried together. He stated that the only real way to accomplish their goal is by following the same application procedures that a for-profit business needs to follow. He explained that he is a business owner himself and stated that, looking at the project from the outside from a financial point of view, it is definitely not a smart investment if the ultimate goal is to make a profit. He explained that the ultimate goal is not to make a profit but for something meaningful to himself, his friends, and his family. Kurt Schulze stated that people purchase cemetery plots all the time and that there are many plots available. He continued, stating that someone could buy nine hundred (900) plots in a year, but unless all 900 people (for which the plots were intended) died at once, the plots would not be utilized. He stated that, for a cemetery, the profit and the number of bodies buried do not necessarily correlate, but the profit and the number of plots sold do. Chairman Meisel added that the Planning Commission does not take the estimated financial figures into account when reviewing special land uses for other types of business such as restaurants or outdoor storage yards. He explained that it isn’t that the Township doesn’t care whether or not they are successful, but because starting a business is something people have the right to do.

Chairman Meisel asked if there were any additional questions or comments. Brian Keesey stated that he would like to make a comment on Cam Gonzalez’s most recent statement regarding state and county agencies having more jurisdiction than the Township in the approval process for cemeteries. He stated that, from a zoning and land use point of view, the proposed cemetery is exactly the type of low-intensity use that the Zoning Ordinance specifies as being appropriate for...
the Farming Residential (FR) zoning district. He continued, stating that there is no real concrete
evidence proving what kind of effects cemeteries have on adjacent properties. He stated that
there is no evidence that cemeteries adversely affect property values. He explained that there are
many people who prefer to live near cemeteries because they are typically peaceful areas of
essentially perpetual open space while there are also many people who prefer not to live near
them due to the stigma associated with them. He stated that the Planning Commission needs to
make the recommendation taking into account potential negative impacts and nuisance factors
which can be proven. He stated that the Planning Commission needs to rely on the reviews and
opinions of the professionals at the County and State agencies having jurisdiction over
cemeteries in order to make an informed decision. Brian Keesey moved on to the topic of
environmental impact studies. He noted that he had heard several comments from residents
requesting that the Township require the applicant to provide a detailed environmental impact
study to verify the professional opinion of the LCHD that the proposed cemetery would have
little to no negative impact on the environment (inclusive of groundwater and soil
contamination). He stated that the Planning Commission could technically recommend to the
Township Board that an environmental impact study is provided, however, the Board would
have to agree with the condition for it to be required. He explained that, while recommending an
environmental impact study could be done, in his opinion, it would be completely unfounded
since the LCHD explicitly stated that there is no significant threat to public health or safety that
would warrant the environmental impact study. For that reason, Brian Keesey strongly
cautioned the Planning Commission from considering to include an environmental impact study
in their recommendation to the Township Board.

Chairman Meisel asked if there were any additional comments or questions from the Planning
Commission or the public in attendance. No questions or comments were received. He asked
the applicant if he had anything that he would like to say. Hasan Siddiqui stated that he would
like to reiterate that he, his family, and his friends are all residents of the community who live
directly adjacent to the proposed cemetery site. He explained that if there was any risk of the
proposed cemetery negatively impacting adjacent properties, in any way, he would take every
step necessary to prevent it, even if that meant relocating the proposed cemetery site. He stated
that the extensive professional research and reviews that have been performed on the site do not
indicate any significant risks of negative impacts. He stated that he sincerely hopes that those in
attendance believe that the only intent of the proposed cemetery is for the burials of friends and
family. He stated that a major fear shared by himself, his family, and his friends are that there is
a lot of negative energy directed towards them from neighbors and other members of the
community. He concluded, stating that he sincerely hopes that their efforts to establish the
proposed cemetery does not lead to any malice or hatred towards them.

Chairman Meisel suggested that the Planning Commission go through all of the Township
requirements for cemetery special land uses to verify that everything has been adequately
addressed. He read through the list of cemetery-specific requirements from the Zoning
Ordinance and verified that each has been completed. He stated that Brian Keesey had explained
the Planning Commission’s obligations are in regards to the special land use. He then read
through the requirements for all special land uses and explained that all requirements have
technically been met based on the documents submitted and the reviews from outside agencies
having jurisdiction, noting that there are still additional concerns from the public regarding
potential groundwater and/or soil contamination. He asked the Planning Commission how they would like to proceed. Kurt Schulze asked if the land division aspect of the application had been determined. Chairman Meisel stated that the applicant has now confirmed that they will be proceeding to divide the cemetery site from the parent parcel in the future. Kurt Schulze asked if they have received clarification on all of the suggested revisions to the use statement. Chairman Meisel stated that the Planning Commission and the applicant understand what should be revised in the use statement. The Planning Commission briefly discussed the proposed revisions to the use statement to verify that everything had been covered. Bill Wood asked if all of the water issues have been addressed as possible for the sake of the concerned residents. Chairman Meisel stated that the answer would be opinion-based. He summarized all of the information that had been received regarding potential groundwater contamination including documentation from the LCHD and Matt Bolang’s statements during the meeting. He continued, stating that it is the opinion of Matt Bolang and the LCHD that the site has been adequately evaluated and found to be appropriate for the proposed use and the intensity of the proposed use. Chairman Meisel explained to Bill Wood that he can have his own opinion on the matter, but all the Planning Commission really has to go by are the professional opinions that have been provided. Bill Wood stated that he believes Matt Bolang and the LCHD since he understands that they have a great deal of experience and expertise on the subject.

Cam Gonzalez stated that he understands that there are no Township requirements for testing or monitoring of soils and groundwater in the areas surrounding a cemetery. He asked if there is anything at all that can be done to mandate periodic testing due to the number of concerns from residents. Chairman Meisel explained that there are three (3) possible options; 1. the applicant could volunteer to have periodic testing performed, 2. the Township Board could attempt to come to an agreement with the LCHD for periodic testing, subject to determining exactly what type(s) of testing should be performed, or 3. recommend that the Township Board discuss the previously stated options to determine if testing is necessary and, if so, how it should be performed. Kurt Schulze indicated that he was personally in favor of the third option. A brief discussion amongst the Planning Commission followed.

Chairman Meisel asked the Planning Commission how they would like to proceed in terms of a recommendation for the application. The Planning Commission and Brian Keesey discussed the procedure for recommendations and the possible conditions for a recommendation.

Dave Wardin made a motion to recommend Township Board approval of the site plan for the Yasin, LLC Cemetery conditional upon completion of the conditions listed in the McKenna & Associates memo dated November 6, 2017, approval of the cemetery special land use, and approval of the ten (10) acre land division of “Parcel 1A” as set forth in the application dated April 10th, 2018. Kurt Schulze supported the motion. The motion carried by unanimous voice vote.

Dave Wardin made a motion to recommend Township Board approval of the Yasin, LLC Cemetery Special Land Use based on the revised application dated April 4th, 2018, specifying that the total number of burial plots will be limited to one thousand five hundred and eighty-nine (1,589) conditional upon revisions to the use statement as noted including; the estimated utilization on an annual basis and noting that embalming and reinternments are not permitted,
also conditional upon consideration for establishing an agreement with the Township Board for
annual water quality testing/monitoring (coordinating with the LCHD when necessary) and
execution of the proposed land division. He noted that the application meets all of the
requirements outlined in the Tyrone Township Ordinances as well as the LCHD review
standards. Al Pool supported the motion.

Chairman Meisel asked if there was any further discussion from the Planning Commission.
Dave Wardin stated that he would like to amend his motion to include an additional statement in
the motion to specify that expansion of the burial plots could not be increased beyond 1,589
without approval of a new special land use application. Cam Gonzalez supported the amended
motion.

Amended Motion: “Recommendation to the Township Board for approval of the Yasin, LLC
Cemetery Special Land Use based on the application dated April 10th, 2018 and the Rowe
Professional Services site plan drawing dated December 2017 showing 1,589 total burial plots
conditional upon approval of a land division for the proposed ten (10) acre cemetery, revisions to
the use statement as discussed, Township Board consideration for annual water quality
testing/monitoring, acknowledging that the application fulfills the requirements in the Tyrone
Township Zoning Ordinance #36, Sections 22.05 and 22.06 and recognizing that it also fulfills
the review standards set forth by the LCHD, and specifically noting that no expansion of the
cemetery beyond the 1,589 burial plots will be permitted without approval of a new special land
use application.

Brian Keesey suggested that the Planning Commission include a statement in the motion
regarding the requirement to fulfill the requirements of additional state and county agencies
having jurisdiction over cemeteries. Kurt Schulze stated that including the statement would be
beneficial since the additional agency approvals will be required before the cemetery could be
legally established. Dave Wardin commented, stating that inclusion of the statement may not be
completely necessary since the applicant cannot complete the process with the additional
agencies without having the approval from the local municipality. He added that it is another
“chicken and egg scenario”- the applicant cannot officially create the cemetery without having
approval from all agencies involved, so it may not be necessary to include the statement
pertaining to other agencies in the recommendation for approval from the local municipality. He
stated that the Township could simply require proof of additional agency approvals prior to
issuance of the land use permit for construction of the cemetery. Chairman Meisel stated that in
scenarios where local, state, county, and, in some instances federal, the Planning Commission
typically includes statements in their recommendations indicating that additional agency
approvals may be required. He continued, stating that it may seem obvious or unnecessary to
include such statements, but it doesn’t hurt to be extra thorough to ensure all aspects pertaining
to the approval process are addressed.

The motion was amended once more to include the statement pertaining to additional agency
approvals.

Final amended motion: “Recommendation to the Township Board for approval of the Yasin,
LLC Cemetery Special Land Use based on the application dated April 10th, 2018 and the Rowe
Professional Services site plan drawing dated December 2017 showing 1,589 total burial plots conditional upon approval of a land division for the proposed ten (10) acre cemetery, revisions to the use statement as discussed, Township Board consideration for annual water quality testing/monitoring, acknowledging that the application fulfills the requirements in the Tyrone Township Zoning Ordinance #36, Sections 22.05 and 22.06 and recognizing that it also fulfills the review standards set forth by the LCHD, specifically noting that no expansion of the cemetery beyond the 1,589 burial plots will be permitted without approval of a new special land use application, also noting that additional approvals will be required from all agencies having jurisdiction prior to the issuance of the special land use permit. Al Pool supported the amended motion. All voted in favor of the recommendation for approval except for Ron Puckett who voted in opposition. The amended motion carried.

Chairman Meisel stated that the Planning Commission needed to vote on the application in its entirety inclusive of the site plan and the special land use. All voted in favor except Ron Puckett who voted in opposition. The motion carried.

Chairman Meisel thanked the public in attendance for their patience and participation. He stated that the Planning Commission does understand the concerns that residents have communicated and has included language in the recommendation to reflect them. He explained that the Planning Commission has limited power and is unable to require anything outside of the parameters of the Township Ordinances, but the Township Board may be able to address the concerns regarding potential groundwater contamination further when they review the application. He continued, stating that he hopes the thorough Planning Commission review of the application helps to put residents’ minds at ease and thanked everyone again for their participation and attendance.

Linda Blanco (11300 Tipsico Lake Road) asked Chairman Meisel when he expected the application to be reviewed by the Township Board. Chairman Meisel stated that there are a few documents that need to be revised and submitted before the Planning Commission can send their letter of recommendation to the Township Board. He stated that once the documents have been submitted and are found to be acceptable, the Planning Commission would send their letter of recommendation along with all supporting documents to the Township Board. He continued, stating that once the letter of recommendation and supporting documents are received by the Township Board, they would most likely include the application on their agenda for the first Board meeting during the month after the recommendation is received.

The item was closed at 9:43 pm.

The meeting was temporarily recessed.

OLD BUSINESS # 2 (9:48 pm): Durocher Outdoor Storage & Construction Office Special Land Use Application

Chairman Meisel introduced the topic by summarizing where the Planning Commission had previously left off with their review of the application. He read through the list of actions the Planning Commission had previously provided to the applicant following the last meeting the application was formally reviewed. He stated that they had previously reviewed the site plan, the use
statement, and other documents pertaining to the application, and found them to be close to
satisfactory but not close enough to recommend approval at that point. He continued, stating that the
Planning Commission had recommended revisions to the application and requested additional agency
documentation which is what they will be reviewing tonight. He stated that the use statement has
been revised to include a statement indicating that there are no regulated wetlands on the property, a
statement to clearly describe unregulated wetland areas on the property, a statement to indicate that
the existing fence on the north side of the property and berms would be utilized to prevent any debris
from entering any adjacent properties, a statement indicting that no major repairs of equipment would
be performed on site, a statement describing the location of the proposed security gate, a spill
prevention and response plan, a statement describing the size, location, and specifications of fuel
storage tanks and pads, a statement regarding dust management, and a statement describing the
foundation details and anchoring method for the proposed office building. The Planning
Commission had also recommended that the applicant consider adding additional perimeter security
fencing and request an architectural façade waiver for the proposed office building since the structure
would not be visible from the public right-of-way or adjacent properties in the area where it is
proposed. In addition to use statement revisions, the Planning Commission had also indicated that
the applicant would need to submit a driveway approach permit from the Livingston County Road
Commission (LCRC). They had also suggested that the Planning & Zoning Administrator verify that
the applicant will be required to connect to the Livingston Regional Sanitary System (LRSS).
Chairman Meisel read through the revised use statement and verified that the suggested revisions had
been made. Chairman Meisel stated that all recommendations and requirements in the action list
previously provided to the applicant by the Planning Commission had been addressed with the
exception of the LCRC driveway approach permit and verification of the requirement to connect to
the LRSS.

Brian Keesey began reading through the review memo he had prepared for the application. He stated
that site lighting was previously discussed and he believes the information the applicant had provided
to be adequate for the proposed use. Chairman Meisel stated that during the previous discussion the
applicant had indicated that he was proposing minimum sight lighting for security purposes and
would possibly add additional lighting and provide the Planning Commission with photometric data
and other relevant information at a later date if necessary. He stated that if his recollection was
accurate, the Planning Commission had previously determined the proposed site lighting to be
sufficient for the proposed use. He asked Brian Keesey and the Planning Commission if anyone had
any issues with the site lighting that was proposed. There were no objections.

Brian Keesey continued to read through his memo. He indicated that he was comfortable with the
proposed maximum berm height of twelve (12) feet. He stated that he had some concerns regarding
the proposed fuel tank area indicated on the site plan. He stated that he would recommend that the
designated fuel storage area be paved or at least have concrete pads below the storage tanks to
mitigate the potential for spills. Dave Wardin stated that he believes that the proposed gravel surface
of the fuel storage area may be inadequate and indicated that he believes paved and curbed fuel tank
storage pads would be more appropriate. Chairman Meisel stated that the Planning Commission will
discuss the fuel storage area concerns after Brian Keesey finishes going through the list in his review
memo.

Brian Keesey continued to work through the review memo. He stated that the Planning Commission
has previously discussed the uses of existing and proposed structures on the site and concluded that
they were comfortable with what has been proposed. He indicated that he has no additional concerns
pertaining to the proposed uses of structures and that the requirement had been adequately addressed.
He stated that architectural drawings for structures have not been submitted, however, based on the previous discussion between the Planning Commission and the applicant, it has been determined that additional architectural detail will not be necessary and that the requirement can be waived.

Brian Keesey continued. He recommended that the driveway approach which provides access to the site should be paved, noting that the LCRC should determine whether the driveway approach will need to be paved and, if so, to what extent. Chairman Meisel asked Brian Keesey for clarification on the extent of the paving he is recommending, whether it should just be the approach itself or if pavement should extend further onto the site. Brian Keesey stated that the typical recommendation for driveway approach paving for similar uses is between thirty (30) and forty (40) feet from the road right of way extending into the site. Ron Puckett asked what the purpose of paving a portion of the driveway beyond the approach would be. Chairman Meisel replied, stating that additional paving typically helps to reduce the amount dust, gravel, and other debris being moved from the site onto the public road right-of-way. He noted that proper paving can also reduce damage to the road surface and help to manage storm water runoff. Dave Wardin added that many municipalities in Oakland County have begun requiring additional paving beyond the approach in commercial and industrial applications. Tim Zimmer, the engineer hired by the applicant to prepare the site plan, stated that the LCRC has approved the location of the driveway approach. Chairman Meisel asked if the LCRC driveway approach permit had been submitted. Ross Nicholson verified that the documentation had been received and added to the application file. Tim Zimmer stated that the applicant is considering creating an alternate access point in the near future and explained that investing in the current approach would not be make sense financially. Chairman Meisel indicated that if they propose an alternate approach, they should design it to meet the paving standards that have been discussed. He stated that if the LCRC is willing to approve the location of the existing approach on a temporary basis pending additional information on an alternate approach, he would have no objection. Tim Zimmer explained that the LCRC is aware of the potential alternate driveway approach and has approved only the location of the current approach at this time. He stated that they still working with the LCRC on the details.

