

**TYRONE TOWNSHIP
PUBLIC HEARING & REGULAR BOARD MEETING
APPROVED MINUTES – JULY 16, 2019**

CALL TO ORDER

Supervisor Cunningham called the meeting of the Tyrone Township Board to order with the Pledge of Allegiance on July 16, 2019 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, Chuck Schultz, and Soren Pedersen.

PUBLIC HEARING

Supervisor Cunningham opened the public hearing at 7:00 pm. to review and hear objections to the Laurel Springs Waste Removal Project Special Assessment District. No comments or objections were made; no letters of objection were received. The Supervisor closed the public hearing and reopened the regular meeting at 7:00 p.m.

APPROVAL OF AGENDA – OR CHANGES

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

APPROVAL OF CONSENT AGENDA

**Regular Board Meeting Minutes – July 2, 2019
Treasurer's Report
Clerk's Warrants and Bills**

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

COMMUNICATIONS

None.

PUBLIC REMARKS

Mr. Gilmer of Laurel Springs Subdivision commented how happy he was the road was getting paved.

UNFINISHED BUSINESS

None.

NEW BUSINESS

1. 2019-2020 Budget Amendment.

Trustee Walker moved to amend the 2019-2020 Budget-Building & Site Fund (as indicated below). (Trustee Schultz seconded.) The motion carried; all ayes.

Proposed Budget Amendments by Fund for Fiscal Year 2019/2020

Fund	Department	Account No.	Account Name	Current Budget	Current Balance as of 7/9/19	Suggested Amendment
PUBLIC IMPROVEMENT BLDG & SITE FUND		145-901.000-976.000	CAPITAL OUTLAY, BUILDING ADDITIONS	\$ 250,000.00	\$ 22,434.50	\$ 485,000.00
				\$ -	\$ -	\$ -

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- 2. Resolution (3) to approve the project details and direct the preparation of the special assessment roll for the Laurel Springs Waste Removal Project.**

RESOLUTION #190703
TYRONE TOWNSHIP, LIVINGSTON COUNTY

LAUREL SPRINGS SUBDIVISION
WASTE REMOVAL PROJECT (2019)

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

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

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

WHEREAS, the Board of Trustees of the Township has tentatively determined to use special assessments to raise the funds to pay the costs of the Project, and:

WHEREAS, the Township held a public hearing on the Project and the proposed Special Assessment District for the Project on July 6, 2019;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Trustees of the Township approves the completion of the Project and approves the plans and cost estimates for the Project, which are on file with the Township Clerk and which are identified as “Plans and Cost Estimates for the Laurel Springs Subdivision Waste Removal Project.”
2. The Board of Trustees of the Township determines that the petitions for the Project submitted to the Board of Trustees were sufficient to satisfy the requirements under Act No. 188, Michigan Public Acts of 1954, as amended for initiating an improvement project.
3. The Board of Trustees of the Township determines that the Special Assessment District for the Project shall consist of the parcels identified in Exhibit B. The term of the Special Assessment District shall be through March 31, 2030.
4. The Township Supervisor is directed to prepare the Special Assessment Roll for the Special Assessment District identified in Exhibit B. The Special Assessment Roll shall describe all the parcels of land to be assessed with the names of the respective record owners of each parcel, if known, and the total amount to be assessed against each parcel of land. When the

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Township Supervisor completes the Special Assessment Roll, he shall affix his certificate to the roll, which certificate shall be substantially in the form of Exhibit C to this resolution.

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

RESOLVED BY: Trustee Schultz

SUPPORTED BY: Trustee Walker

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

ADOPTION DATE: July 16, 2019

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on July 16, 2019, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



Marcella Husted
Tyrone Township Clerk

Exhibit A
Description of the Project

The project (the “Project”) will consist of the establishment of a single waste hauler for the collection and disposal of garbage and rubbish along the following streets in the Laurel Springs subdivision in Tyrone Township: Dentonview Dr., Laurel Springs Blvd., Overlook Dr., and 12231 and 12245 White Lake Rd.

