

**TYRONE TOWNSHIP
REGULAR BOARD MEETING AGENDA
NOVEMBER 17, 2020 – 7:00 P.M.
(810) 629-8631
clerk@tyronetownship.us**

This meeting will be held in person and via Zoom (details to join follow this agenda).

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

ROLL CALL

APPROVAL OF AGENDA – OR CHANGES

APPROVAL OF CONSENT AGENDA

Treasurer’s Report – October 30, 2020

COMMUNICATIONS

1. Fire Service Report- October 2020.
2. Planning Commission Approved Meeting Minutes- September 8, 2020
3. Planning Commission Approved Meeting Minutes- September 16, 2020
4. Planning Commission Meeting Synopsis- October 21, 2020
5. Planning Commission Meeting Synopsis- November 10, 2020

PUBLIC REMARKS

UNFINISHED BUSINESS

NEW BUSINESS

1. Request of Marcia McQueen to appeal a fire service charge.
2. Request of Ron Gordon to revise the Irish Hills PUD Agreement.
3. Request to support the County Designated Assessor Bid Proposal.
4. Sewer REU Transfer Policy.
5. Revision to the Emergency Response Cost Recovery Ordinance No. 24.

MISCELLANEOUS BUSINESS

PUBLIC REMARKS

ADJOURNMENT

Supervisor Mike Cunningham Clerk Marcie 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.

Join Zoom Meeting

<https://us02web.zoom.us/j/83571154527?pwd=TUN3NHJ6RXdSS0FORVg2V2ZpVk1Gdz09>

Meeting ID: 835 7115 4527

Passcode: 445147

One tap mobile

+13017158592,,83571154527#,,,,,0#,,445147# US (Washington D.C)

+13126266799,,83571154527#,,,,,0#,,445147# US (Chicago)

Dial by your location

+1 301 715 8592 US (Washington D.C)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

Meeting ID: 835 7115 4527

Passcode: 445147

Find your local number: <https://us02web.zoom.us/j/83571154527?pwd=TUN3NHJ6RXdSS0FORVg2V2ZpVk1Gdz09>