Tim Zimmer (in response to the previous Planning Commission and Planner comments on the proposed fuel storage area) stated that they intend to use jersey barriers to protect the fuel storage tanks. He continued, stating that the proposed fuel storage tanks have double walls that act as a secondary containment mechanism to prevent spills in the event that the tanks are damaged. He stated that the design of the tanks and the use of the jersey barriers should eliminate any need for a curbed surface beneath the tanks. He stated that he was not able to find any requirements or standards mandating the area below the fuel storage tanks be paved. He explained that they have provided a spill prevention plan including the location of an emergency spill kit in close proximity to the fuel storage area, which he believes to be adequate to fulfill the requirements. Chairman Meisel replied. He stated that the double-walled fuel storage tanks would likely prevent spills from occurring in the event that they were damaged, but would not prevent spills from occurring during the filling of the tanks or fueling of vehicles/equipment from the tanks. He explained that it is important to have the discussion on determining an appropriate mechanism to reduce the likelihood of any spills occurring on the site, even if it is not explicitly required. Dave Wardin stated that it is still his opinion that the tanks should be contained on curbed concrete pads since emergency spill kits do not absorb contaminants that have already seeped into the soil, only those which are contained on a paved surface, such as a curbed concrete pad. He stated that it is possible, even with double-walled tanks, that a leak could occur. If the leak began during non-business hours and was not noticed immediately, a large volume of fuel could be absorbed into the soil below the tanks. Tim Zimmer suggested the use of tubs as an additional spill containment mechanism in place of curbed concrete pads.
pads. Dave Wardin stated that any additional mechanisms to reduce the amount of contamination
resulting from spills would be strongly encouraged, inclusive of tubs. Gerry Durocher stated that
tubs would not significantly reduce potential spillage from the tanks if a spill occurs. He stated that
there are many farms and other operations utilizing above-ground fuel storage tanks throughout the
County that are not required to install secondary spill prevention mechanisms. Chairman Meisel
replied, stating that it is a fair statement to make, but not the best statement. He explained that the
scenarios presented do exist, but they are examples of problems with the past. He explained that the
goal of the Planning Commission in reviewing special land uses is to ensure that all aspects of the
use are reviewed and adequately addressed to hopefully prevent occurrences that threaten public
health and safety from happening. Bill Wood stated that he has had experience with above-ground
fuel storage tanks. He stated that no pads or additional containment mechanisms are required unless
the local municipality has specific requirements for them. Chairman Meisel explained that, as a
special land use, the Planning Commission can recommend additional requirements beyond those
that are required by the Zoning Ordinance and/or modify existing requirements to ensure public
health and safety. He suggested that tubs or some sort of secondary containment mechanism would
be preferred in this instance. Bill Wood explained that bins do not guarantee that a potential spill
will be wholly contained. He stated that the bins can fill up with water after a rain which would
defeat the purpose since any potential spillage into bins filled with water would overflow onto the
ground. He stated that the bins would not serve their intended purposes unless they were covered by
a roof. Gerry Durocher explained that the double-walled fuel tanks are designed to prevent spills and
they are not permanent structures. He stated that the tanks could be moved to any location on the site
and would be turned off whenever they are not in use. He explained that without the fuel pump
being turned on, because of the double-walled design and the fact that fuel will not siphon without
the pump operating, the only fuel which could possibly spill would be that which remains in the hose,
from the pump to the nozzle. He stated that, depending on the length of the hose, the most fuel that
could spill would be around one (1) or two (2) gallons. Chairman Meisel indicated that he was not
aware that the tanks would not be elevated or gravity-operated, so he is more comfortable after
hearing the explanation. Dave Wardin suggested including the tank specifications on the site plan to
ensure the only tanks used on site are those which are approved as part of the special land use.

Brian Keesey stated that he had gone through all of the requirements listed in his memo aside from
the question of whether or not a connection to the LRSS would be required. Chairman Meisel asked
Ross Nicholson if he has found the answer. Ross Nicholson responded, stating that a connection to
the LRSS will be required since it is required for all PCI uses.

Chairman Meisel read through the list of requirements, verifying that each item had been addressed.

Dave Wardin made a motion to recommend Township Board approval of the site plan for the
contractor’s storage yard and construction office special land use located at 7079 Old US-23
proposed by Gerry Durocher conditional upon adding a note describing and providing specifications
for the fuel storage tanks and fuel pumps. Ron Puckett supported the motion. The motion carried by
unanimous voice vote.

Dave Wardin made a motion to recommend Township Board approval of the contractor’s storage
yard and construction office special land use located at 7079 Old US-23 proposed by Gerry Durocher
for a period of two (2) years, noting that prior to the expiration the special land use will need to be
administratively reviewed to determine whether or not additional Planning Commission review will
be required, and also noting that the Planning Commission has waived the paving requirement for the
driveway approach. Cam Gonzalez supported the motion. The motion carried by unanimous voice vote.

The item was closed at 10:28 pm.

OLD BUSINESS # 3 (10:29 pm): Detached Accessory Structures on Adjacent Lots

Chairman Meisel suggested that Brian Keesey summarize the new revisions he had made to the draft ordinance text for detached accessory structures on adjacent lots.

Brian Keesey listed and explained the changes he had made to the draft ordinance text since the last discussion on the topic. He stated that the most significant change was that the special land use was originally proposed to be permitted in the Lake Front Residential (LK-1) zoning district which was changed to include the Rural Estates (RE) and the Single Family Residential (R-1 & R-2) zoning districts as well. He stated that he has also standardized the language throughout the draft text to ensure continuity and clarity.

Chairman Meisel asked the Planning Commission if they had any questions or comments pertaining to the draft ordinance text. Kurt Schulze stated that he had a question regarding the subsection for, Deed Restrictions. He cited the last sentence in the subsection; “Tyrone Township shall be a named signatory for the dissolution of the deed restrictions so that in the event the owner wishes to sell the properties independently of one another, the Township can verify the outbuilding has been removed or can be used for a permitted principal use.” He asked what the “permitted principal use” would be. Brian Keesey stated that the most typical principal use in the listed zoning districts would be that of a single-family dwelling. Kurt Schulze asked if, in a scenario where someone has received approval for the special land use and built an outbuilding on an adjacent lot, if the owner could sell the outbuilding to a directly adjacent neighbor. Brian Keesey stated that it could be possible, however, the prospective buyer would need to demonstrate that they meet the approval criteria and receive a special land use permit prior to any sale, or combine the adjacent properties to create a conforming accessory structure.

Chairman Meisel asked the Planning Commission if they had any further questions or comments on the topic. No questions or comments were received.

The item was closed at 10:34 pm.

Chairman Meisel briefly summarized the agenda for the upcoming Planning Commission workshop meeting scheduled for April 18
th, 2018. There was a brief discussion amongst the Planning Commission regarding prioritizing agenda topics. It was determined that the primary focus of the workshop meeting would be outdoor advertising regulations (signs). Chairman Meisel summarized where the Planning Commission had previously left off on the proposed sign ordinance text amendments.

Pam and Herb Livingston (8080 Sheraton Park Drive) asked if they could provide public comments and ask questions pertaining to Section 21.55 of the Zoning Ordinance (Medical Marijuana Uses). Chairman Meisel agreed to accept the questions and comments. Pam Livingston stated that she has concerns over a medical marijuana facility located in close proximity.
proximity to her residence. She stated that Section 21.55 requires that all caregiver operations must apply for and obtain a special land use permit in order to operate within the Township. She stated that the non-permitted operation has been active since January of 2018 and asked why it has not been shut down. Chairman Meisel stated that he is not aware of all of the details of the specific operation but would summarize to the best of his knowledge. He stated that the operation was inspected by the Livingston County Sheriff's Department who found it to be noncompliant with the requirements for such operations under Michigan law. He stated that one of the requirements the operation needs to obtain in order to become fully compliant is to receive approval from the local municipality. He stated that an agreement had been reached between law enforcement, the Township, and the owner of the operation to demonstrate compliance with the Township requirements through applying and receiving approval of a special land use permit. He stated that the property owner has applied for the caregiver operation special land use and the application would likely be reviewed at one of the next available Planning Commission meetings. He explained that the purpose of the special land use permit application process is to ensure the compatibility of the proposed use with adjacent uses. He noted that a public hearing is required as part of the application process, during which time any residents are welcome to make public comments in support or opposition of the proposed special land use. The Planning Commission would take the comments into consideration when determining compatibility with existing uses in the area. He stated that one of the biggest challenges local municipalities face in regulating medical marijuana caregiver operations is the fact that such operations are a permitted use by right under the Michigan Medical Marihuana Act (MMMA). He explained that, as the law is written, local municipalities can create standards to regulate caregiver operations within reason, however, such standards are limited. Herb Livingston expressed concerns regarding the specific operation in close proximity to his residence. He explained that his family and their neighbors are extremely concerned about their health and safety being jeopardized because of the non-permitted operation. Pam Livingston encouraged the Planning Commission to inspect the facility in person so they could better understand the concerns they have. Chairman Meisel stated that part of the process will likely include at least some of the Planning Commission performing a site inspection. Pam and Herb Livingston stated that the operation is blatantly obvious to neighbors and anyone passing by within the public right-of-way and it is likely to attract crime, putting everyone living in close proximity, themselves included, in danger. Pam Livingston stated that there have been several instances where suspicious occurrences have taken place between the operation and neighbors, citing several examples. Herb Livingston indicated that he has frequently observed the owner of the operation permitting other people to enter the structure, which is in violation of state law. Chairman Meisel explained that the owner of the operation has the right to apply for the special land use permit, however, if they are unable to demonstrate compliance with all regulations, they cannot receive approval. He continued, stating that if the operation is approved as a special land use, there would be periodic inspections from law enforcement, working with the Township, to ensure continued compliance with the requirements. He stated that if the operation is found to be non-compliant at any point, the special land use permit would be revoked and the operation shut down. Herb Livingston stated that he believes the Township has a great Medical Marijuana Ordinance, however, he does not believe it is right that the owner of the operation in question was allowed to basically circumvent the requirements and begin operating without first obtaining approval of a special land use. Pam Livingston also noted that they are very concerned about how the operation could negatively affect the value of their property. Chairman Meisel stated that he understood their concerns and
ensured them that they would be able to participate in the public hearing portion of the application process. He stated that the primary intent of the Township Medical Marijuana Ordinance is to ensure compatibility, which ideally means that nobody should be able to tell that the caregiver operation exists. He reassured them that if the applicant cannot demonstrate compliance with all requirements, including the requirement that there are no significant nuisance factors or public health/safety risks, the operation cannot receive approval. He thanked them for their comments and indicated that the Planning Commission would take their concerns into consideration during their review of the application.

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

ADJOURNMENT: 10:58 pm
COMMUNICATION #10
TYRONE TOWNSHIP PLANNING COMMISSION
REGULAR MEETING & PUBLIC HEARING
May 15, 2018 7:00 pm

PRESENT: Mark Chairman Meisel, Dave Wardin, Cam Gonzales, Al Pool, Kurt Schultze, and Bill Wood.

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

CALL TO ORDER: 7:00 PM

PLEDGE OF ALLEGIANCE: 7:00 PM

CALL TO PUBLIC: 7:01 PM

Resident Scott Dietrich had a complaint against neighbor who has done a lot of construction, and there is a pile of junk in his driveway. Chairman Mark Meisel asked Ross Nicholson whether or not we have any terms or conditions with regards to keeping their property clean when we issue residents Land Use Permits. Mr. Nicholson stated that Livingston County was responsible for the inspections. We would go out to inspect if a complaint was filed. Chairman Meisel stated that we could add a stipulation to ensure people keep their property clean while building; that would be up to the contractor or the property owner to manage it. It was suggested maybe we have a couple different types of templates set up when issuing permits regarding keeping property clean.

A resident asked what the latest developments were for Cider Mill Crossings. They are doing excavating and taking down trees at the north end of the property. Mr. Nicholson explained that they were entering into their 4th and final phase of developing. They’re under a consent judgement, and we had to allow them to go through their final phase.

APPROVAL OF THE AGENDA: 7:13 PM
Kurt Shulze moved to approved the agenda as presented. Al Pool seconded. The motion carried by unanimous voice vote.

APPROVAL OF THE MINUTES: 7:14 PM
Due to late transmittal of the minutes Chairman Meisel offered two options regarding the approval of the March 13, 2018 minutes:
  1) Walk through them.  2) Table them and do them at our next meeting.
Cam Gonzalez motioned to table the minutes until next meeting, Dave Wardin seconded the motion. Motion carried by a unanimous voice vote.
Chairman Meisel explained that the Township is very busy and Mr. Nicholson is doing his best to get them done.
NEW BUSINESS #1: (7:16) Foster/Lockwood Request to Rezone Parcel 4704-32-200-010 from FR to PCI

Planner Brian Keesey presented the satellite view of this parcel. He indicated that the corner of Faussett and Old 23 is where Mr. Foster would like to build a light industrial facility. He stated that the property is 100 acres, and Mr. Foster is only requesting the zoning change take place for 10 acres in the NE corner of the property. It is currently zoned FR and would need to be rezoned to PCI. This is similar to several other parcels on the west side of Old US-23; we have a land division to consider, which is not on tonight’s agenda, and the rezoning which we are holding the public hearing for this evening, and then the site plan and special land use review once the rezoning and land division have been taken care of. He said they could potentially do the land division at the same time as the special land use site plan. He explained that they don’t know specifics about the facility, such as parking requirements or whether it’s going to take access off of Old US-23 or off of Faussett Road. The facility is going to be an estimated 15,000 sq. ft. There has already been discussion regarding the general architectural character and the landscaping. It is anticipated it will be similar to Action Water Sports, in terms of quality and character. Specific to rezoning, they are only going to consider rezoning those 10 acres. Without the land division having taken place, Brian Keesey recommends that any action taken on the rezoning would be conditioned on approval of the land division, being sure it meets all the district requirements.

Currently the site is vacant farmland, with large lot single-family residential to the north, vacant farmland to south and west, and US-23 to the east. It is FR to the east of US-23, as well (across the freeway). Further north on US-23 we have Suburban Propane and Action Water Sports. In terms of future land use, this entire corridor (the properties adjacent to US-23, only the west side) are all planned for Planning Commercial Industrial (PCI).

Brian Keesey stated that there are two things up for consideration; one is the zoning aspect: What can they actually do with the property based on the regulations that we have. He noted that they should use the future land use plan as a guide making sure this is a use that we are planning for. Based on the presented table, it is, which is in support of this application. Brian Keesey asked if Mr. Foster wanted to fill in any gaps he may have missed.

Mr. Foster stated that the proposed facility would be a low-impact light industrial use in the sense that they would not be manufacturing products using specialized machinery, only assembling pre-manufactured parts to create a finished product (the product being diesel exhaust fluid storage tanks, pumps, and dispensing systems). He stated that because the proposed facility would not utilize heavy specialty machines/equipment, there would not be any smokestacks and it would not create significant nuisance factors such as excessive noise or fumes. He explained that they only intend to have approximately thirteen (13) to twenty (20) employees on site and very few shipments and deliveries throughout the week. He stated that the proposed location of the building is significantly setback from the road and adjacent residential properties. He also indicated that they are proposing a landscaping buffer between the proposed building and adjacent properties to mitigate any potential nuisance factors.

Chairman Meisel recessed the regular meeting and opened the public hearing.

OPEN PUBLIC HEARING: (7:30 PM)

READING OF THE PUBLIC NOTICE: (7:31)
Notice is hereby given the Tyrone Township Planning Commission will hold a Public Hearing on
Tuesday, May 15, 2018, beginning at 7:30 at the Tyrone Township Hall.

1) Receive public comments regarding the following proposed Zoning Ordinance amendments:

b. Provisions for the Rebuilding of Nonconforming Structures after a Disaster.
c. Regulations for Solar Farms.
d. Provisions to allow Detached Accessory Structures on Adjacent Lots in certain districts.

Chairman Meisel asked if anyone in attendance had any questions or wanted additional details on the
proposed amendments. There were no questions or comments at this time.

PUBLIC HEARING ITEM #1A: (7:31) Provisions for Commercial Recreational Uses in the
FR District

a. Provisions for Commercial Recreational Uses in the FR District: Public and private recreational
areas and facilities in the FR districts. Examples are corn mazes, haunted forests, etc. Trying to
get regulations in place for people to have these types of operations.

Resident Scott Dietrich said he was concerned about the noise and extra traffic with these types of things.
He likes that there is no noise where he lives currently, and questioned why should he let someone down
the street do something like this? He acknowledged he is okay with giving people the right to do these
things but we need to look at how it effects the entire neighborhood. Chairman Meisel responded with
the comment that we will try to provide some control and limitations. It’s important to be sure there are
no distractions. There has to be administrative and planning commission approval for these types of
activities. Things to consider are traffic impacts, landscaping & setbacks. These are going to be in FR,
which is still a single-family residential district; it’s important to be sure single-family residential
appearance and appeal is maintained. With weekend-only events there needs to be adequate parking and
assurance they don’t become nuisances.