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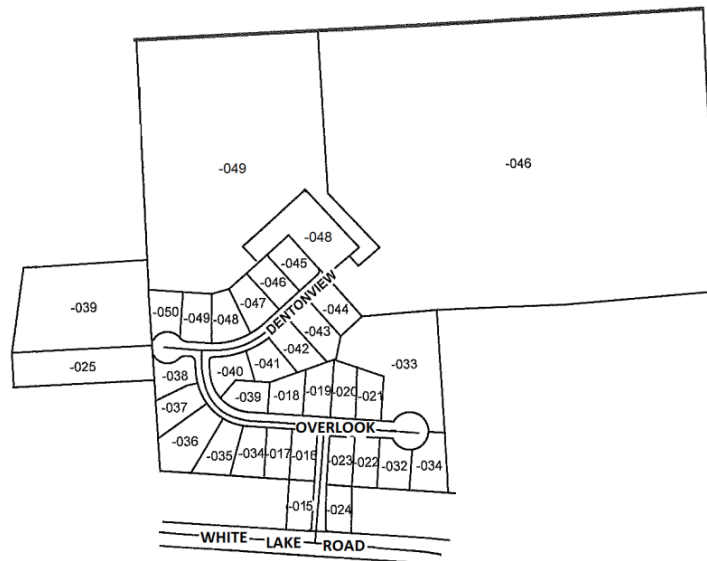
Exhibit B
Description of the Special Assessment District

**TYRONE TOWNSHIP
LAUREL SPRINGS SUBDIVISION WASTE REMOVAL PROJECT (2019)
SPECIAL ASSESSMENT DISTRICT**

The Tyrone Township Laurel Springs Subdivision Waste Removal Project (2019) Special Assessment District (the “Special Assessment District”) has been formed to specially assess the properties benefited from the Project described in Exhibit A. The proposed Special Assessment District is described as follows: All properties located in the Laurel Springs Subdivision in Tyrone Township. The Special Assessment District includes the properties shown in the Special Assessment District on the map attached as Appendix I and includes the specific properties that are identified by the following permanent parcel numbers:

4704-11-100-025	4704-11-101-016	4704-11-101-034	4704-11-101-043
4704-11-100-032	4704-11-101-017	4704-11-101-035	4704-11-101-044
4704-11-100-033	4704-11-101-018	4704-11-101-036	4704-11-101-045
4704-11-100-034	4704-11-101-019	4704-11-101-037	4704-11-101-046
4704-11-100-039	4704-11-101-020	4704-11-101-038	4704-11-101-047
4704-11-100-046	4704-11-101-021	4704-11-101-039	4704-11-101-048
4704-11-100-048	4704-11-101-022	4704-11-101-040	4704-11-101-049
4704-11-100-049	4704-11-101-023	4704-11-101-041	4704-11-101-050
4704-11-101-015	4704-11-101-024	4704-11-101-042	

**APPENDIX I
Map of Special Assessment District**



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Exhibit C
Certificate

I, the undersigned, Supervisor of Tyrone Township, Livingston County, Michigan (the “Township”), acting pursuant to a resolution duly adopted by the Township Board of the Township on July 16, 2019 (the “Resolution”) certify that (1) the attached special assessment roll for the Tyrone Township Laurel Springs Subdivision Waste Removal Project (2019) Special Assessment District, to which this Certificate is affixed, was made pursuant to the Resolution and (2) in making such roll, I have, according to my best judgment, conformed in all respects to the directions contained in the Resolution and the statutes of the State of Michigan, including Act No. 188, Public Acts of Michigan, 1954, as amended.