CONSENT AGENDA

Treasurer's Report, Oct. 31, 2020

11/9/2020

TYRONE TOWNSHIP TREASURER'S REPORT

JMM

Period ending OCTOBER, 2020

TOWNSHIP FUNDS	Interest Ckg	INVESTMENTS ICS	Int Rate	MICHIGAN CLASS	Int Rate Monthly AVG	FLG PEG CD matures 2/8/21	Int rate	Grand Totals Each Fund
General 101	\$2,342,157.46	\$ 436,512.73	2.22%					\$ 2,778,670.19
Tech Fund 141	\$51,781.85	\$ 5,000.00	2.22%					\$56,781.85
Building & Site 145	\$216,096.74	\$ 7,500.00	2.22%					\$223,596.74
Parks/Recreation 208	\$5,934.23		0.40%					\$5,934.23
Liquor Control 212	\$2,225.85		0.40%					\$2,225.85
Road 245	\$272,557.18	\$ 44,224.80	2.22%	\$261,836.43	1.00%			\$ 578,618.41
Revolving 246	\$147,678.36	\$ 97,500.00	0.40%	\$192,347.02	1.00%			\$ 437,525.38
Right of Way 260	\$21,033.66		0.40%					\$21,033.66
Peg 274	\$176,965.02					\$ 194,011.50	0.25%	\$370,976.52
Lk Tyrone Grant 281	\$0.00		0.40%					\$0.00
Special Assessments								
Jayne Hill Lts 218	\$2,113.69		0.40%					\$2,113.69
Walnut Shores Lts 219	\$723.48		0.40%					\$723.48
Shannon Glen Rubbish 225	\$3,572.21							\$3,572.21
Jayne Hill Rubbish Removal 226	\$14,158.86		0.40%					\$14,158.86
Apple Orchard Rubbish Removal 227	\$2,084.34							\$2,084.34
Silver Lake Rubbish Removal 228	\$7,783.83							\$7,783.83
Parkin Lane Snow 231	\$16,423.64		0.40%					\$16,423.64
Great Oaks Dr 232	\$7,935.97		0.40%					\$7,935.97
Laural Springs Rubbish removal 233	\$3,955.00							\$3,955.00
Account Totals	\$3,295,181.37	\$ 590,737.53		\$454,183.45		\$ 194,011.50		\$ 4,534,113.85
Health Flex Spending 101		The State Bank						Health Flex Total
FSA Account (\$10K Loan to Open)	\$	9,113.65	0.00%					\$ 9,113.65
								\$ 9,113.65
Public Safety- 205								Public Safety Total
Public Safety 205 - State Bank checking	\$	300,783.02	0.40%					\$ 300,783.02
Public Safety 205- State Bank Savings	\$	6,402.59						\$ 6,402.59
Public Safety 205 - Level One Bank	\$	204,980.09	0.40%					\$ 204,980.09
Public Safety ICS- 205 State Bank	\$	773,358.07	2.22%					\$ 773,358.07
								\$ 1,285,523.77
TYRONE TOWNSHIP SEWER 2003- 392		Flagstar						Tyrone Sewer 03 Total
Debt Service 392 Flagstar Bank	\$	534,744.40	0.6%					\$ 534,744.40
Flagstar CDARS 2003 (matures 4/22/2021)(1836)	\$	547,275.08	0.10%					\$ 547,275.08
Flagstar CD 2003 (matures 3/29/2021)(3879)	\$	1,000,000.00	0.25%					\$ 1,000,000.00
Flagstar CDARS 2003 Fund Martures 9/16/21)(6978)	\$	468,246.15	0.20%					\$ 468,246.15
								\$ 2,550,265.63
Road Improvements-		Flagstar						Road Improvement Total
Parkin Lane Rd 2010 (396)	\$	18,320.64	0.70%					\$ 18,320.64
Lake Shannon 2018 (399)	\$	283,286.75	0.70%					\$ 283,286.75
Laurel springs (400)	\$	36,783.88	0.70%					\$ 36,783.88
Irish Hills (401)	\$	138,053.99						\$ 138,053.99
CIBC- Parkin Lane CD(matures 11/9/20)	\$	127,601.95	0.20%					\$ 127,601.95
								\$ 604,047.21
SEWER O&M CHECKING ACCT- 590		Flagstar						Sewer O&M Total
Sewer Operation and Maintenance CK (5710)	\$	190,246.82	0.70%					\$ 190,246.82
Sewer Operation and Maintenance SV (4865)	\$	82,628.45	1.39%					\$ 82,628.45
CIBC- O&M CD(matures 8/6/21)(6337)	\$	162,426.04	0.40%					\$ 162,426.04
O&M CDARS (matures 8/12/2021)(4312)	\$	140,437.10	1.65%					\$ 140,437.10
O&M CDARS (matures 2/9/2021)(4710)	\$	146,005.62	2.50%					\$ 146,005.62
								\$ 721,744.03
TRUST & AGENCY- 701		Chase						Trust & Agency Total
Township Trust and Agency 701 Savings	\$	1,513.35	0.18%					\$ 1,513.35
Township Trust and Agency 701 Checking	\$	7,597.81	0.00%					\$ 7,597.81
								\$ 9,111.16
								\$ 5,179,805.45
Total Township Monies								\$ 9,713,919.30

COMMUNICATION #1

Fire Service Report, Oct. 31, 2020

CITY OF FENTON OUTSTANDING FIRE RUNS

INCIDENT DATE	INCIDENT #	BALANCE	STATUS
Jul-17	306	\$510.00	PAYMENT PLAN
Jan-20	486	\$1,419.00	INVOICED
Feb-20	37	\$709.50	INVOICED appeal 11-15-20
Jun-20	220	\$1,433.00	INVOICED
Jul-20	233	\$1,433.00	INVOICED
Jul-20	286	\$1,433.00	INVOICED
Oct-20	371	\$1,433.00	PREPARING