Resident: Spoke about a business being run down the street (inaudible). Wanted to know what recourse
residents have if these ordinances are passed regarding noise and odor, etc. Chairman Meisel responded,
stating that the control mechanism is an adherence to those nuisance factor. If someone is creating noise
or odors, that’s going to violate the regulations; so, at that point a complaint will be filed, investigated,
found in noncompliance or have some sort of corrective action. In regards to the business she spoke
about, Ross Nicholson stated that they would require a special land use permit and she can file a
complaint and we will investigate. If they are operating a business from their home they have to have a
permit. Brian Keesey added that while the review for a kennel type activity would follow a similar
process, it wouldn’t fall within these specific regulations, like corn mazes, etc. Licensing is sometimes
required, depending on the intensity of the use.

PUBLIC HEARING ITEM #1B: (7:44) Rebuilding of Nonconforming Structures after a
Disaster

b. Rebuilding of Nonconforming Structures after a Disaster.
Chairman Meisel introduced the topic with the fact that it is relatively common in many municipalities where there is a fire or tornado which does a significant amount of damage to your property and a structure is more than 50% damaged, the only way to rebuild it is under the currently in-effect zoning standards. Sometimes in a rural community that is not always in the best interest of all the property owners. They want to put together some regulations to accommodate people who lose a structure under certain conditions. They included some ability to expand or extend. They tried to put some standards in here to address what one might call nuisance factors. They tried to define catastrophic events; made it so that someone can’t intentionally ruin their structure in order to rebuild. They have to be sure it’s not too close to the neighboring home, could be property value impacts, obstructing of views, noise and vibration issues, etc. There could be environmental issues such as drainage and septic field locations. Similar to the ZBA, they established some standards to help determine that someone is asking for this because they need it or if it is just convenience. If they weren’t allowed to do it, what would the unreasonable burden be? Also, they have to consider substantial justice; if someone is allowed to rebuild, it doesn’t just benefit that person but also the neighbors/neighborhood. They added to the ordinance that regular maintenance and repairs are permitted even though it’s a nonconforming structure so that they won’t allow the structure go into disrepair.

Comments from public:

Resident Scott Dietrich stated that if a house was conforming when they built it and it gets destroyed, the person should be allowed to rebuild it the way it was; they are entitled to get their house back through the insurance company and he felt that the Township shouldn’t stop it. He said that since the house is existing, just because a fire or storm takes it down, the Township has record of it, let them build it back the way it was. Chairman Meisel stated he wished it were that simple. He explained that when something has been removed, even by an act of God, the Township has to be sure something isn’t built that is unsafe. For example, if it’s too close to an adjacent structure and a fire breaks out it can burn the adjacent structure down. They are trying to allow for as many opportunities for people to rebuild what they had prior to the disaster.

PUBLIC HEARING ITEM #1C: (7:54) Regulations for Solar Farms

c. Regulations for Solar Farms

Chairman Meisel asked if anyone in the audience was interested in Solar Farms. Resident Scott Dietrich asked about windmills (wind turbines). Chairman Meisel said that’s a different element for them, and they have not dealt with it largely. He also noted that windspeed and direction in Tyrone Township is not conducive to any commercial wind type operations. It’s not a good location. It’s on their list of future actions. Brian Keesey added that they are suggesting they allow this in FR and RE where they already permit public services, required utilities, etc. They have defined the physical characteristics they expect, established locations and setbacks, a maximum height, talked about glare and screening. They have defined where all the accessory equipment has to go. They have talked about natural preservation. They don’t want a solar farm going in at the expense of natural vegetation, existing tree stands, unique slopes and rivers, etc. so they have accommodations built in for that. There is also a process for removal of the structures once they are no longer in use. After twelve (12) consecutive months of non-use an operator would have to remove the structures – including the footings. The land must be restored to its original use. They are considering abandonment of the structure is 90 days at which point the twelve-month clock
will start. Height is 15’, similar to other structures in the district. They won’t be noticeable driving by as they will be well hidden. It will be required of utility companies interested in this to provide localized benefits. Legally we cannot show residents the benefits on their energy bills.

Questions from Public:

Resident Scott Dietrich asked if the Department of Environmental Quality (DEQ) had a place for the battery storage to protect from leakage? He stated that potential battery leakage is his biggest concern pertaining to solar farms. Brian Keesey stated that the current draft ordinance text contains language that requires the secure storage of batteries when in use and disposal when not in use, in accordance with applicable laws and regulations (inclusive of the DEQ). Chairman Meisel stated that he was looking at other cases around the country where utility companies have come in and purchased large areas of agricultural land to convert to solar farms. The local residents have had issues because of the large amount of displaced agricultural land, specifically the loss of food resources. There were concerns about too much of a farm property being able to be converted over to a use that is not agricultural. He would like the Township to consider whether or not they should add some sort of density restriction; allow only a size or a percentage of their lot for solar farms. He said we need to ask “Do we really want 200 acres of solar panels in our rural community, or do we want to allow just a percentage of that property to be solar panels and the rest remain agricultural?” They have identified potential financial impacts to communities from the solar facilities. There are regulations that are set forth right now and other regulations still under consideration by our state legislature. They want to encourage things like green energy and solar power, but municipalities do generate some tax revenue from the farming of property; and a lot of the incentives that exist or are proposed will limit the tax revenue that a municipality can receive on the property that has solar panels on it. He said there needs to be some sort of incentive for residents to have these solar farms. It’s a positive thing to create energy from solar, but if you don’t receive any benefit from it, it’s positive only to a certain point.

Resident Scott Dietrich said he has a brother in Linden where the neighborhood allowed a cell tower. He did not want it, but the city won. So, if cell towers can be put on property, why not solar panels?

Chairman Meisel responded that it depends on a combination of local, state, and federal regulations, and Michigan has a combination of all three. They are trying to be sure the limited commercial areas they have in the Township - which are opportunities to generate tax revenue - aren’t consumed by solar farms which generate very little tax revenue. A resident who did not identify himself asked about limiting the farmer’s ability to sell land for solar. Chairman Meisel told him that if someone owns a piece of property and if it is zoned correctly he or she can divide it as allowed and develop on it as allowed in that zoning district.

PUBLIC HEARING ITEM #1D: (8:12) Provisions to Allow Detached Accessory Structures on Adjacent Lots in Certain Districts

d. Provisions to allow Detached Accessory Structures on Adjacent Lots in certain districts.

Brian Keesey began this discussion by explaining that they were asked by the Township Board to consider allowing detached accessory structures on adjacent properties. A resident would have a primary residence on one property, and on a separate but somewhat adjacent property, would be a detached structure; a garage or pole barn, for example. Chairman Meisel added that currently in our ordinance you cannot have an accessory structure as the only structure on the lot. You must have a home on the property. 
and then you can build an accessory structure. You cannot have an accessory structure on the lot by itself. They are trying to permit that under some very limited conditions.

Brian Keesey said that it is virtually unheard of to allow this, because people don’t always maintain the property because it’s not on their primary lot, it doesn’t look like the primary residence, so it turns into maintenance issues, blight issues, and they don’t always match the residential character of the neighborhood. They are regulating how large the structures can be, setting a minimum size, because they want these to be sizeable enough so they will look somewhat like the other residences on the street. They’ve added considerations for architectural guidelines; there is a front entry door, etc. The larger intent is to make this accessory structure look like a primary structure, so that there could be a conversion to a single-family home that could be utilized like the rest of the street. They would only allow these instances with the following criteria: Two parcels or lots owned and utilized by the same individual. They would be separated by a public right-of-way; only instances where the semi-adjacent property is across the street. There would be some required overlap between where those properties line up. The right-of-way can’t be larger than 66’. It can be a private or a public right-of-way. The detached parcel cannot be sold separately from the primary residence; they will be functioning as a single lot. A resident asked if there were any thought how it will be assessed. Chairman Meisel said that the assessors will look at the value of the land and the value of the improvements on the land. Brian Keesey stated that there would still be two separate tax IDs. A resident who did not identify herself asked if the area where they want to build the structure is next to the other lot. Dave Wardin answered that it has to share at least 50% of the adjacent lot width. They can’t have two lots that are kitty corner to each other. Brian Keesey added that it has to be across the street from it. Chairman Meisel explained the reason is there are some areas that between topography and other restrictions there is no ability to have the accessory structure in the rear yard. The only way they could have an accessory structure would be across the street. If it was on the property next to you, and you owned that property, you would just combine the lots. Someone that may own a lot that is substantially across the street, they have to have some sort of overlap in proximity. A resident asked if this could apply to Bennett Lake Road. It was determined that it could occur on Bennett Lake Rd. Resident Scott Dietrich asked if the Township had consulted with their attorney about combining the properties in some way so that it would be cheaper for them in taxes. Chairman Meisel answered that to the best of their knowledge they are not combinable otherwise that would solve the issue. Dave Wardin added that there are townships in Oakland County that combine lots across the road with the tax ID number. Chairman Meisel said they are proposing that it be deed restricted so that it has to act as a common parcel and that way someone can’t abandon it. Keesey said that they have provisions built in that as long as the adjacent property can be turned into something in compliance with the rest of ordinance we would agree to dissolve the deed restrictions. If a new home was built on that accessory lot, that would then bring the property into compliance as a primary use, and then they could sell the property. If that adjacent structure was torn down, we’d agree to dissolve the deed restriction. Resident Scott Dietrich said he had questions regarding outdoor storage on these lots.

Brian Keesey said that there a few things regarding ongoing property maintenance that are different. They are calling for maintenance in a manner characteristic of the residential properties of the neighborhood, including but not limited to: Regularly mowed turf, if applicable, the vegetation would remain viable and orderly, the structure would remain in good repair, and external storage of equipment, vehicles or materials exceeding 24 hours is prohibited. Regular maintenance of neighborhood appropriate landscaping is required. A boat cannot be stored out in the driveway permanently. Resident Scott Dietrich asked about typical storage on your property, will that land be restricted with how many vehicles you can store on each of the lots. Chairman Meisel said if you get the off-property accessory structure, you’re not going to be allowed to use the lot with the accessory structure on it as a storage lot.
Resident Mark Betley said he didn’t understand why a front door has to be on the front of the garage. He says by being limited to 1,200 square feet, putting a front door on the front is going to interfere with your garage doors. He said his neighbors don’t have an entry door on their garage which is facing the road, so why would he have to do that? Chairman Meisel replied that they have tried to accomplish two things: the first is from the architectural guidelines point of view, this is detached garage that is really in a location that should be a single-family residential home, so it has to have reasonable character like a single-family residential home otherwise it’s a scab in the neighbor that doesn’t fit in. If adjacent homes had side entrances, then they would make it the same on the accessory building. The resident replied that it would be challenging to put a double garage door and an entry way door on the front. Chairman Meisel acknowledged they didn’t consider that if we have a garage door and an entry way door they aren’t leaving people any room. Brian Keesey said if you’ve got a 40’ front wall, with 2-16’ foot doors that limits the space for an entry way door. Resident Scott Dietrich said it would not work with a 30’ front wall.

Brian Keesey added that the front entry door is a good thing, and there is flexibility in terms of building materials, colors, windows, roof pitches; but the front entry door is set in stone. They require this because it is a traditional front entry element. Chairman Meisel suggested they add to the ordinance: “Unless determined by the PC to otherwise be compatible with the character of the neighborhood.” There were discussions about materials and design; bottom line being that it matches the neighborhood. They agreed to revisit this topic. Chairman Meisel said they would not rule out metal for the material, but they would rule out metal buildings that look like commercial buildings.

PUBLIC HEARING ITEM #2: (8:38) Sutfin Proposed 1,200 Square Foot Accessory Structure Request

2.) Receive public comments regarding a request by Mark and Terri Sutfin for an increase in the permitted accessory building floor area up to a maximum of 1,200 square feet (reference Section 21.02.G), subject to compliance with the percent lot coverage and placement standards in Article 20, Schedule of Regulations, located at 9359 Bennet lake Road, Fenton, Michigan 48430, Parcel ID: 4704-05-202-018. The property is zoned R-1, Single Family Residential.

Chairman Meisel said the resident has an existing single-family residence, with a proposed accessory structure. They have a 15’ side yard setback; it looks like it is 65’ to the rear property line. R-1 only requires 10’ for the rear yard, so that is compliant. He said they need to look at the location and size to be sure it’s compatible with existing adjacent developments. He showed on the screen where the existing home is and where the proposed accessory structure would go. He showed that adjacent properties have accessory structures. This one would be in the rear yard. A resident asked what size is would be.

Chairman Meisel answered that it would be 1,200 sq. ft; 30’ wide by 40’ long. The resident felt that was like a house, very big. Chairman Meisel stated that a lot of detached structures were 28’ x 36’ which is standard. If they get narrower than 30’ you can’t use them as an entrance in one direction because there is no room for a door. You run into limitations as far as what you can do with them because of not enough space. If you pull in a vehicle, you use up approx. 20’ x 10’. There were some inaudible discussions in audience. Residents spoke of having recreational vehicles used in summer but wanting to store them in the winter rather than leave them in driveway.

A resident asked if the structure would be permitted for plumbing. Chairman Meisel said that with detached accessory structures it is ok to run water or electricity to them. The problem only arises when someone tries to occupy them: live in them or temporarily stay in them. In a single-family residential
370 neighborhood this is not permitted. Also, if they are living there it has to be habitable as defined as the
371 Livingston County Department of Health and Building Department with a kitchen, heating & cooling, etc.
372
373 Currently, an 800 square foot accessory building is permitted, so the Sutfins want to add 400 sq. ft. to
374 this. Chairman Meisel asked what the siding material would be. Mr. Sutfin stated that it would be a
375 painted metal-sided pole building with the exterior façade designed with architectural features that mimic
376 the appearance of a conventional (stick-built) detached garage. The proposed design will be painted to
377 match the structure. He stated it will be charcoal gray for the roof and light gray for the side with white
378 trim. He showed Chairman Meisel a picture. He said it was standard metal, not commercial metal. He
379 stated that it would be trimmed out like a house. He said he might add two additional windows on front
380 on each side of the door for light inside the structure. Chairman Meisel acknowledged that the outside
381 appearance would be compatible with existing home.
382 Brian Keesey said that it appears to be dimensionally compatible with the ordinance, and the materials,
383 appearance, and compatibility are a subjective determination by the Planning Commission so if they’re
384 happy with it then it’s good. A resident asked what the normal allowable size for accessory structures
385 was. Chairman Meisel explained that they allowed an increase in size up to 1,200 square feet (from 800
386 square feet) as long as there is a public hearing and that it is compatible with the neighborhood. They
387 want to ensure that the accessory structure is not larger than the house. Chairman Meisel asked if there
388 were any additional comments or questions from the public. Resident Scott Dietrich commented that he
389 believes the proposed size of the structure to be reasonably compatible with existing accessory structures
390 in the neighborhood based on the satellite image of the property showing several structures of similar
391 dimensions in close proximity to the Sutfin property.
392
393 PUBLIC HEARING ITEM #3: (8:54) Proposed Foster/Lockwood Rezoning Request
394
395 3.) To receive public comments regarding a request by Dennis Lockwood, represented by
396 Brendan Foster, for the rezoning of a proposed new parcel from FR (Farming Residential) to PCI
397 (Planned Commercial Industrial at the southwest corner of Old US-23 and Faussett Roads,
398 regulated by Zoning Ordinance #36 Article 23 Site Plan Review and Impact Assessment, and
399 Article 29 Zoning Amendments, located at 9398 Faussett Road, Fenton, Michigan 49430, Tax ID
400 4704-32-200-010. The property is zoned FR (Farming Residential).
401
402 Chairman Meisel asked if everyone understood what the proposal was. He gave a brief summary. He
403 showed the property in question on the screen. He showed that the proposal was to take 10 acres from that
404 property and rezone it to PCI (Planned Commercial Industrial). PCI allows for some low intensity
405 manufacturing and other commercial type uses, and PCI is what this area is master planned for. The
406 intended use is a manufacturing type site. Currently they have about ten (10) employees, may grow to
407 twenty (20) in this new facility. The facility would be about 15,000 square feet.
408
409 A resident (name not provided) asked what was going to done about lighting, because the lighting is
410 going to shine into her bedroom window. Brendan Foster indicated that the lighting would be low impact,
411 with minimal lighting at night since the hours of operation would be during daylight hours most of the
412 year. She asked where his access was going to be. Chairman Meisel said that the Livingston County Road
413 Commission would determine that. Brendan Foster indicated that they have proposed the entrance on
414 Faussett Road. He continued, stating that there would only be one semi-truck per day in and out of there.
415 A resident asked if the surrounding neighbors would be able to hear the noise of the plant. Mr. Foster
416 explained that they don’t have loud machinery. He said they have a smaller compressor inside that runs