Dated: July 16, 2019

Mike Cunningham
Tyrone Township Supervisor

- 3. Resolution (4) to acknowledge the filing of the special assessment roll, schedule a public hearing, and direct the issuance of statutory notices for the Laurel Springs Waste Removal Project.**

RESOLUTION #190704
TYRONE TOWNSHIP, LIVINGSTON COUNTY

LAUREL SPRINGS SUBDIVISION
WASTE REMOVAL PROJECT (2019)

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

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

WHEREAS, the Board of Trustees of the Township has tentatively determined to use special assessments to raise the funds to pay the costs of the Project;

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

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

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WHEREAS, the Township Supervisor has prepared the Special Assessment Roll entitled “Special Assessment Roll for the Tyrone Township Laurel Springs Subdivision Waste Removal Project (2019)” (the “Proposed Roll”) and has filed the Proposed Roll with the Township Clerk;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Trustees of the Township acknowledges that the Township Supervisor has filed the Proposed Roll with the Township Clerk.
2. The Board of Trustees of the Township acknowledges that the Township Supervisor has certified that (a) the Proposed Roll was prepared in accordance with the direction of the Board of Trustees of the Township and (b) the Proposed Roll was prepared in accordance with the laws of the State of Michigan.
3. In accordance with Act No. 188, Michigan Public Acts of 1954, as amended, and the laws of the State of Michigan, there shall be a public hearing on the Proposed Roll.
4. The public hearing will be held on August 20, 2019 at 7:00 p.m. at the Tyrone Township Offices, 10408 Center Road, Fenton, Michigan.
5. The Township Clerk is directed to mail, by first class mail, a notice of the public hearing to each owner of or party in interest in property to be assessed, whose name appears upon the last Township tax assessment records. The last Township tax assessment records means the last assessment roll for ad valorem tax purposes which has been reviewed by the Township board of review, as supplemented by any subsequent changes in the names or addresses of such owners or parties listed thereon. The notice to be mailed by the Township Clerk shall be similar to the notice attached as Exhibit B and shall be mailed by first class mail on or before July 30, 2019.
6. The Township Clerk is directed to publish a notice of the public hearing in the Tri-County Times, a newspaper of general circulation within the Township. The notice shall be published twice, once on or before August 4, 2019 and once on or before August 18, 2019. The notice shall be in a form substantially similar to the notice attached as Exhibit B.
7. All previous actions taken to date of the Board of Trustees of the Township and of the Township officials with respect to the Project are hereby ratified and approved.
8. All resolutions or parts of resolutions in conflict with this resolution are hereby rescinded.

RESOLVED BY: Trustee Schultz
SUPPORTED BY: Trustee Walker

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

ADOPTION DATE: July 16, 2019

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on July 16, 2019, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



Marcella Husted
Tyrone Township Clerk

Exhibit A
Description of the Project

The project (the “Project”) will consist of the establishment of a single waste hauler for the collection and disposal of garbage and rubbish along the following streets in the Laurel Springs subdivision in Tyrone Township: Dentonview Dr., Laurel Springs Blvd., Overlook Dr., and 12231 and 12245 White Lake Rd.

Exhibit B

Form of Notice of Public Hearing Upon Special
Assessment Roll for the Tyrone Township
Laurel Springs Subdivision Waste Removal Project (2019)
Special Assessment District

Tyrone Township
Livingston County, Michigan

**NOTICE OF PUBLIC HEARING UPON SPECIAL
ASSESSMENT ROLL FOR THE TYRONE TOWNSHIP
LAUREL SPRINGS SUBDIVISION WASTE REMOVAL PROJECT (2019)
SPECIAL ASSESSMENT DISTRICT**

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NOTICE IS HEREBY GIVEN:

(1) The Township Board of Tyrone Township, Livingston County, Michigan (the “Township”) in accordance with the laws of the State of Michigan, has determined to levy special assessments against lands in the TYRONE TOWNSHIP LAUREL SPRINGS SUBDIVISION WASTE REMOVAL PROJECT (2019) SPECIAL ASSESSMENT DISTRICT (the “District”) that will be benefited by the establishment of a single waste hauler to collect and dispose of garbage and rubbish in the Township. The District consists of the properties identified on the map below and is more specifically identified by the following property identification numbers:

4704-11-100-025	4704-11-101-016	4704-11-101-034	4704-11-101-043
4704-11-100-032	4704-11-101-017	4704-11-101-035	4704-11-101-044
4704-11-100-033	4704-11-101-018	4704-11-101-036	4704-11-101-045
4704-11-100-034	4704-11-101-019	4704-11-101-037	4704-11-101-046
4704-11-100-039	4704-11-101-020	4704-11-101-038	4704-11-101-047
4704-11-100-046	4704-11-101-021	4704-11-101-039	4704-11-101-048
4704-11-100-048	4704-11-101-022	4704-11-101-040	4704-11-101-049
4704-11-100-049	4704-11-101-023	4704-11-101-041	4704-11-101-050
4704-11-101-015	4704-11-101-024	4704-11-101-042	

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

(3) The Township Board will conduct a public hearing beginning at 7:00 p.m., local time, on August 20, 2019, at the Tyrone Township Offices, 10408 Center Road, Fenton, Michigan, to explain and answer questions pertaining to the Roll and to hear objections to the Roll. Any person objecting to the Roll must file his or her objections before the close of the public hearing or within such additional time (if any) as the Township Board may grant.

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

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

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Subscribed and sworn to before me
this 30th day of July, 2019.

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

**4. Zoning Ordinance Amendment- to include a definition and clarify submerged
land beneath lakes.**

RESOLUTION #190705
TYRONE TOWNSHIP, LIVINGSTON COUNTY

TO ADOPT AMENDMENTS TO ZONING ORDINANCE NO. 36

SUBMERGED LAND AND LOT AREA CALCULATIONS

(See attachment for amendments)

The amendments to Zoning Ordinance #36 Lot Area for Land Divisions: Article 2, Section 2.01 Definitions- to add a definition for submerged land; and Article 20, Section 20.02 Footnotes to Schedule of Regulations (Note W) - to clarify submerged land beneath a lake cannot be included in the minimum land area required for a land division.

RESOLVED BY: Trustee Schultz
SUPPORTED BY: Treasurer Eden

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

ADOPTION DATE: July 16, 2019

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on July 16, 2019, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



Marcella Husted
Tyrone Township Clerk

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5. Zoning Ordinance Amendment-to opt out, therefore prohibit, recreational marijuana establishments/facilities.

RESOLUTION #190706
TYRONE TOWNSHIP, LIVINGSTON COUNTY

TO ADOPT AMENDMENTS TO ZONING ORDINANCE NO. 36

RECREATIONAL MARIJUANA ESTABLISHMENTS/FACILITIES

The amendment to Zoning Ordinance #36 added Section 21.59 Recreational Marijuana (Marihuana) Uses:

- A. Licensed Recreational Marijuana Establishments/Facilities. Tyrone Township elects to opt out, and therefore prohibits, any and all establishments eligible to be licensed for recreational Marijuana uses by the State of Michigan and/or Tyrone Township, inclusive of qualifying Adult-Use (Recreational) Marijuana facilities, in all zoning districts.

RESOLVED BY: Trustee Walker

SUPPORTED BY: Treasurer Eden

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

ADOPTION DATE: July 16, 2019

CERTIFICATION OF THE CLERK

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Marcella Husted
Tyrone Township Clerk

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6. Zoning Ordinance Amendment-to allow for utility scale solar energy facilities.

RESOLUTION #190707
TYRONE TOWNSHIP, LIVINGSTON COUNTY

TO ADOPT AMENDMENTS TO ZONING ORDINANCE NO. 36

UTILITY SCALE SOLAR FARM REGULATIONS

(See attachment for amendments)

The amendments to Zoning Ordinance #36, Articles 2, 4, 12A, 16A and 22 modified commercial solar energy production requirements.

RESOLVED BY: Trustee Schultz
SUPPORTED BY: Clerk Husted

VOTE: Eden, yes; Schultz, yes; Pedersen, yes; Cunningham, yes; Husted, yes; Walker, abstained
(owns property in negotiations with solar company).

ADOPTION DATE: July 16, 2019

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on July 16, 2019, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



Marcella Husted
Tyrone Township Clerk

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7. Request to adopt the resolution acknowledging the 5-year review and ratification of the 2012 Master Plan.