**CITY OF FENTON FIRE RUNS
COLLECTION ACCOUNTS**

INCIDENT DATE	INCIDENT #	BALANCE	STATUS
Feb-16	53	\$1,391.00	COLLECTIONS
Apr-14	176	\$819.00	COLLECTIONS
Feb-16	62	\$1,391.00	COLLECTIONS
Mar-16	76	\$1,391.00	COLLECTIONS
Aug-15	283	\$350.00	COLLECTIONS
Oct-15	354	\$390.00	COLLECTIONS
Jun-16	197	\$1,391.00	COLLECTIONS
Jun-16	225	\$1,391.00	COLLECTIONS
Jun-16	226	\$1,391.00	COLLECTIONS
Jul-16	285	\$1,391.00	COLLECTIONS
Jul-16	296	\$1,391.00	COLLECTIONS
Sep-16	371	\$1,391.00	COLLECTIONS
Aug-16	436	\$1,391.00	COLLECTIONS
Nov-16	461	\$1,391.00	COLLECTIONS
Jan-17	49	\$1,391.00	COLLECTIONS
Mar-17	371	\$1,391.00	COLLECTIONS
Mar-17	120	\$400.00	COLLECTIONS
Mar-17	125	\$1,391.00	COLLECTIONS
Jun-17	235	\$1,405.00	COLLECTIONS
Jul-17	323	\$400.00	COLLECTIONS
Jul-17	328	\$1,405.00	COLLECTIONS
Oct-17	431	\$1,405.00	COLLECTIONS
Nov-17	468	\$1,405.00	COLLECTIONS
Nov-17	483	\$1,405.00	COLLECTIONS
Jan-18	22	\$1,405.00	COLLECTIONS
Jan-18	27	\$1,405.00	COLLECTIONS
Mar-18	117	\$1,405.00	COLLECTIONS
Jul-18	296	\$1,419.00	COLLECTIONS
Nov-18	438	\$1,419.00	COLLECTIONS
Nov-18	484	\$1,419.00	COLLECTIONS
Apr-18	161	\$1,024.00	COLLECTIONS
Feb-18	80	\$505.00	COLLECTIONS
Aug-19	327	\$1,319.00	COLLECTIONS
Oct-19	401	\$1,419.00	COLLECTIONS
Nov-19	447	\$1,419.00	COLLECTIONS

HARTLAND OUTSTANDING FIRE RUNS

INCIDENT DATE	INCIDENT #	BALANCE	STATUS
Aug-13	13-499	\$148.00	COLLECTIONS
Sep-16	16-529	\$1,391.00	COLLECTIONS
Sep-16	16-530	\$1,391.00	COLLECTIONS
Oct-16	16-581	\$1,391.00	COLLECTIONS
17-Sep	17-660	\$1,405.00	COLLECTIONS
Dec-17	17-814	\$1,405.00	COLLECTIONS
Dec-17	17-869	\$1,405.00	COLLECTIONS
Jan-18	18-056	\$1,405.00	COLLECTIONS
Mar-18	18-189	\$1,405.00	COLLECTIONS
Jun-18	18-370	\$1,419.00	COLLECTIONS
Aug-18	18-598	\$1,419.00	COLLECTIONS
Dec-19	18-817	\$1,419.00	COLLECTIONS
Jun-19	19-366	\$1,419.00	COLLECTIONS
Jul-19	19-513	\$1,419.00	COLLECTIONS
Nov-19	19-840	\$1,419.00	COLLECTIONS
Jan-20	20-035	\$1,419.00	COLLECTIONS
20-Feb	20-142	\$1,419.00	COLLECTIONS
Jun-20	20-0400	\$1,433.00	INVOICED
Jul-20	20-0425	\$1,433.00	INVOICED
Aug-20	20-0533	\$1,433.00	INVOICED
Aug-20	20-0537	\$1,433.00	<i>wait on sheriff report</i>



UNIVERSAL CREDIT SERVICES, INC
 P.O. BOX 133
 HARTLAND, MI 48353
 800-931-3711

1

INVOICE 032338
 10/01/20

* RECAP RECEIVED
 OCT 12 2020

No. 119

TYR001 UN10
 TYRONE TOWNSHIP FIRERUNS
 ATTN:MARIAN KRAUSE
 NNEDNN 8420 RUNYAN LAKE RD
 FENTON, MI 48430

Date	Name / Ref No.	Sts	COLLECTIONS Pd You Pd Us	Our Comm	Remain Princ	Net Amt Due
				112.41		401.53-
			513.94			
Totals						
Totals						
Gross Collections This Cycle.....\$513.94						
Total Enclosed Checks.....\$401.53						



UNIVERSAL CREDIT SERVICES, INC
 P.O. BOX 133
 HARTLAND, MI 48353
 800-931-3711

1

* RECAP *

RECEIVED
 NOV 12 2020

INVOICE 032461
 11/02/20

No. 93

TYR001 UN10
 TYRONE TOWNSHIP FIRERUNS
 ATTN:MARIAN KRAUSE
 NNEDNN 8420 RUNYAN LAKE RD
 FENTON, MI 48430

Date	Name / Ref No.	Sts	COLLECTIONS		Our Comm	Remain Princ	Net Amt Due
			Pd You	Pd Us			
	Totals				.60		2.23-
	Totals		2.83				