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periodically and it won’t be heard outside. The resident said she was kitty corner from this proposed
structure on the north side of Faussett. Chairman Meisel said the right questions were being asked, but
the objective is that this is not going to become a distraction to the adjacent residential development.
Lighting must face down, not out; intensity of lighting, noise & odors will be taken into consideration.
There are a lot of different things that could end up in this location and this is probably going to be about
as transparent as you can get. He won’t make any noise or odor. It should not cause any inconvenience to
anyone. A resident asked if this works out really well they might want to enlarge it and go to 24-hour
shifts. Chairman Meisel stated that if they decided to enlarge this facility they’d have to go through the
board again and get approval. The resident said that she believed the board would automatically approve
it. Chairman Meisel said that wasn’t true. They have denied plenty of things in the past. It still depends on
whether it is compatible. As far as shifts, he didn’t feel that would matter, the traffic would be the only
possible issue. There are only a few employees proposed with this, so it won’t be hundreds of employees
coming in and out. Chairman Meisel reassured her that she won’t have to worry about anything with this
proposed facility. A resident asked about the semi-trucks coming in off Faussett Road. Chairman Meisel
stated that the Livingston County Road Commission would be establishing where the entrance will be. He
feels that because it going to be commercial in nature, it will probably be coming in off of US-23. He
doesn’t feel that a single semi going up and down Faussett Road a couple days a week would provide any
more wear & tear than what already goes up and down there now. It’s low intensity, he isn’t
manufacturing heavy metals, etc. The trucks will be light. Chairman Meisel explained that these people
want to be sure they can rezone these 10 acres. Once those 10 acres can be rezoned he will buy them.
Resident Scott Dietrich asked whether or not there will be any ramps added to US-23. Chairman Meisel
responded that there are no plans for such changes. A resident asked if there would be any recourse in the
decision for rezoning if a large number of residents strongly opposed it. Chairman Meisel responded with
the fact that we run into uses that are controversial, so we have to look at our master plan. If they are
going to rezone something it will have to be consistent with the master plan. The next issue is what is
going to be developed there. They have a list of uses that can exist in PCI district. If it is permitted they
will work through the process of trying to mitigate the concerns people have but again some of that is
going to be permitted because that it what is set up to be in PCI. If it’s not on that list, then it gets into a
different issue: can we allow it or is it not permitted in that district. When they look at what is being
proposed to go there, it is closer to ideal than other alternatives. What are the concerns of rezoning this to
what is planned long term to be there? The next step is the applicant has to submit a site plan and
demonstrate what he doing is compatible with what is permitted there.
A resident asked if there was a whole neighborhood that did not want him doing this, what can we do?
Brian Keesey said the general process for the rezoning is the public hearing, then the PC makes
recommendations to the Township Board one way or the other. This is based on specific findings of the
ordinance. If this body and the Township Board find that all of those requirements of the ordinance are
met, the recourse from concerned citizens is to “poke holes in those arguments”; saying that what is being
proposed doesn’t match up with the long-term plan, it isn’t compatible, etc. There has to be some
thorough justification, they can’t just say they don’t want it that way. Chairman Meisel stated that they
are tasked with allowing people to develop their property and they have to balance the fact that someone
is permitted to develop their property with trying to manage what gets developed so that it upsets the
fewest people possible. They look at these things with a lot of interest and concerns because they don’t
want to turn a situation into something where residents may be displaced, but at the same time if someone
owns a piece of property they do have the right to develop it and use it. This proposed facility will not be
as busy as Action Water Sports.

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Resident Scott Dietrich said he still had concerns about traffic, and that the Planning Commission needs to worry about that now rather than later. Chairman Meisel explained that with just ten (10) acres developed there won’t be a ton of traffic. He asked what if instead of building this facility he decides to develop it into a huge subdivision and then there will be hundreds of cars going in and out in that situation. Mr. Dietrich said government doesn’t always look ahead on all issues, and I know there will be extra traffic with this proposed facility. They may have to come in and change the roads after the fact, and it should be addressed now rather than later. It’s not Michigan’s property, it’s the United State’s property and they can change it at any time. Chairman Meisel responded with the fact that part of what they do is a Concept Review, discussing access to the facility, number of employees, etc. That is not set in stone but it’s part of the process. The planning commission does consider those things, but Livingston County will dictate the requirements for the roads. A resident asked how far back from US-23 you can go industrial? Chairman Meisel pulled up the Master Plan page 137 and showed the blue shading on the map which represented the commercial areas. He showed the ten (10) acres that was proposed, but the location of where the building would go hasn’t been decided (multiple people talking).

Chairman Meisel closed the public hearing (9:30PM)

Brian Keesey read through the nine (9) criteria for evaluating or rezoning in section 29 of the ordinance.

(1) **Consistency**: Consistency with the goals, policies and future land use map of the Township Master Plan. They’ve talked about this, and the Master Plan says the property can be supported in terms of rezoning to PCI. A text out of that sections says “Well located planned attractive in a diverse industrial development. Utilization of existing sanitary facilities, landscaped to maintain rural character and buffer from nearby residential properties”. These are things they will review during site plan and special land use approval.

(2) **Site Compatibility**: Compatibility with the proposed zoning district regulations, currently used for farming, may need to do some grading but generally no tree clearing needs to be done.

(3) **Return on Investment**: They can assume that if the property weren’t to be rezoned it would either remain farming or go to single-family residential in its current zoning.

(4) **Surrounding Uses**: The permitted uses in PCI – if it rezoned and for some reason Mr. Foster didn’t submit a site plan, the zoning would stay. Other potential uses include schools, training facilities, indoor commercial recreation, parks and open space, high technology services. Special land uses could include car washes, general sales, rental of automobiles, etc. All of those would ensure compatibility.

(5) **Infrastructure impacts**: These sites along Old US-23 are identified due to their adjacency to sewer access and roads that can accommodate these uses. Specific road and traffic impacts will be evaluated once the use is determined in its totality. In general, this is where we want businesses to go for those reasons.

(6) **Demand**: The demand for land zoned as proposed. There are a few vacant parcels, one is quite large and one that is approximately the same size. The purpose is to show that in general we are nearing capacity for this type of planned use so a rezoning may be warranted.
(7) **Suitability**: The farming is well suited for the site, and light industrial can make use of this property as well. Based on the long-standing future land use plan it’s been found be suitable for some time now.

(8) **Previous Submission**: If someone has come to the township before and it was shot down they have to wait one year to come back with a new proposal. There has not been a previous submission on this site, so there are no concerns.

(9) **Other Factors**: Other factors deemed appropriate by the Planning Commission and Township Board.

Brian Keese presented the following summary: “We find the proposed rezoning consistent with the Master Plan. Possible PCI uses are not typically high impact and can be designed to context appropriately. Existing sewer and road infrastructure can accommodate typical PCI uses. There is not an abundance of PCI zoned property. There are no features specific to the site that would dictate that it should remain agricultural use. Zoning standards will ensure proper landscaping and other site requirements will protect adjacent properties from any ill effects. Based on those criteria and the future land use plan this is about as straight forward as a rezoning goes, in my opinion. There is nothing in my mind that would detract from making an affirmative vote on this. I do want to note that we don’t have a completed division, but if you find that it’s appropriate for recommendation to the Board for rezoning, it should be contingent on completion of that land division. Theoretically you could rezone a portion of the property, but this is not what they are proposing. They are on board with doing the land division first.”

Dave Wardin moved to recommend the Township Board rezone the 10 acre parcel of land as identified on the Lockwood application from FR to PCI, noting that the rezoning is in conformance with the Tyrone Township 2012 Master Plan and future land use map and the nine (9) criteria contained in section 24.09.A of the Tyrone Township Zoning Ordinance. Said rezoning is conditional upon receiving land division approval of the 10-acre parcel. Cam Gonzalez seconded the motion. The motion carried by unanimous voice vote.

(9:40 p.m.) Chairman Meisel revisited the Sutfin request for the 1200 sq. ft. accessory structure. Brian Keese did not do a formal review for this because it was pretty straight forward from their point of view. They have identified that the appearance will be reasonably compatible with the existing adjacent development. The location and size are reasonably compatible. They have not identified any conflicts relative to why an increase to 1200 sq. ft. would be not in the best interest of the applicant and/or the adjacent neighbors.

Dave Wardin motioned to approve the Sutfin request for a 1200 sq. ft. accessory structure with the location as presented in the application, stamped 4/18/18. Structure is 30’ x 40’, approximately 68’ from the rear yard lot line and 15’ from the side yard lot line. It is in compliance with the requirements set forth in the zoning ordinance for a detached accessory structure in the R-1 district. Cam Gonzalez seconded the motion. The motion carried with a unanimous voice vote.

Zoning Amendments: Ok with outdoor recreations in FR, ok with rebuilding non-conforming after a disaster. Should have some more discussions regarding solar panels, as well as detached accessory structures and the mandatory front door location. Dave Wardin said he felt like they’d need a bit more time to discuss the Solar Farms. He said he didn’t want to limit someone to only use a portion of their
property for Solar Panels, unless he can say if you’re going to develop it as a cluster, we are going to require 50% of open space. He feels they should be allowed to use only 50% of their property for Solar. That would conform to other portions of our ordinance, so it’s defensible. Chairman Meisel stated he thinks that if someone has large acreage there should be some sort of allocation, but do we want to dictate what someone is doing with their property? We need the crops that are growing, so is it in the best interest to eliminate agricultural resources? Dave Wardin stated we have a lot of agricultural zoned property, but do we know how much of this property is being used for agricultural purposes, actually farmed? Ross Nicholson said that assessing would know that answer, because that’s how they determine their taxes. Bill Wood stated that he has a problem with telling someone you may have paid taxes on your property all those years but you can only use half of it. Chairman Meisel said that was a fair statement, but we do that with zoning with everyone; you have a limitation on how you can use your property based on how it was zoned. The other thing is looking at the challenges that municipalities, including Tyrone Township, have faced. Someone comes in and says “I want to do whatever I want with my property”, such as building a mobile home park, and it costs residents $3.00 for every $1.00 that it generates. The courts side with the manufactured home businesses and we end up with a bunch of mobile home parks that drain the resources of the Township. Then they go out of business or into disrepair and it costs us even more. So, while they have development rights, as planners we try to find a way for them to reasonably develop their property without it costing us money. Dave Wardin said he agrees with Bill Wood that he doesn’t like telling someone what they can and cannot do with their own property, but it’s best to limit people. Chairman Meisel said there is always some benefit to everyone else with most developments, like tax dollars, the availability of a service, a recreational opportunity, etc. With solar power all that electricity may be used someplace else, you lose your tax dollars. You get nothing out of it. Yes, there is electricity made but it’s not a direct benefit. All commissioners agreed they needed to take some time with this because there are a lot of “ifs” and people affected by it. (9:54) Meisel stated he was asked by the Township Supervisor and the Zoning Administrator to discuss a caregiver operation in the FR district that is causing a number of concerns by residents. He said he didn’t think they anticipated the ability for someone to operate a caregiver operation and not actually own the property or have a residence on the property. He said he thinks they were all thinking the caregiver operation would be an accessory. There are a number of violations relative to what’s permitted by the Medical Marijuana Act as far as who is accessing the facility, how many people, how it is laid out. The primary issue is no one lives there, so there is a business type appearance which is outward visibly as to what is going on. It is not compatible with the adjacent neighbors from a residential point of view. Dave Wardin summed it up by saying “We have a medical marijuana operation in a non-conforming accessory structure”. Ross Nicholson explained that the parcel was in a residential area, it is FR, but the structure itself was an existing non-conformity and it was a land division, split off with the intent of a house being built there. The house never got built, so it’s just a pole barn at the end of a residential street. Chairman Meisel stated that if someone followed the rules and came in here and followed our process for a caregiver operation that would not have been permitted because it’s non-conforming. Under “requirements for qualifying patients” Patient Control currently reads: the site must be under the control through written lease, contract or deed in favor of the qualifying patient. That works, but maybe should add “in a residential district growing for personal use must be an accessory use in a portion of an existing single-family residence or in a conforming accessory structure located on the lot or parcel. The single-family residence must be owned and occupied by the qualifying patient and his or her parent or legal guardian”. The problem is that the qualifying patient owns the property and has a caregiver. The caregiver, therefore, is the only one allowed into that building under state law and the only one allowed to have access to the medical marijuana. The qualifying patient is showing up, even under the guise of doing
maintenance, and other people are showing up, as well. It needs to be written so that if you are a qualifying patient and you are going to grow for yourself, you’ve got to have ownership of it and it’s got to be an accessory use to your home otherwise you’ve created a commercial operation in a residential district. These are just some ideas we need to look at. Bill Wood said that the police have been out there and have not found anything wrong, haven’t caught the guy there. The police won’t do anything about it, and he wondered if it’s because of the way the ordinance is worded. Chairman Meisel said that he understands that there was a complaint; the officer identified a number of violations, told them they were not in compliance with either state or Township requirements. Tyrone Township was contacted about this. The township made an offer based on the response of the individual to work with them to bring them into compliance. Since we have made that offer, they have, in the opinion of many, demonstrated that they are never going to get into compliance, they are just operating a business, getting away with what they can until someone shuts them down. Bill Wood said he thought it was just a misdemeanor, we really don’t have a lot to go on unless we change how we have our ordinance written. Chairman Meisel said that as a local municipality we can issue civil infractions if they’re in violation. They are also in violation of the Michigan Medical Marijuana Act; they can be arrested and be prosecuted for violation of the State of Michigan laws. Based on this experience with this applicant, we need to make some changes to the ordinance so situations like this don’t happen again. Enforcement is a separate issue. Growing: Need to offer restrictions for caregivers, repeat where it’s permitted, etc. Need to reword it: if we are now talking about caregivers and these are the standards for the caregiver operation, only the caregiver has access. The law says it’s either the qualifying patient or the caregiver. If you’ve given up your right to grow to a caregiver, the caregiver has to do all the growing for you; if you’re a qualifying patient, it’s only you. Need to work on this so it meets the intent of the law. A suggestion was made that in the FR district we review the separation distances relative to setbacks to existing homes. If someone is going to do this, there has to be some sort of separation, like setbacks or acreage. Also talked about when we review an application for a caregiver operation, we should be working through a Township checklist. There was a checklist created previously at a subcommittee meeting. Regarding doing a zoning amendment, 60-90 days is the absolute minimum to do, so 120 days allows us to make a recommendation at the next meeting, get it to the county, get it back, and get it to the Township Board. Development of amended text will continue during a future meeting.

MISCELLANEOUS BUSINESS: None

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 (10:12 PM): By Chairman Meisel
COMMUNICATION #11
Hi Terri, prices are up from last year. We can capped you through April 2019 at $1.449.

Thank you.

On Mon, Jul 30, 2018, 2:14 PM Terri Medor <tmedor@tyronetownship.us> wrote:

Hi Todd. Can you give me a price for propane for the upcoming season? Please and thank you!

Terri Medor
Deputy Clerk

Tyrone Township
10408 Center Rd.
Fenton, MI 48430
(810)629-8631
tax (810)629-0047

www.tyronetownship.us
UNFINISHED BUSINESS #1
New/renovated township hall.

No documents included.
NEW BUSINESS #1
August 16, 2018

Township Board
Tyrone Township
10408 Center Road
Fenton, MI 48430-9439

Subject: Agenda Request – Payne – Dentonview Boundary Realignment

Dear Township Board Members:

During our meeting on July 10, 2018, we reviewed the Payne – Dentonview Boundary Realignment application. Dave Wardin made a motion to recommend Township Board approval of the Payne – Dentonview Boundary Realignment with the following conditions: (1) The legal description for Parcel A should be revised to include all 21.55 acres of proposed land; and (2) Additional documentation is requested to support the reference for the unrecorded 150 x 150 foot easement. Kurt Schulze supported the motion. The motion carried by unanimous voice vote.

The applicants propose a parcel realignment that will take approximately 8.11 acres of land from Parcel B and add it to Parcel A, for resulting parcels of 2.01 acres and 21.55 acres, respectively. The proposed transfer of land will not alter the means of access to either parcel from Dentonview Drive. The resultant parcel areas would comply with our zoning ordinance.

The applicants have submitted an updated legal description for Parcel A, and additional supporting documentation (a quit claim deed) and drawing notes for the unrecorded easement. The conditions for a recommendation of approval have been met.

The Planning Commission therefore recommends your consideration and approval of the requested boundary realignment.

Respectfully submitted,

Tyrone Township Planning Commission

Mark Meisel
Chairman
July 5, 2018

Planning Commission
Tyrone Township
10408 Center Road
Fenton, MI 48430

Subject: Dentonview Boundary Realignment
Application received 04-26-18, Plan dated 6-15-2018

Dear Commissioners:

The authorized agent and applicant, Timothy Zimmer of Livingston Engineering, has proposed a boundary realignment between Parcel 4707-11-100-028, a 10.12-acre parcel zoned Rural Estate and owned by Dale and Darlene Payne (Parcel B), and Parcel 4704-11-100-030, a 13.44-acre parcel zoned Rural Estate and owned by Bradley Mikolajczyk (Parcel A). The realignment will take approximately 8.11 acres of land from Parcel B and add it to Parcel A, for resulting parcels of 2.01 acres and 21.55 acres, respectively. The proposed transfer of land will not alter the means of access to either parcel from Dentonview Drive.

Boundary realignments are reviewed in accordance with the Township’s Land Division ordinance, the State Land Division Act, the regulations of the RE 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.

Proof that the taxes for Parcel 4704-11-100-028 have been paid has been submitted. However, the same information is not provided for Parcel 4704-11-100-030. Both parties have agreed in writing to have Livingston Engineering act on their behalf in this transaction.