RESOLUTION #190708
TYRONE TOWNSHIP, LIVINGSTON COUNTY

REVIEW AND RATIFICATION
MASTER PLAN (ADOPTED NOVEMBER 2012)

The Tyrone Township Board adopted the following resolution accepting the Planning Commission's review and ratification of the Master Plan adopted November 2012.

RESOLVED BY: Trustee Walker
SUPPORTED BY: Trustee Schultz

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

ADOPTION DATE: July 16, 2019

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on July 16, 2019, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



Marcella Husted
Township Clerk

RESOLUTION OF REVIEW AND RATIFICATION
MASTER PLAN (ADOPTED NOVEMBER 2012)

TYRONE TOWNSHIP PLANNING COMMISSION
LIVINGSTON COUNTY, MICHIGAN

WHEREAS, the Michigan Planning Enabling Act (Public Act 33 of 2008), as amended, provides for a planning commission to prepare and adopt a Master Plan for physical development of the community; and

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WHEREAS, the Tyrone Township Planning Commission (the “Planning Commission”) has prepared such a Master Plan for the Township’s physical development in compliance with the Michigan Planning Enabling Act, including relevant charts, maps and text, through a process that included substantial public participation, culminating in the adoption of a master plan for the Township in November 2012; and

WHEREAS, the Michigan Planning Enabling Act also provides, in Section 45, for a planning commission to review a communities master plan at least every five years and determine whether it should be amended or a new plan should be adopted; and

WHEREAS, the Planning Commission observes that the demographics of the Township are very stable, as evidenced by data recently collected and published by Livingston County as part of its adoption of a master plan for the County in 2018; and

WHEREAS, the Planning Commission has undertaken a detailed review of the Township’s Master Plan, as adopted in November 2012 (the “Tyrone Township Master Plan”), during a work session held on May 22, 2019, and has found that the content of the plan still accurately reflects the character and policy of the Township; and

WHEREAS, through its review, the Planning Commission noted the following, non-substantive items that should be updated when a new master plan is adopted in the future:

1. On Page 8, the reference to the manner in which the Township’s open space preservation policies have been implemented is outdated, referring to an earlier approach that the larger lot areas and widths now utilized.
2. On Page 9, the photo shows a water tower that no longer exists.
3. On Page 10, the text refers to Kmart, which has since closed.
4. On Page 11, the text refers to Walmart, which has since closed.
5. On the title page following Page 22, the photo shows the aforementioned water tower that no longer exists and does not show the current configuration of the store.
6. On Page 46, the reference to Fenton Sand & Gravel should be updated to include its current name and should refer to it being on Denton Hill Road; the paintball facility referenced has closed.
7. On Page 47, Woody’s should also be referred to as a gas station.
8. On Page 67, capacity information should be updated.
9. On Page 72, it should be noted that the Loose Center has been rebuilt after the fire.
10. On Page 76, the aforementioned paintball facility should be deleted and reference should be made to the following additional amenities:
 - a. Sunken Gardens;
 - b. Truck Road walking trail;
 - c. Shiawassee Watershed activities;
 - d. Lyle and Mary Rizor Nature Sanctuary.
11. On Page 91, the manner of implementing the open space policy should be updated, as mentioned above.

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NOW THEREFORE, the Planning Commission hereby ratifies the Tyrone Township Master Plan and recommends that the Township Board do the same.

Motion by David Wardin to adopt the resolution, supported by Al Pool.

AYES: Meisel, Wardin, Schulze, Erickson, Pool, Wood.

NAYS: None.

ABSENT: Green.

Resolution declared adopted by majority vote.

MISCELLANEOUS BUSINESS

None.

PUBLIC REMARKS

A resident reported gun fire over Ore Creek near Lake Shannon.

ADJOURNMENT

Trustee Walker moved to adjourn. (Trustee Pedersen seconded.) The motion carried; all ayes. The meeting adjourned at 7:13 p.m.