Scaled and dimensioned plans have been provided for the existing and proposed conditions on the same drawing. The property descriptions for Existing Parcels A and B are reflected in the drawing, as is Parcel B Revised. However, the description for Parcel A Revised appears to be only the description of the property to be added to Parcel A; the description should include all 21.55 acres of land. We recommend clarification from the surveyor or that the description be properly updated.

The plan shows existing the structures that are within 50 feet of the property line on adjacent properties. Approximate utility lines are shown on the plan, and a description of an unrecorded utility and access easement is shown on the plan.

Section 4.A.7. Wetlands and Natural Features.
Two existing open water ponds are shown on the plans, as are 2-foot contours and approximate wetland boundaries. This requirement is met.

**Section 4.A.8. Open Space.**
There is no designated open space shown on the plan, nor is any required for this realignment.

Access to both parcels involved in this realignment will not change as a result of the process. Existing driveways are shown on the plan. The revised parcel descriptions note the 150'x150' access easement as an unrecorded document referenced in the Livingston County Records. Planning Commission should comment on this method of reference to the easement.

2-foot contours are shown on the plan. The boundary realignment will not directly change any existing drainage patterns, nor will it create a new developable lot on which residential density could increase.

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

**Zoning District Dimensional Requirements.**
Both resultant parcels will achieve the 1.75-acre lot minimum requirement of the zoning ordinance. Both parcels, in existing and proposed forms, are irregular shapes that do not achieve the full 200-foot lot width minimum on an access easement. However, the frontage for both parcels will not change, and therefore their nonconforming configurations should not limit the realignment possibilities for the remainder of the property.

**Tax Status.**
Proof that taxes are paid and up-to-date has been provided for one of the two parcels, as noted.

**Length to Width Ratio.**
The proposed parcels comply with the 4:1 depth-to-width ratio required by the Zoning Ordinance and Michigan Land Division Act.

**Land Division Comments and Recommendation**
Based on our comments herein, we find the proposed realignment to meet the zoning district requirements for the RE Rural Estate district to the extent that no new nonconformities are being introduced. We recommend approval of the boundary realignment, subject to clarification on or provision of the following items:

1. Proof of ownership for Parcel 4704-11-100-030, the Mikolajczyk parcel should be provided.
2. Update of the Parcel A Revised property description, or clarification from the surveyor on the description for this property as proposed.
3. Planning Commission is satisfied with the means of describing the 150’x150’ access and utility easement, which has not been recorded.
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,

Brian Keese, AICP
Principal Planner
EXISTING PARCELS

PARCEL A
13.44 ACRES

PARCEL B
10.12 ACRES

LEGEND

SECTION CORNER
SET IRON ROD
FOUND MONUMENT
FENCE
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
3300 S. OLD U.S., BRIGHTON, MI 48114
INTERNET: WWW.LIVINGSTONENG.COM
PHONE: (810) 225-7100 FAX: (810) 225-7699

CLIENT MIKOLAICZK
DESCRIPTION NW 1/4 SECTION 11 T4N-R6E, TYRONE TOWNSHIP, LIVINGSTON COUNTY, MICHIGAN

SCALE 1"=200'  JOB No. 18133  CREW:ME/MG
DATE 2018-06-16  SHEET No.1 OF 4  DRAWN WRS  CHECK

REV. 2018-07-26

WILLIAM P. STODDING
PROFESSIONAL SURVEYOR
No. 51686
LICENSED PROFESSIONAL SURVEYOR

SITE OF MICHIGAN
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.

STATE OF MICHIGAN

WILLIAM R. STEPPINGER
PROFESSIONAL SURVEYOR
No 51688

INTERNET: WWW.LIVINGSTONENG.COM
PHONE: (810) 225-7100 FAX: (810) 225-7699

LIVINGSTON ENGINEERING
CIVIL ENGINEERING SURVEYING PLANNING
3300 S. OLD U.S., BRIGHTON, MI 48114

CLIENT MIKOLAJCZK
DESCRIPTION NW 1/4 SEC 11 T4N-66E, TYRONE TOWNSHIP,
LIVINGSTON COUNTY, MICHIGAN
0' 200' 400'
DATE 2018-06-16
SCALE 1"=200'
JOB No. 18133
SHEET No.2 OF 4 DRAWN WRG
REV. 2016-07-25
CREW ME/EG
CHECK
PARCEL A as recorded in Document 2015R-024916 of the Livingston County Records
Situated in the Township of Tyrone, County of Livingston, State of Michigan, to wit:

Part of the Northwest ¼ of Section 11, Town 4 North, Range 6 East, Township of Tyrone, Livingston County, Michigan, described as follows: BEGINNING on the North line of Section 11, South 89 degrees 29 minutes 46 seconds West 466.64 feet from the North ¼ Corner of Section 11; thence South 773.23 feet; thence South 40 degrees 43 minutes 18 seconds East 350.77 feet; thence South 52 degrees 46 minutes 42 seconds West 133.26 feet; thence North 38 degrees 43 minutes 18 seconds West 66.02 feet; thence North 52 degrees 46 minutes 42 seconds East 64.95 feet; thence North 40 degrees 43 minutes 18 seconds West 550.0 feet; thence North 89 degrees 12 minutes 47 seconds West 652.36 feet to the West line; thence north along the West ¼ line 595.37 feet to the North line of Section; thence North 89 degrees 29 minutes 46 seconds East along the North line of Section 878.0 feet to the point of beginning.

Together with a non-exclusive easement as limited and defined by that instrument recorded in Instrument No. 2012R-027445.

NEW PARCEL A

Part of the Northwest ¼ of Section 11, T 4N-R 6E, Tyrone Township, Livingston County, Michigan, more particularly described as follows: BEGINNING at the Northwest Corner of Lot 50 of "LAUREL SPRINGS NO.3", a subdivision as recorded in Liber 17 of Plats on Page 41 of the Livingston County Records; thence along a line previously surveyed by Herbert Munzel, RLS #10699 and shown on a survey recorded in Liber 1193, Page 405 of the Livingston County Records, N 01° 59’24” W, 1165.52 feet (previously recorded as Due North, 1165.52 feet) to a found iron rod; thence along the North line of said Section 11 as previously surveyed and monumented, N 87° 31’18” E, 877.99 feet (previously recorded in a survey by KEM-TEC & Associates dated April 20, 2015 as N 89° 29’47” E, 878.00 feet) to a found ½” iron rod, which lies S 87° 31’18” W, 466.85 feet (previously recorded as S 89° 29’47” W, 466.64 feet) from the North ¼ Corner of said Section 11; thence S 01° 59’39” E, 773.22 feet (previously recorded as Due South, 773.23) to a found ½” iron rod; thence S 42° 42’40” E, 350.76 feet (previously recorded as S 40° 43’18” E, 350.77 feet); thence S 50° 45’13” W, 133.83 feet (previously recorded as S 52° 46’42” W, 133.26 feet) to a found iron rod; thence N 40° 11’50” W, (previously recorded as N 38° 43’11” W) 66.02 feet to a found iron rod; thence N 50° 45’13” E, 64.81 feet (previously recorded as N 52° 46’42” E, 64.95 feet); thence N 42° 42’40” W, (previously recorded as N 40° 43’18” W) 349.98 feet to a found iron rod; thence S 49° 15’24” W, 389.59 feet; thence S 40° 44’36” E, 80.96 feet; thence along the North line of Lots 45-47 of said "LAUREL SPRINGS NO.3", S 49° 18’30” W, 192.88 feet (platted as S 51° 18’20” W) to a found concrete monument; thence along the Northerly line Lot 48 of said "LAUREL SPRINGS NO.3", S 75° 30’58” W, 86.87 feet (platted as S 77° 53’30” W, 86.16 feet), to a point in a pond; thence along the North line of Lots 49 and 50 of said "LAUREL SPRINGS NO.3", N 82° 48’01” W, 296.60 feet (platted as N 82° 48’00” W, 296.60 feet) to the Point of Beginning. Containing 21.55 acres, more or less and including use of an unrecorded 150 foot by 150 foot Release of Right of Way as referenced in Document 2012R-027445 of the Livingston County Records. Also subject to any other easements or restrictions of record.

PARCEL B as recorded in Warranty Deed in Liber 1660, Page 0017 of the Livingston County Records.

Situated in the Township of Tyrone, Livingston County, Michigan.

Part of the East ½ of the Northwest ¼ of Section 11, Town 4 North, Range 6 East, Tyrone Township, Livingston County, Michigan, described as: BEGINNING at the Northwest Corner of Lot 50 of "LAUREL SPRINGS NO.3", as recorded in Liber 17 of Plats, Pages 41 to 43, Livingston County Records; thence South 82°48’ East along the Northerly line of Lots 50 and 49 of said "LAUREL SPRINGS NO.3", 296 feet; thence North 77° 53’30” East along the North line Lot 48 of said "LAUREL SPRINGS NO.3", 86.16 feet; thence North 51° 18’20” East along the Northerly line of Lots 47, 46 and 45 of said "LAUREL SPRINGS NO.3", 380 feet; thence South 38° 41’40” East along the Easterly line of said "LAUREL SPRINGS NO.3", 263 feet; thence North 52° 48’20” East along the centerline of a 66 foot wide private road and utility easement 215 feet; thence North 40° 41’40” West, 530 feet; thence North 89° 08’15” West 652.2 feet; thence South 570 feet to the point of beginning. Together with and including the use of a private road and utility easement over the Southerly 33 feet thereof.

Property Address: 12249 Denton View Drive
NEW PARCEL B
Part of the Northwest ¼ of Section 11, T4N-R6E, Tyrone Township, Livingston County, Michigan, more particularly described as follows: Commencing at the Northwest Corner of Lot 50 of "LAUREL SPRINGS NO.3", a subdivision as recorded in Liber 17 of Plats on Page 41 of the Livingston County Records; thence along the North line of said "LAUREL SPRING NO.3" S 84°48'01" E, 296.60 feet (platted as S 82°48'00" E, 296.60 feet); thence along the North line Lot 48 of said "LAUREL SPRINGS NO. 3", N 75°30'58" E, 86.87 feet (platted as E 77°53'30" N, 86.16 feet), to a found concrete monument; thence along the North line of Lots 46-47 of said "LAUREL SPRINGS NO.3", N 49°18'30" E, 192.88 feet (platted as N 51°18'20" E) to the POINT OF BEGINNING of the parcel to be described; thence N 40°44'36" W, 80.96 feet; thence N 49°15'24" E, 389.59 feet; thence S 42°42'40" E, (previously recorded as S 40°43'18" W) 349.98 feet to a found iron rod; thence S 50°45'13" W, 214.83 feet (previously recorded as S 52°46'42" W, 214.95 feet); thence along the East line of said "LAUREL SPRINGS NO.3" N 40°44'36" W, 263.03 feet (platted as N 38°41'40" W, 263.00 feet) to a concrete monument at the Northeast corner of Lot 45; thence continuing along the North line of said "LAUREL SPRINGS NO.3", S 49°18'30" W, 186.85 feet (platted as S 51°18'20" W) to the Point of Beginning. Containing 2.01 acres, more or less and subject to and including use of an unrecorded 150 foot by 150 foot Release of Right of Way as referenced in Document 2012R-027445 of the Livingston County Records. Also subject to any other easements or restrictions of record.

Bearings were established from Grid North based on RTK GPS observations using Brighton CORS station.

Witnesses

North ¼ Corner, Section 11, T4N-R6E,
Found Remon Brass cap
S16°W 2.67’ Remon Nail/Tag E/side 42” Oak
N86°W 73.65’ Nail/Tag N/side 22” Oak
N06°E 42.38’ Nail/Tag E/side 13” Cherry
S75°E 35.37’ Nail/Tag S/side 10” Oak
QUIT CLAIM DEED

KNOW ALL PERSONS BY THESE PRESENTS: That Joy L. Manser NKA Joy L. Walker
whose address is 1851 N. La Barge Rd Apache Junction AZ 85119
Quit Claim(s) to Joy L. Walker and Lester Walker
whose address is 18859 Denton View Rd Fenton MI 48430

the following described premises situated in the County of Livingston
State of Michigan:

See attached

Commonly known as:

Tax Parcel # 04-11-100-030
for the full consideration of: $ 100.

Dated this 8-10-12

[Seal]

Joy Walker

STATE OF MICHIGAN

COUNTY OF Livingston

8-10-12

The foregoing instrument was acknowledged before me on , by Joy Walker

Print Name:
Notary Public County, Michigan
Acting in County
My commission expires:

[Notary Seal]

Gabriella L. Garlock
Notary Public - State of Michigan
County of Livingston
My Commission Expires August 30, 2013
Acting in the County of

File No.
Drafted by: Joy Walker 1851 N. La Barge Rd.

Return to:

Livingston County Register of Deeds 2012R-027445
RIDER A

LEGAL DESCRIPTION:

Land in the Township of Tyrone, Livingston County, Michigan, described as:

Part of the Northwest of Section 11, Town 4 North, Range 6 East, Township of Tyrone, Livingston County, Michigan, described as follows: Beginning on the North line of Section 11, South 89 degrees 29 minutes 46 seconds West 466.64 feet from the North 1/4 corner of Section 11, thence South 773.23 feet; thence South 40 degrees 43 minutes 18 seconds East 330.77 feet; thence South 52 degrees 46 minutes 42 seconds West 133.26 feet; thence North 38 degrees 43 minutes 18 seconds West 66.02 feet; thence North 52 degrees 46 minutes 42 seconds East 64.95 feet; thence North 40 degrees 43 minutes 18 seconds West 550.0 feet; thence North 89 degrees 12 minutes 47 seconds West 652.36 feet to the West 1/8 line; thence North along the West 1/8 line 595.37 feet to the North line of Section; thence North 89 degrees 29 minutes 46 seconds East along the North line of Section 878.0 feet to the point of beginning.

DESCRIPTION OF EASEMENT FOR INGRESS, EGRESS AND UTILITIES

Part of the Northwest 1/4 of Section 11, Town 4 North, Range 6 East, Township of Tyrone, Livingston County, Michigan, described as follows: Beginning at a point on the Easterly line of Lot 45 of Laurel Springs No. 3, as recorded in Lib. 17, pages 41 thru 43 of Plats, Livingston County Records, South 38 degrees 43 minutes 18 seconds East along said Easterly line, 188.0 feet from the Northeast corner of said Lot 45; thence North 51 degrees 16 minutes 42 seconds East 150.00 feet; thence South 38 degrees 43 minutes 18 seconds East 150.00 feet; thence South 51 degrees 16 minutes 42 seconds West 150.0 feet to the Easterly line of Lot 44 of said Laurel Springs No. 3; thence North 38 degrees 43 minutes 18 seconds West along said Easterly line 150.0 feet to the point of beginning.

Commonly known as: 12259 Dentonview Parcel Identification No.04-11-100-030
**TYRONE TOWNSHIP**  
**PLANNING COMMISSION REVIEW APPLICATION**

<table>
<thead>
<tr>
<th>Property Address / Location</th>
<th>Parcel ID/Zoning District</th>
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<tbody>
<tr>
<td>12249 Dentonview Drive / west of Fenton Road, NW 1/4 of Section 11</td>
<td>4704-11-100-028 / RE</td>
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<th>Property Owner(s)</th>
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<tr>
<td>Dale C. and Darlene K. Payne</td>
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<table>
<thead>
<tr>
<th>Street Address</th>
<th>Cell Phone</th>
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<table>
<thead>
<tr>
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<th>State and Zip code</th>
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<tbody>
<tr>
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<td>MI 48430</td>
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**Authorized Agent**  
Livingston Engineering, Timothy J. Zimmer, P.E.

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<tr>
<th>Street Address</th>
<th>Cell Phone</th>
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<tbody>
<tr>
<td>3300 S. Old U.S. 23</td>
<td></td>
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</tbody>
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<thead>
<tr>
<th>City</th>
<th>State and Zip Code</th>
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<tbody>
<tr>
<td>Brighton</td>
<td>MI 48114</td>
</tr>
</tbody>
</table>

**Type of Review:**
- [x] Land Division
- [ ] Open Space Preservation
- [ ] Other

**Open Space Relocation**
- [ ] Private Road/Shared Drive
- [ ] Planned Unit Development
- [ ] Site Plan Review
- [ ] Site Visit
- [ ] Special Land Use
- [ ] Special Meeting
- [ ] Subcommittee Meeting
- [ ] Subdivision Plat

**Project Description:**

Land Division of 10.11 acre parcel into two parcels, 8.36 acres and 1.75 acres in size.

---

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** 04/26/2018  
**Tax Status** OK  
**Fees:** $650-  
**Escrow:** $1000-

Received By: RN  

per TD  

---

View the Tyrone Township Ordinance at <tyronetownship.org>
TRANSMITTAL

TO:  Tyrone Township  
10408 Center Fd.  
Fenton, MI 48430  

DATE:  April 26, 2018  

ATTN:  Ross Nicholson  
Planning & Zoning Administrator  

RE:  12249 Dentonview Drive -  
Land Division Application  

We are transmitting the following items:

<table>
<thead>
<tr>
<th>COPIES</th>
<th>DESCRIPTION</th>
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<tbody>
<tr>
<td>2</td>
<td>copies of Land Division Plan</td>
</tr>
<tr>
<td>1</td>
<td>Review Application with $650 app. fee check</td>
</tr>
<tr>
<td>1</td>
<td>Executed Escrow Agreement form with $1000 check for deposit</td>
</tr>
</tbody>
</table>

These are transmitted as checked below:

☐ As requested  
☐ For your use or information  
☑ For your review and comment  
☐ For your approval (and signature)  
☐ Acknowledge receipt of enclosures  

REMARKS:  
As discussed please find attached documents and checks in relation to a proposed Land Division at 12249 Dentonview Drive (PID# 4704-11-100-028).

RECEIVED  

APR 26 2018  
TYRONE TOWNSHIP  
PLANNING & ZONING  

SIGNED:  

Timothy J. Zimmer, P.E.
April 26, 2018

Tyrone Township
10408 Center Rd.
Fenton, MI 48430

Attention: Mr. Ross Nicholson,
Planning and Zoning Administrator

Regarding: 12249 Dentonview Drive
Land Division
Letter of Authorization

Dear Mr. Nicholson,

We hereby authorize Timothy J. Zimmer, P.E., of Livingston Engineering to act on our behalf in
in the land division process involving our properties.

Thank you,

Dale Payne
Dale & Darlene Payne
12249 Dentonview Drive

Bradley Mikołajczyk
Bradley J. Mikołajczyk
12259 Dentonview Drive
### Summer Tax Info
- **Ad Valorem TA**: 1,290.81
- **SP. Assments**: 0.00
- **Admin Fee**: 12.90
- **Interest**: 0.00
- **Total**: 1,303.71

### Winter Tax Info
- **Ad Valorem Tax**: 2,045.52
- **SP. Assments**: 150.03
- **Admin Fee**: 20.45
- **Interest**: 20.45
- **Total**: 2,215.97

**Total Balance Due**: 0.00

**Legal Description**
SEC 11 T4N R6E PART OF S1/2 OF NW1/4 BEG NW COR. OF LOT 50 LAUREL SPRINGS #3, TH S82°E 296 FT, TH N77°E 36.16 FT, TH N51°E 380 FT, TH S30°E 263 FT, TH N52°E 215 FT, TH N40°W 550 FT, TH N89°W 552.2 FT, TH S 570 FT TO POB 10.2 AC M/L SPLIT 11/86 FROM 027

**Received**

**May 01 2018**
TYRONE TOWNSHIP
PLANNING & ZONING
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: Planning & Zoning Administrator

APPLICANT

12/1/11
TYRONE TOWNSHIP

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

Receipt: 81015 05/01/18

Cashier: TDORSCH
Received By: MIKOLAJCZYK BRADLEY

12259 DENTONVIEW DR
FENTON MI 48430

Payment for:
ESCROW
SPLIT ON PARCELS 4704-11-100-029 & 4704-11-100-030

The sum of: 1,000.00

BDINV 00011964

701-000,000-283,000

1,000.00

Total 1,000.00

TENDERED: CHECKS 758

1,000.00

RECEIVED
MAY 01 2018

TYRONE TOWNSHIP
PLANNING & ZONING

Signed: ____________________________
TYRONE TOWNSHIP
10408 CENTER ROAD
FENTON, MI 48430
310-629-3631
WWW.TYRONETOWNSHIP.US

Payment for:
MEETING
PAYNE DALE C & DARLENE K

Receipt: 81014 05/01/18

Cashier: TDORSCH
Received Of: MIKOŁAJCZYK BRADLEY
12259 DENTONVIEW DR
FENTON MI 48430

The sum of: 650.00

BDINV 00011963

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<th>101-000.000-628.000</th>
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TENDERED: CHECKS 757

650.00

RECEIVED
MAY 01 2018
TYRONE TOWNSHIP
PLANNING & ZONING

Signed: ___________________________
NEW BUSINESS #2
RESOLUTION #180801
TYRONE TOWNSHIP, LIVINGSTON COUNTY

POLICE AND FIRE PROTECTION
SPECIAL ASSESSMENT DISTRICT NO. X0082

DISTRIBUTION OF LEVY UPON LAND IN
SPECIAL ASSESSMENT DISTRICT

WHEREAS, the Tyrone Township Board, after due and legal notice, held a public hearing upon a proposed assessment roll prepared by the Supervisor and assessing officer of the Township for the purpose of defraying the expenses of the special assessment district; and

WHEREAS, that public hearing was preceded by proper notice in the Tri-County Times and the Livingston County 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, comments were received from those present at the public hearing concerning the assessment roll and an opportunity was given to all present to be heard on the matter; 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; and

WHEREAS, the Township Board has duly inspected the proposed assessment roll and considered all the comments and proposed amendments thereto and has found the proposed assessment roll to be correct, just and reasonable:

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The assessment roll submitted by the Supervisor and assessing officer of the Township shall hereafter be designated as POLICE AND FIRE PROTECTION SPECIAL ASSESSMENT DISTRICT NO. X0082 and shall hereby be confirmed as the assessment roll for the district.

2. The assessments in the 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. Future due installments of an assessment against any parcel of land may be paid to the Township Treasurer any time in full with interest accrued through the month in which the final installment is paid in accordance with the Michigan Public Act 33 of 1951, as amended. If any installment of a special assessment is not paid when due, then the installment shall be considered to be delinquent and there shall be collected, in addition to interest as provided in this section, a penalty at the rate of 1 percent for each month, or fraction of a month, that the installment remains unpaid before being reported to the Township Board for reassessment upon the Township tax roll, also in accordance with PA 33.

4. The assessments made in the special assessment roll are hereby ordered and directed to be collected by the Township Treasurer, and the Township Clerk shall deliver the special assessment roll to the Treasurer with his warrant attached, commanding the Treasurer to collect the assessments in accordance with the direction of the Township Board and PA 33.

5. All resolutions and parts of resolutions in conflict with the provisions of this resolution be and the same are hereby rescinded.

RESOLVED BY:  
SUPPORTED BY:  
VOTE:  
ADOPTION DATE:  August 21, 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 August 21, 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 #180801  
Police and Fire Protection
NEW BUSINESS #3
## Fenton Fire Department, Fenton, Michigan 48430

### F1 Incident Information
- **Date:** 03/25/2018
- **State:** MI
- **Incident No.:** 0000117
- **Day of Week:** Sun
- **Add:** 000

### F2 Weather Information
- **Wind Speed:** MPH
- **Temp:** °F

### C Incident Type
- **Incident Type:** 324 Motor vehicle accident with no injuries

### D Aid Given or Received
- **None**

### E1 Dates & Times
- **Alarm:** 03/25/2018 22:34
- **Dispatch:** 03/25/2018 22:34
- **En Route:** 03/25/2018 22:35
- **Arrival:** 03/25/2018 23:40
- **Last Cleared:** 03/25/2018 23:16

### E2 Shifts & Alarms
- **Shift or Plantin:** Alarm
- **Special:** District 2
- **Study:** 1

### E3 Special Studies
- **Special:** Study ID# Study Value

### F Actions Taken
- **Primary Action Taken:** Fire
- **Additional Action Taken:** Investigations

### G1 Resources
- **Apparatus:** 0
- **Personnel:** 0
- **Suppression:** 0
- **EMS:** 0
- **Other:** 4
- **Water Usage:** 0 gal.
- **Miles:** Sta. to Scene 0

### G2 Estimated Dollar Losses & Values
- **LOSS:** Property
- **Contents:**

### H1 Casualties
- **Total:**
  - **Deaths:** 0
  - **Injuries:** 0

### H2 Detector
- **Type:** Mixed Use Property

### H3 Hazardous Materials Release
- **None**

### J Property Use
- **Type:** 961 Highway or divided highway

### M Authorization
- **Office:**
  - **Name:** Jeffery D Shook
  - **Position:** Lieutenant
  - **Date:** 03/25/2018

---

### K1 Person/Entity Involved No. 1
- **Business Name:**
- **Title:**
- **First Name:**
- **MI Last Name:**
- **Suffix:**
- **Number:**
- **Prefix:**
- **Street or Highway:**
- **State:**
- **Zip Code:**
- **PO Box:**
- **Apt./Suite/Room:**
- **City:**
- **State:**
- **Zip Code:**

### K2 Owner
- **Business Name:**
- **Title:**
- **First Name:**
- **MI Last Name:**
- **Suffix:**
- **Number:**
- **Prefix:**
- **Street or Highway:**
- **State:**
- **Zip Code:**

---

### Notes
- Check the Supplemental form.
FENTON FIRE DEPARTMENT, FENTON, MICHIGAN 48430

Remarks for Incident: 0000117 Exp.: 000 Date: 03/25/2018
Time: 22:34

Printed: 03/27/2018

Dispatched by Livingston Central for a PI accident SB US23 at Center Road. Later dispatch, further updates indicated it was south of Center Road. We continued our response. While enroute, we received a second dispatch for a fire alarm in the city. We requested Linden City to assist on that call. The station called back and stated they had enough manpower to run both calls.

Further response to the original scene, we ended up between Center Road and Fauscott Road. EMS had arrived on scene and PD about 30 seconds prior to C2. C2 set up road flares and blocked the fast lane of traffic. After investigating the scene, EMS stated they thought they would have two patient refusals. PD stated both vehicles were driveable still and they would need assistance with traffic and turning the vehicles around. LT1 canceled the remaining trucks responding to the scene at this time. LT1 gathered the driver information for both parties, called the license plates into our dispatch, and remained on scene a short while to assist with the vehicles and traffic. Once we assisted with getting the vehicles turned around, PD finished up their paperwork and advised both parties they were free to leave the scene and both vehicles were driveable. C2 put out the traffic flares and cleared and returned to the city.

Vehicle #1:
License Plate BPV 3029
2004 Buick LeSabre
Driver:
Scott Smith
32311 Olde Franklin Drive
Farmington Hills, MI 48330
Owner:
Jeanette Tarpinian Smith
32311 Olde Franklin Drive
Farmington Hills, MI 48334

Vehicle #2:
License Plate DFD 8327
2008 Chevy Impala
Driver/Owner:
Ibrahim Musa-Ellhussain-Shakak
(Address Obtained at Scene)
2103 Stoney Brook Ct
Flint, MI 48507
(Address Obtained from LEIN)
2001 Crestbrook Ln
Flint, MI 48507
(404) 685-6205

Equipment Used:
H/T: 1
Flares: 3

Completed By:
Lt Jeff Shook
<table>
<thead>
<tr>
<th>ID</th>
<th>Apparatus or Resource</th>
<th>Dates and Times</th>
<th>Number of People</th>
<th>Use</th>
<th>Miles Traveled</th>
<th>Hrs:Min In Use</th>
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<td>E-41 Engine 11</td>
<td>Dispatch / / : :</td>
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<td>0</td>
<td>0.0</td>
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<tr>
<td></td>
<td></td>
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<td></td>
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<tr>
<td></td>
<td></td>
<td>Clear / / : :</td>
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<tr>
<td>2</td>
<td>R-28 Rescue 28 Truck</td>
<td>Dispatch / / : :</td>
<td>4</td>
<td>0</td>
<td>0.0</td>
<td>0:00</td>
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<tr>
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<td></td>
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<td></td>
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<tr>
<td>3</td>
<td>C-2 Car 2 - Officers Vehicle</td>
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Actions Taken:
- Primary Action Taken (1)
- Additional Action Taken (2)
- Additional Action Taken (3)
- Additional Action Taken (4)

93 Cancelled en route

78 Control traffic

Fenton Fire Department, Fenton, Michigan 48430
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<th>02506</th>
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<td>No. 2</td>
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<td>MI</td>
<td>Last Name</td>
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<tr>
<td></td>
<td></td>
<td>Ibrahim</td>
<td></td>
<td>Musa-Elnussim-Shakak</td>
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<td>Number</td>
<td>Prefix</td>
<td>Street or Highway</td>
<td>Street Type</td>
<td>Suffix</td>
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<td>2081</td>
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<td>Apt/Suite/Room</td>
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03/25/18 | 22:51:48.91 | SOS | 2004 BUICK 1G4HP52K144145326 25 FOUR DOOR TRANSFER

55906
A SOS 45399 228111 03/25/18 2251 CLEMISCOMF3.
MI2839300
11;BPV3028
FOR:INHANEYS/INPD
OFR:INHANEYS
TITLE INFORMATION:
2004 BUICK 1G4HP52K144145326 25 FOUR DOOR TRANSFER
06/04/2011 12022150403 LSSABRE 33934 A

JEANETTE TARPINIAN SMITH
32311 OLDE FRANKLIN DR
FARMINGTON HILLS 48334-1739

NO SECURED INTEREST ON RECORD

** 12/13/2017 ABANDONED - CONFIRM WITH ENTERING JURISDICTION MI6362800 **

REGISTRATION INFORMATION: EIV= Y ORIG ISSUE 08/05/2007

BPV3028 PC-RENEWAL
04/08/2018 S-530-385-785-822

MT SOS
2008 CHEVROLET 2G1WT58K689238333 22 FOUR DOOR TRANSFER

55953
A SOS 45412 228174 03/25/18 2252 CLEMISCOMP3.
MI2539300
11:DFD0027.
FOR:PNHANEYS/FNPD
OPR:PNHANEYS

TITLE INFORMATION:
2008 CHEVROLET 2G1WT58K689238333 22 FOUR DOOR TRANSFER

11/06/2014 117C3080024 IMPALA 137954 A

IBRAHIM MUSA-ALHUSSEIN-SHAKA
2001 CRESTBROOK LN
FLINT 48507-2202

*ADDRESS FROM DRIVER LICENSE*

NO SECURED INTEREST ON RECORD

REGISTRATION INFORMATION: Y CV Y ORIG ISSUE 11/07/2014

0188027
01/19/2019
MI SOS
Incident #: 2018-048802  Report #:  
Date: 03/25/18  Time Out: 22:29  
Nature: PERSONAL INJURY ACCIDENT  

Business:  
Address: S US23/CENTER RD  City: FENT
Additional Address: SB S/O  
Cross:  

Subdivision:  
RA:  
CALLER WITNESSED ACCIDENT  
TAN BUICK V BLU OR BLK CHEV IMPALA, BLOCKING ROADWAY 
Notes: [03/25/18 22:28:59 APYZIK]  
Units: FCSTA  

END
**Event ID:** 2018-048492  
**Call Ref:** 2283  
**Date/Time Received:** 03/25/18 22:29:05

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<th>Call Source: W911</th>
<th>Prime Unit: FOSTA</th>
<th>Services Involved</th>
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<tr>
<td></td>
<td></td>
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<td>LAW</td>
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</table>

**Location:** 8 US23/CENTER RD  
**X-89:** FENT SB S/G  
**Jur: CAD**  
**Services:** FIRE  
**Agency:** FCF  
**St/Beat:** 92  
**District:** TYT  
**NA:** QP-5201

**Nature:** PERSONAL INJURY  
**Alarm Level:** 1  
**Priority:** P  
**Medical Priority:**

**Caller:** AMY  
**Addr:** 9233 PARSHALLVILLE RD  
**Phone:** (404) 663-6685

**Vehicle:**  
**St:**  
**Report Only:** No  
**Race:**  
**Sex:**  
**Age:**

**Call Took:** ( )  
**Console:** CAD/11N

**Geo-Verified:** Yes  
**Nature Summary Code:**  
**Disposition:** CLO  
**Close Comments:**

**Notes:** See Event Notes Addendum at end of this report

---

**Radio Log**

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<th>Empl ID</th>
<th>Type</th>
<th>Description</th>
<th>Time Stamp</th>
<th>Comment</th>
<th>Close Code</th>
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<td>0</td>
<td>D</td>
<td>Dispatched</td>
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<td>Stat/Beat: 92</td>
<td>KADAMS</td>
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<td>FOSTA</td>
<td>0</td>
<td>X</td>
<td>Cancelled</td>
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<td>DARLIN</td>
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<tr>
<td>FOSTA</td>
<td>0</td>
<td>UA</td>
<td>Un-Assigned</td>
<td>03/25/18 22:32:20</td>
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<td>FOSTA</td>
<td>0</td>
<td>E</td>
<td>En-Route</td>
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<tr>
<td>FOSTA</td>
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<td>S</td>
<td>Ave on Scene</td>
<td>03/25/18 22:40:20</td>
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<td>A</td>
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<td>03/25/18 22:40:29</td>
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<td>0</td>
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**Event Log**

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<td>TS</td>
<td></td>
<td></td>
<td>Time Spawmed</td>
<td>03/25/18 22:29:03</td>
<td>Initial call received at 03/23/2018 22:26:42</td>
<td>APYZIK</td>
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<tr>
<td>BAG</td>
<td></td>
<td></td>
<td>Automatic Nature Page</td>
<td>03/25/18 22:29:06</td>
<td>Tagged FGED</td>
<td>PAGESRV</td>
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<tr>
<td>RRC</td>
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<td>Unit Rec En-Click</td>
<td>03/25/18 22:29:08</td>
<td>Unit recommended for PERSONAL INJURY</td>
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<td>Recmd: FOSTA [DEPT]</td>
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<td>03/25/18 22:29:10</td>
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Page 1
### Event Log

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<td>03/25/18 22:32:33</td>
<td>03/25/18 22:32:33</td>
<td>Unit recommended for PERSONAL INJURY</td>
<td>JDAVIN</td>
</tr>
<tr>
<td>REC</td>
<td>Unit Recommendation</td>
<td>03/25/18 22:32:33</td>
<td>03/25/18 22:32:33</td>
<td>Recommend</td>
<td>JDAVIN</td>
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<td>JDAVIN</td>
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<td>03/25/18 22:32:33</td>
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<td>Recommend</td>
<td>JDAVIN</td>
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<tr>
<td>AR</td>
<td>Added Remarks</td>
<td>03/25/18 22:32:33</td>
<td>03/25/18 22:32:33</td>
<td>Recommend</td>
<td>JDAVIN</td>
</tr>
</tbody>
</table>

---

**Note:** CALLER WITNESS Accident

TAN BUICK V BUICK IMPALA, BLOCKING ROADWAY [03/25/18 22:32:33 APYFIZK]

- 30-year-old, Male, Conscious, Breathing.
- Caller Statement: CALLER WITNESS Accident
- Chief Complaint: Traffic / Transportation Incidents [ ]

**EMG UMTS:** [AT04] EMS & PD UNIT AKER 1 [03/25/18 22:32:33 MALDON]

**MARITTA, DAD S-0-67-922**

**Dispatch Code:** 29A02 (No injuries reported, unconfirmed or ~ 5 persons involved)

**Response:** REFER TO POLICY

**Questions:**
- The incident involves multiple vehicles.
- Chemicals or other hazards are not involved.
- There is no one pinned.
- No one was thrown from the vehicle.
- Everyone appears to be completely awake (alert).
- No obvious injuries were reported (unconfirmed).
- There is no bleeding now [ ]

**EMG MALD PT HAS LANGUAGE BARRIERS, KEPT TOUCHING HEAD AND ASKING IF HE IS BLEEDING.**

**DISORIENTED PER CALLER.** [03/25/18 22:32:33 APYFIZK]
### STATE OF MICHIGAN TRAFFIC CRASH REPORT

#### Location
- **Airport**: Tycere Township, Michigan
- **Date**: 06/14/2018
- **Time**: 10:00 AM

#### Description
- **Type**: Traffic Collision
- **Weather Conditions**: Clear, No Precipitation
- **Light Conditions**: Daytime

#### Vehicles
- **Car 1**: Scott William Smith, 2014 Oldsmobile
- **Car 2**: Silver or Aluminum, Lestaire

#### Driver Information
- **Driver 1**: Scott William Smith, 2014 Oldsmobile
- **Driver 2**: Silver or Aluminum, Lestaire

### Accident Details
- **Location**: US 23
- **Distance from Intersection**: 1000 Feet N
- **Roadway Type**: Divided Highway With Traffic Barriers
- **Impact**: Frontal Collisions

#### Accident Data
- **Impact Time**: 10:00 AM
- **Impact Location**: Front Left

#### Roadway Information
- **Roadway Name**: US 23
- **Roadway Type**: Divided Highway

#### Driver Information
- **Driver 1**: Scott William Smith
- **Driver 2**: Silver or Aluminum

#### Vehicle Information
- **Car 1**: 2014 Oldsmobile, Lestaire
- **Car 2**: Silver or Aluminum, Lestaire
<table>
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<tr>
<th>Unit Number</th>
<th>Unit Type</th>
<th>Driver Name</th>
<th>Driver Address</th>
<th>License Number</th>
<th>License State</th>
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<tbody>
<tr>
<td>02</td>
<td>MV</td>
<td>IBRAHIM MUSA ELHUSSEIN SHAKAK</td>
<td>3001 CRESTBROOK LN, FLINT, MI 48507</td>
<td>48242270155000</td>
<td>MI</td>
<td>01/19/1974 (64)</td>
<td>M</td>
<td>1</td>
<td></td>
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</table>

**Driver Equipment and Attire**
- Yes: Front belt...
- No: Shoulder & Lap Belt
- Driver Exhusted: Not (Exhausted)
- Seat Belt: No
- Air Bag: No
- Air Bag Deployed: No

**Vehicle Information**
- Vehicle Registration: 2G1WT56K992628323
- Vehicle Type: Passenger Car (passenger)
- Vehicle Make: CHEVROLET
- Vehicle Model: IMPALA
- Vehicle Color: BLACK
- Vehicle Damage: Functional Damage
- Vehicle Damage: Private
- Vehicle Damage: Going Straight Ahead
- Vehicle Damage: No

**Passenger Information**
- Driver Age: Unknown
- Driver Gender: Male
- Passenger Age: Unknown
- Passenger Gender: Male

**Witness Information**
- Witness 1: Unknown
- Witness 2: Unknown

**Location Information**
- Location Type: U/A
- Location Name: Unknown

**Vehicle Configuration**
- Vehicle Configuration: Unknown
- Vehicle Make: CHEVROLET
- Vehicle Model: IMPALA
- Vehicle Color: BLACK

**Owner Information**
- Owner Name: IBRAHIM MUSA ELHUSSEIN SHAKAK
- Owner Address: 3001 CRESTBROOK LN, FLINT, MI 48507
- Owner Phone: (404) 686-5905

**Attached Narrative**
- Narrative

---

The driver of Unit 1 did not have an explanation for what had happened, other than he was in the left lane of travel. The driver of Unit 3 indicated that he was traveling on US 37 Highway, in the right lane, when Unit 1 merged into his lane of travel.

After the initial impact, Unit 1 and Unit 2 came to a final rest on the median shoulder facing W.
Please note, that there were yaw marks that began in the right lane of travel, which lead me to believe that the initial impact occurred there.
SCOTT SMITH
JEANETTE SMITH
32311 OLDE FRANKLIN DR
FARMINGTON HILLS, MI 48334

Re: Incident # : 117
Service Date : March 25, 2018

Dear Mr. Smith,

Tyrone Township is sending you this billing invoice for 911 Fire/ Emergency Services. Tyrone Township contracts with other municipalities for these Fire/Emergency services and billed per-incident. Michigan Law permits municipalities to Recover Costs of the Fire/Emergency Response. As a result, you are being billed for the following services provided.

1. Incident command
2. Investigate
3. Control traffic

You may consider forwarding this invoice to your Insurance Company. Should it be necessary, I would be happy to assist you in a payment arrangement option.

You have the right to Appeal in writing within 14 days of this letter to Mike Cunningham, the Township Supervisor via email or USPS. mcunningham@tyronetownship.us

If you need information regarding making payment plans or you have further questions feel free to contact me (810)629-8631.

Sincerely,

Marian Krause
Reception & Cost Recovery Coordinator
Email: mkrause@tyronetownship.us
Hours- M-Th, 9:00-5:00

*Enclosure
TYRONE TOWNSHIP EMERGENCY SERVICE INVOICE

TYRONE TOWNSHIP
10408 CENTER ROAD
FENTON, MI 48430
WWW.TYRONETOWNSHIP.US
(810) 629-8631

INVOICE #: 0018032500
INVOICE DATE 04/11/2018
SERVICE DATE: 03/25/2018
DUE DATE: 05/14/2018
Customer ID SMITH, SCOTT

SCOTT SMITH
JEANETTE SMITH
32311 OLDE FRANKLIN DR
FARMINGTON HILLS MI 48334

### PO # | Description | Unit Price | Amount |
---|---|---|---|
CF 117 | VEHICLE ACCIDENT - CITY OF F | $1,405.00 | $1,405.00 |

INVOICE IN ACCORDANCE WITH HIPPA LAW, ALL MEDICAL INFO TO BE OBTAINED FROM INSURED

MOTOR VEHICLE ACCIDENT WITH NO INJURIES

SERVICES PROVIDED:
1. INCIDENT COMMAND
2. INVESTIGATE
3. CONTROL TRAFFIC

LIV. COUNTY SHERIFF REPORT EVENT # 1801603
2004 BUICK LESABRE PLATE: BEV3029
US 23 AND FAUSSETT RD, FENTON, MI 48430 LIVINGSTON COUNTY

Please Note Your Rights:

1. The following actions are available to you.
   A. Pay this bill in full.
   B. Make arrangements for installment payments.
   C. Appeal this invoice in writing to the Township Supervisor within 14 days.
2. Late fees will be added to unpaid invoices.
3. We will seek court action if invoice is not paid.
4. Call (810) 629-8631 with questions.

Invoice Total: $1,405.00

Paid ID #382217191

Please Return Bottom Section With Your Payment

<table>
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<tr>
<td>Amount Enclosed:</td>
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<tr>
<td>Invoice Number:</td>
<td>0018032500</td>
</tr>
<tr>
<td>Customer ID:</td>
<td>SMITH, SCOTT</td>
</tr>
</tbody>
</table>

TYRONE TOWNSHIP TREASURER
10408 CENTER ROAD
FENTON, MI 48430
TYRONE TOWNSHIP ORDINANCE NO. 24
EMERGENCY RESPONSE COST RECOVERY

An ordinance establishing an emergency response cost recovery for the Township of Tyrone by adding the emergency response cost recovery charges provisions enacted under Act 33 of Public Acts of 1951 as amended, Public Act 102 of 1990 as amended (Compiled Laws 41.806(a) et seq.; MCL 41.805; MCL 41.806(a) et seq.; MCL 29.1 et seq.; MCL 42.15 et seq.)

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

This ordinance is adopted for the purpose of providing financial assistance to the Township of Tyrone for the provision of fire and emergency services through charging for direct benefits received for emergency services of police, fire, rescue, emergency medical services and emergency cleanup and hazmat services.

Charges by resolution the Township of Tyrone pursuant to Act 33 of Public Acts of 1951 as amended, Public Act 102 of 1990 as amended (Compiled Laws 41.806(a) et seq.; MCL 41.805; MCL 41.806(a) et seq.; MCL 29.1 et seq.; MCL 42.15 et seq.) Hereby authorizes the collection of charges for specific emergency services. The emergency services to be covered and the actual amount of the charges shall be established by resolution of the Tyrone Township board from time to time. These charges shall be due and payable to the Township of Tyrone for the services as stated within said resolutions. The resolution may contain various category of charges for services such as, but not limited to, false alarms, fire inspection services, grass fires, rubbish fires, automobile fires, house fires, fires at commercial establishments, fires at industrial and manufacturing establishments, hotel or motel fires, aircraft fires, truck fires, forest fires, emergency rescue services, standby rescue or fire services for special events, rescueret services, swimming pool services and other services including spills, release or discharge of hazardous materials, or the improper handling or storage of hazardous materials, and other services as may be specifically enumerated in the resolution. Categories of cost may also be established for services based on geographic location and residence status of the benefiting party.

EMERGENCY RESPONSE COST RECOVERY

Section 1-Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except to the extent the context clearly indicates a different meaning.

Assessable costs means the reasonable costs incurred by the township, or by a private person, corporation, or other assisting government agency, operating at the request or direction of the township, in connection with an emergency response. The term "assessable costs" includes, but is not limited to:

Supervisor Andrew C. Schmidt  Chief David G. Kuykendall, CMC  Treasurer David Kanes
Trustees Steven Nagy  Lynn M. Thompson  Robert Byrdy  Horace North
resulting from such incidents among those responsible for them. The township further finds that this Chapter is necessary to establish policy and set forth the methods by which it may recover costs incurred in making emergency responses and providing services in connection with same, pursuant to State law, including Public Act 33 of 1951, being MCL 41.801 et. seq.

Section 3- Liability for emergency response,

(a) The township may recover all assessable costs relating to an emergency response from any or all responsible parties jointly or severally.

(b) Properties and services that the township on an incident basis may exempt from the foregoing assessable costs are false alarms, emergency fire responses caused by railroad trains or involving municipal, school district, or State owned buildings, grounds, or property, and emergency fire and specialized response resources expended outside the territorial limits of the township under a mutual aid contract/agreement with another municipality.

(c) The township supervisor, or designee, shall determine the total assessable cost and shall, in consultation with other township personnel involved in responding to the emergency response for which cost recovery may be sought, determine whether to assess all or part of such costs against any responsible party. The factors considered in making such a determination include, but not limited to, the following:

1. The total assessable costs.
2. The risk the emergency response imposed on the township, its residents, and their property.
3. Whether there was an injury or damage to person or property, and the extent of such injury or damage.
4. The extent to which the emergency response required an unusual or extraordinary use of township personnel and equipment.
5. Whether there was any damage done to the environment and the extent of such damage.
6. Such other factors as the township deems appropriate.

(d) Assessable costs may be allocated among and between responsible parties, including allocating all or some assessable costs jointly and severally against more than one responsible party, regardless of whether the responsible party has liability for those costs in addition to that imposed by this Article.

(e) A determination not to assess costs pursuant to this Ordinance shall in no way limit, extinguish, or constitute a defense to the liability of any responsible party to any third party.

Section 4- Billing and collection of assessable costs and late payment fees.

(a) Upon a determination to assess costs made pursuant to this Ordinance, the township or designee shall submit an itemized invoice, by first class mail or personal service, to each responsible party. Invoices for assessable costs will be due and payable within thirty (30) days of the date of mailing. Thereafter a late payment fee equal to one percent (1%) per month of the unpaid balance shall be
a preponderance of relevant facts, that the determination appealed from is erroneous in whole or in part. 

(d) On appeal of a determination of assessable costs, the township board shall, within a reasonable time, reverse, affirm, or modify the determination appealed from. The decision of the township board shall be final when made.

(e) The township clerk shall notify the responsible party of the township board's decision on appeal. The date of notification does not constitute the date of decision.

Section 7- Severability,

(a) If any section, subsection, clause, paragraph, or provision of this Chapter shall be adjudged invalid by a Court of competent jurisdiction, such adjudication shall only apply to the portion adjudicated invalid, and the remainder of this Chapter shall remain in full force and effect.

Section 8- Savings clause.

All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this Article takes effect are hereby saved, and such proceedings may be continued and concluded under and according to the Ordinances in force at the time such proceedings are, or were, commenced. This Article shall not be construed to alter, affect, or abate any pending proceeding or prevent proceedings hereafter instituted under any ordinance in existence prior to the effective date of same. All proceedings instituted after the effective date of this Article for any liabilities arising before the effective date of this Article may be continued or instituted under and in accordance with the provisions of any ordinance in force at the time of the event giving rise to liability.

Section 9- Effective date.

This ordinance shall become effective upon publication after final adoption.

ROLL CALL VOTE: Nagy, yes; Kazana, yes; Byerly, yes; Kurtz, yes; Thompson, yes; Morton, yes; Schmidt, yes.

CERTIFICATION

I, David G. Kazana, Clerk of Tyrone Township, Livingston County, Michigan, do hereby swear this to be a true copy of the Emergency Response Cost Recovery Ordinance as adopted at a regular meeting of the Tyrone Township Board held on November 9, 2006, to which I add my signature and seal this 9th day of November, 2006.

David G. Kazana, CMC

Date adopted: November 9, 2006
Publication date: November 18, 2006
Effective date: November 18, 2006
May 02, 2018

INSURED: RICHARD SMITH
DATE OF LOSS: March 25, 2018
CLAIM NUMBER: 0497281352 RAB

PHONE NUMBER: 888-656-8005
FAX NUMBER: 877-440-1525
OFFICE HOURS:

We made a decision on your claim

Dear TYRONE TOWNSHIP,

We're committed to assessing each claim quickly and fairly.

After careful investigation, we've determined that our insured was not legally responsible for the accident. As a result, we won't be making any payment. Our decision is based on the following:

We are in receipt of your billing for user fees for accident response and investigation by the Tyrone Township police/fire department. After a review of the bill and the ordinance passed by the City of Fenton, Tyrone Township we have determined that the ordinance is invalid. Fines and penalties are not covered under the property damage liability or bodily injury liability coverage for our insured Richard and Jeanette Smith. Please refer to page 8 of our insured's Allstate AFA20 automobile policy which states:

We will not pay any punitive or exemplary damages,
  fines or penalties under Bodily Injury Liability or
  Property damage Liability coverage.

Please call me if you want to discuss this decision or you need further information.

Sincerely,

AMANDA BROWN

AMANDA BROWN
888-656-8005 Ext. 6551020
Allstate Property and Casualty Insurance Company
May 02, 2018

INSURED: RICHARD SMITH
DATE OF LOSS: March 25, 2018
CLAIM NUMBER: 0497281352 RAB

PHONE NUMBER: 888-656-8005
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We will not pay any punitive or exemplary damages, fines or penalties under Bodily Injury Liability or Property damage Liability coverage.

Please call me if you want to discuss this decision or you need further information.

Sincerely,

AMANDA BROWN
AMANDA BROWN
888-656-8005 Ext. 6551920
Allstate Property and Casualty Insurance Company
TYRONE TOWNSHIP

FAX TRANSMISSION

TO: AllState

ATTN: AMANDA BROWN

TELEPHONE #: FAX: 877-440-1325

FROM: Tyrone Township

NUMBER OF PAGES (Including this page): 5

REGARDING: Claim - 0497281352 RAB

DATE: 5/9/18

TIME: 11:43

Please notify Tyrone Township immediately if transmission is incomplete or illegible.

PHONE (810) 629-8631

FAX (810) 629-0047

www.tyronetownship.us
May 9, 2018

Ms. Brown,

Tyrone Township Supervisor, Mike Cunningham has asked that I send you this copy of Michigan Court of Appeals and Supreme Court rulings. Thus, validating the legality of our ordinance. Please share with your legal counsel, so they will understand the facts.

Sincerely,

Marian Krause
Order

November 25, 2015

151392

TYRONE TOWNSHIP,
   Plaintiff-Appellee,

v

KATLIN ROSE RUFILI,
   Defendant-Appellant.

On order of the Court, the application for leave to appeal the February 27, 2015 order of the Court of Appeals is considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration, as on leave granted, limited to whether the district court abused its discretion in awarding sanctions to the plaintiff and whether the circuit court erred in affirming that decision. In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining question presented should be reviewed by this Court.

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

November 25, 2015

Clerk
STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF LIVINGSTON

Tyrone Township

Plaintiff, - Appellee

Katlin Rose Ruff

Defendant, - Appellant

Case No. 14-027948-AV

Hon. Michael P. Hatty

ORDER

At a session of said court held in the City of Howell, State of Michigan on the 25 day of September, 2014.

The above matter having come before the court, and

The Court finds on Defendant- Appellant’s Claim of Appeal

Now, therefore, IT IS ORDERED

this Court affirms the trial court’s order granting Plaintiff’s Motion for Summary Disposition and judgment for $7,577.50. This Court further affirms the trial court’s order imposing sanctions against Defendant in the amount of $1,959.50.

Michael P. Hatty
Circuit Judge

Approved as to form and substance:

C. Ford

Certified for Entry
2014
The Court orders that the application for leave to appeal is DENIED for lack of merit in the grounds presented.
Powers Chapman
Attorneys and Counselors
Professional Corporation
1001 West Big Beaver Road, Suite 704
Troy, Michigan 48084

(248) 231-1365
(248) 616-1808
FAX (248) 643-2478

May 10, 2018

Tyrone Township
10408 Center Road
Fenton, MI 48430

Also via email: mcunningham@tyronetownship.us

Re: Jeanette Smith/Scott Smith
32311 Old Franklin Dr.
Fenton, MI 48430
Invoice Number: 0018032500

Dear Sir or Madam:

This letter is written on behalf of Mrs. Jeanette Smith/Scott Smith regarding an invoice they received from Tyrone Township for Emergency Services dated April 11, 2018. As you are aware, a vehicle accident took place on or about March 25, 2018 that resulted in no injuries. It is my understanding that both parties involved in the accident exchanged information and were able to drive away from the accident site after contacting the Police. It is further my understanding that neither party requested medical treatment or any ambulance services. Despite the fact that there were no injuries and neither party requested Emergency Services, Mrs. Smith and Scott Smith received a billing for One Thousand, Four Hundred and Fifty ($1,450.00) dollars which is in dispute. Mrs. Smith/Scott Smith has informed this Law Firm that Township of Tyrone is unjustified in attempting to collect on a debt for services that were not requested, and not needed. You are advised that Mrs. Smith and Scott Smith dispute this debt in its entirety and deny owing any amount to Tyrone Township for Emergency Services.

Please cease and desist from any further collection attempts.

In addition, in keeping with the Fair Debt Collection Practices Act, you are directed to immediately provide Mrs. Smith and Scott Smith with written verification as to why such a debt may be owed, including all account statements and other documentation purporting to show Mrs. Smith or Scott Smith’s specific responsibility for the alleged debt.

Sincerely,

Powers Chapman P.C.

Craig D. Tarpinian
Attorney at Law

CDT/ons
Cc: Jeanette Smith
JUNE 4, 2018

Scott Smith
Jeanette Smith
32311 Olde Franklin Dr.
Farmington Hills, MI 48334

Re: Incident : 117
Service Date : March 25, 2018

Dear Scott Smith and Jeanette Smith,

This correspondence is for the charge on the above referenced incident, in the amount owed to Tyrone Township of $1405.00. You have had ample time to contact us or appeal this invoice to Mike Cunningham. The amount is now past due.

If you are working with your insurance company please let me know. Feel free to contact me as I would be happy to help you out with payment arrangements. Checks are payable to Tyrone Township Treasurer and send it in the enclosed envelope.

If you have any questions or concerns please contact me at (810) 629-8631, Mon – Thurs 9am to 5pm. You can also email Mike Cunningham at mckcunningham@tyronetownship.us.

Sincerely,

Marian Krause
Reception & Cost Recovery Coordinator
mkrause@tyronetownship.us

*Enclosure
TYRONE TOWNSHIP EMERGENCY SERVICE STATEMENT

Statement Date: 06/04/2018

Emergency Service Date 03/25/2018

Customer ID: SMITH, SCOTT

SCOTT SMITH
JEANETTE SMITH
52311 OLDS FRANKLIN DR
FARMINGTON HILLS, MI 48334

Amount Enclosed: ____________________

Please Return Top Section With Your Payment

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<th>ASSOCIATION</th>
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</table>

Call (810) 629-8631 For Any Questions Regarding This Statement.
Marian Krause

From: Mike Cunningham  
Sent: Monday, June 18, 2018 9:02 AM  
To: Marian Krause  
Subject: FW: Accident Response Fee

Marian,
Can you bring me the file on this around 11 am?  
Thanks

---

From: gerbers@aol.com  
Sent: Saturday, June 16, 2018 9:42 AM  
To: Mike Cunningham  
Subject: Accident Response Fee

June 15, 2018

mccunningham@tyronetownship.us

Re: Jeanette Smith/Scott Smith

32311 Old Franklin Dr.

Fenton, MI 48430

Invoice Number: 0018032500

Dear Mr. Cunningham:

I am writing this letter regarding the invoice I received from Tyrone Township for Emergency Services dated April 11, 2018. My son Scott was in an accident that took place on or about March 25, 2018. Scott did not receive a ticket and the accident did not result in any injuries. Both parties involved in the accident exchanged information and were able to drive away from the accident site after
contacting the Police. Neither my son nor the other driver requested medical treatment or any ambulance services. Despite the fact that there were no injuries, and neither party requested Emergency Services, I received a billing for One Thousand, Four Hundred and Five ($1,405.00) dollars for emergency services. I have sent a dispute letter and my insurance company disputed these charges. The billing had no itemization as to what I am being billed for. I am a nurse and I am unable to come to Tyrone Township to meet with you so I would like to try and resolve this without further action. The Ordinance states that the Township Supervisor may consider different factors in billing for emergency service calls. The Ordinance looks at costs, risk, injury, damage, amount of Township Personnel, and environmental issues among others. To be specific, there was no injury to either party in this accident, there were no environmental issues, no risks and both drivers were able to leave and this accident did not require the Township to use excessive personnel. I dispute the cost of this huge billing as unreasonable under these circumstances. I believe the Township is not justified in attempting to collect on a debt for services that were not requested, and not needed. I hope you can reconsider this billing and contact me at 248-855-4497 to discuss this matter to its full resolution.

Thank you for your anticipated cooperation.

Sincerely,

Jeanette T. Smith
June 26, 2018

Jeanette Smith/Scott Smith
32311 Old Franklin Dr.
Farmington Hills, MI 48430

Invoice Number: 0018032500     Re: Incident #: 117

Service Date: March 25, 2018

Dear Ms. Smith,

Please be advised that we have received your appeal letter June 16, 2018 regarding the charge associated with your incident. I have also received the City of Fenton Fire Department report dated March 25, 2018 including central dispatch call notes, as well as the crash report from Livingston County Sheriff’s Department. In reviewing your appeal, a call for emergency services came into Livingston County 911 dispatch reporting a vehicle accident with injuries. Any time a vehicle accident with injuries is reported it becomes a priority level 1 which in turn dispatched the fire department.

Tyrone Township does not have its own fire department and has to contract with neighboring fire departments to obtain such services. Once the responding vehicle, in this case a fire truck, leaves the building we get charged for the run regardless of the services rendered. Tyrone Township residents currently pay a special assessment for police/fire emergency services. The Fenton City Fire Department provided the contracted service. It was noted on the Sheriff report that you are the at fault party. Your incident resulted in a total charge $1,405.00, after reviewing the facts of this case. I am denying your appeal and feel the charges to you are appropriate. You have the following options:

1. Contact Tyrone Township and pay the balance.
2. Contact Tyrone Township and make payment arrangements on a monthly schedule.
3. You have “THE RIGHT TO APPEAL” this ruling to the full Township board.

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

Sincerely,

[Signature]

Michael Cunningham
Tyrone Township Supervisor
810-629-8631

www.tyronetownship.us
TYRONE TOWNSHIP EMERGENCY SERVICE STATEMENT

Statement Date: 06/25/2018

Emergency Service Date 03/25/2018

Customer ID: SMITH, SCOTT

Amount Enclosed: ______________________

Please Return Top Section With Your Payment

--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

TYRONE TOWNSHIP FIRE SERVICE STATEMENT

Date: 06/25/2018

Call (810) 629-6631 For Any Questions Regarding This Statement.

Customer Name: SMITH, SCOTT

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<tr>
<th>Amount Due</th>
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<th>Penalties</th>
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0010032500  CF 117  03/25/2018  1,405.00  0.00  1,405.00
JULY 23, 2018

SCOTT SMITH
JEANETTE SMITH
32311 OLDE FRANKLIN DR
FARMINGTON HILLS, MI 48334

Re: Incident : 117
Service Date : March 25, 2018

Dear Scott Smith and Jeanette Smith,

You have had ample time to arrange for payments or contact us on the above incident. You may make checks payable to Tyrone Township Treasurer and send it in enclosed envelope. If you have any questions or concerns – please contact me at (810)629-8631.

In order to cut costs, Tyrone Township contracts with other municipalities for these Fire/Emergency services. We are billed per incident. Michigan Law permits municipalities to Recover Costs of Fire/Emergency Response. Residents of Tyrone Township pay for these services annually through an assessment. Non-Residents are billed. This is your portion of the service.

**Invoices older than 90 days are submitted to collections and may have and may affect your credit.**

Thank you for your attention to this matter.

Sincerely,

Marian Krause
Reception & Emergency Service Coordinator
mkrause@tyronetownship.us

www.tyronetownship.us
TYRONE TOWNSHIP EMERGENCY SERVICE STATEMENT

TYRONE TOWNSHIP
10408 CENTER ROAD
FENTON, MI 48430
WWW.TYRONETOWNSHIP.ORG
(810) 629-3631

Statement Date: 07/19/2018

Customer ID: SMITH, SCOTT

SCOTT SMITH
JEANETTE SMITH
32311 OLDE FRANKLIN DR
FARMINGTON HILLS, MI 48334

Emergency Service Date 03/25/2018

Amount Enclosed: ______________________

Please Return Top Section With Your Payment

TYRONE TOWNSHIP FIRE SERVICE STATEMENT

Date: 07/19/2018

Call (810) 629-3631 For Any Questions Regarding This Statement.

Customer Name: SMITH, SCOTT

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<td>1,405.00</td>
</tr>
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</table>
Terri Medor

From: gerbers@aol.com
Sent: Thursday, July 26, 2018 2:31 PM
To: Terri Medor
Subject: Accident response fees

Terri,

Regarding accident response fees for Jeanette Smith/Scott Smith, Incident 117. I would like you to please present my letters as an appeal for these exorbitant fees since I am unable to make the Tues. night board meetings. As mentioned I work 7:00 am-7:30 pm at a local hospital. My son is also unable to make the meetings as he is recovering from an injury and cannot drive at this time. If you need a copy of my previous letters, please let me know. I received a “final notice” requesting payment in the mail and have forwarded the letter to Allstate. If this is taken to collections they state they will step in to litigate.

I still have not received an itemized bill of any kind to indicate how the billing company came to charge this amount. Neither has Allstate. Once again, please send me an itemized bill. If this is a flat rate even for NO SERVICES RENDERED, it does not in any way reflect what other communities in Michigan are charging. This fee is above and beyond any reasonable amount that I have seen. In addition to this, our family and friends certainly would not feel welcome in your community. Others share my opinion and believe it is a newsworthy incident. I understand the firefighters work very hard and put their lives on the line, but so do I and $1405.00 is a ridiculous amount to pay for a “run” to the scene and back.

Jeanette Smith
NEW BUSINESS #4
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<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Phone Numbers</th>
<th>Email</th>
<th>Begin:</th>
<th>Expires:</th>
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<tbody>
<tr>
<td>Mark Meisel, Chairman</td>
<td>11010 Runyan Lk. Pt. Fenton, MI 48430</td>
<td>c-810-814-6512, <a href="mailto:mdacmeis@aol.com">mdacmeis@aol.com</a></td>
<td></td>
<td>9/1/11</td>
<td>8/31/14</td>
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<td>9/1/17</td>
<td>8/31/20</td>
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<tr>
<td>Dave Wardin, Secretary</td>
<td>11229 Hartland Rd. Fenton, MI 48430</td>
<td>h-810-714-2550, c-810-964-5176 <a href="mailto:dswardin@gmail.com">dswardin@gmail.com</a></td>
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<td>1/15/13</td>
<td>8/31/15</td>
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<tr>
<td>Allen Pool, Ex-officio</td>
<td>12318 White Lake Rd. Fenton, MI 48430</td>
<td>c-810-845-1214 <a href="mailto:alnpool@yahoo.com">alnpool@yahoo.com</a></td>
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<tr>
<td>Cam Gonzalez, Commissioner</td>
<td>9230 Hogan Rd. Fenton, MI 48430</td>
<td>h-810-629-5732 c-810-348-4076</td>
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<td>11/20/12</td>
<td>8/31/19</td>
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<tr>
<td></td>
<td></td>
<td>office- 810-629-1511 <a href="mailto:camelot3g@yahoo.com">camelot3g@yahoo.com</a></td>
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<td>12/6/16</td>
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<tr>
<td>Ron Puckett, Commissioner</td>
<td>P.O. Box 263 Fenton, MI 48430</td>
<td>h-810-730-7861 <a href="mailto:ronaldpuckett@gmail.com">ronaldpuckett@gmail.com</a></td>
<td></td>
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<td>8/31/18</td>
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<tr>
<td>Kurt Schulze, Commissioner</td>
<td>11469 Majorca Place Fenton, MI 48430</td>
<td>h-810-629-9014 <a href="mailto:kaschulze@charter.net">kaschulze@charter.net</a></td>
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<tr>
<td>Bill Wood, Commissioner</td>
<td>10410 Hartland Rd. Fenton, MI 48430</td>
<td>810-629-6851 <a href="mailto:BW0600@hotmail.com">BW0600@hotmail.com</a></td>
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NEW BUSINESS #5
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<th>Phone Numbers</th>
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<tbody>
<tr>
<td><strong>Greg Carnes</strong></td>
<td>7030 Lake Shannon Ct.</td>
<td>h-810-629-6765</td>
<td><a href="mailto:carnesgj@hotmail.com">carnesgj@hotmail.com</a></td>
<td>9/1/09</td>
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<tr>
<td><em>Chairman</em></td>
<td>Fenton, MI 48430</td>
<td>c-248-361-0648</td>
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<tr>
<td><strong>Don LoVasco</strong></td>
<td>12482 Orchardwood</td>
<td>h-810-750-2905</td>
<td><a href="mailto:DJLD511@charter.net">DJLD511@charter.net</a></td>
<td>12/17/13</td>
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<tr>
<td></td>
<td>Fenton, MI 48430</td>
<td>c-810-624-5341</td>
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<tr>
<td><strong>Mark Meisel</strong></td>
<td>11010 Runyan Lake Pt.</td>
<td>c-810-814-6512</td>
<td><a href="mailto:mdacmeis@aol.com">mdacmeis@aol.com</a></td>
<td>9/1/11</td>
<td>8/31/14</td>
</tr>
<tr>
<td><em>Ex-officio</em></td>
<td>Fenton, MI 48430</td>
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<td></td>
<td>9/1/14</td>
<td>8/31/17</td>
</tr>
<tr>
<td><strong>Joe Trollman</strong></td>
<td>10400 Runyan Lk. Rd.</td>
<td>h- (810) 208-0815</td>
<td><a href="mailto:josephilovesnow@aol.com">josephilovesnow@aol.com</a></td>
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<tr>
<td></td>
<td>Fenton, MI 48430</td>
<td>c-(810) 423-2493</td>
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<tr>
<td><strong>Jon Ward</strong></td>
<td>11433 Balfour Dr.</td>
<td>517-896-2594</td>
<td><a href="mailto:joncward@gmail.com">joncward@gmail.com</a></td>
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<tr>
<td><strong>Don Bunka</strong></td>
<td>13003 Amesbury Ct.</td>
<td>h- (810) 629-1992</td>
<td><a href="mailto:dbunka@gmail.com">dbunka@gmail.com</a></td>
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<tr>
<td><em>Alternate</em></td>
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<tr>
<td><strong>Perry Green</strong></td>
<td>8421 Dean Rd.</td>
<td>(810) 766-3340</td>
<td><a href="mailto:perrygreen44@gmail.com">perrygreen44@gmail.com</a></td>
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