Gross Collections This Cycle.....\$2.83

Total Enclosed Checks.....\$2.23

COMMUNICATION #2

**Planning Commission Meeting Minutes,
Sept. 8, 2020**

1 **TYRONE TOWNSHIP PLANNING COMMISSION**
2 **REGULAR MEETING MINUTES**
3 **September 8, 2020 7:00 p.m.**
4 **Meeting Held at The Tyrone Township Hall & Via Zoom Video Conferencing**
5
6

7 **PRESENT:** Dan Stickel, Kurt Schulze, Rich Erickson, and Perry Green
8

9 **ABSENT:** Bill Wood and Jon Ward
10

11 **OTHERS PRESENT:** Ross Nicholson & Karie Carter
12

13 **CALL TO ORDER:** The meeting was called to order by Vice Chairman Kurt Schulze at 7:01
14 pm.
15

16 **PLEDGE OF ALLEGIANCE:**
17

18 **CALL TO THE PUBLIC:**
19

20 Kurt Schulze asked if there were any members of the public in attendance who wished to ask any
21 questions or comments.
22

23 No public comments or questions were received.
24

25 **APPROVAL OF THE AGENDA:**
26

27 Perry Green made a motion to approve the agenda as presented. Dan Stickel supported the
28 motion. Motion carried by unanimous voice vote.
29

30 **APPROVAL OF THE MINUTES:**
31

32 The item was deferred.
33

34 **NEW BUSINESS #1: Election of Officers:**
35

36 Kurt Schulze asked the Planning Commission if anyone would like to make a nomination for
37 Chairman of the Planning Commission. Perry Green nominated Dan Stickel for Chairman of the
38 Planning Commission. Dan Stickel accepted the nomination. Kurt Schulze asked if there were
39 any additional nominations. None were received. Rich Erickson made a motion to close the
40 nomination. Perry Green supported the motion. Motion carried by unanimous voice vote. Rich
41 Erickson made a motion to elect Dan Stickel as Chairman of the Planning Commission. Perry
42 Green supported the motion. Motion carried by unanimous voice vote.
43

44 Kurt Schulze congratulated Dan Stickel on his new position as Chairman of the Planning
45 Commission and indicated that he could now conduct the meeting.
46

47 *The item was closed.*

48

49 **NEW BUSINESS #2: PC Action List:**

50

51 Chairman Stickel opened discussion. He confirmed that everyone had a copy of the latest
52 Planning Commission Action List (PC Action List). Chairman Stickel asked Ross Nicholson for
53 confirmation that items one through five on the list (crossed out) have been completed. Ross
54 Nicholson confirmed and briefly summarized the items. Chairman Stickel went through the
55 items on the list under “Pending Approval”. He asked the Planning Commission if they felt any
56 additional items should be added to “Pending Approval”. Ross Nicholson indicated that item # 8
57 “Administrative Approval of Permitted Home Occupations, amended standards” had been
58 completed and could be removed from the list/crossed out. Ross Nicholson summarized the
59 remaining items under “Pending Approval”. The Planning Commission briefly discussed.

60

61 Chairman Stickel moved down to the next section of the PC Action List, “In Progress, Near
62 Completion”. The Planning Commission briefly discussed. Chairman Stickel indicated that the
63 three items listed would likely take some time to complete. Ross Nicholson suggested that the
64 items should be discussed with the Township Board at the next joint meeting to help determine
65 the levels of priority. Kurt Schulze agreed. The Planning Commission briefly discussed.
66 Chairman Stickel asked if anyone had suggestions for items to add to “In Progress, Near
67 Completion”. Ross Nicholson indicated that the “Pool Covers” topic has progressed to the point
68 where it could be moved to that section. The Planning Commission briefly discussed.

69

70 Chairman Stickel moved down to the section of the list titled “Initiated, More Development
71 Required”. He asked Ross Nicholson to summarize the items. Ross Nicholson summarized the
72 items. The only item in the section other than “Pool Covers” was “Outdoor Lighting- make
73 reference to regulatory ordinance”. Ross Nicholson explained that the item was included on the
74 list following the adoption of the Residential Outdoor Lighting regulatory ordinance. He
75 indicated that the intent is for the Planning Commission to go through the Zoning Ordinance
76 requirements for residential outdoor lighting to make any necessary revisions to ensure
77 consistency with the new regulatory ordinance.

78

79 Chairman Stickel moved on to the section of the list titled “Future Items”. He indicated that item
80 #1, “Accessory Structure Standards (last revised Oct.2013)”, is included because some of the
81 existing accessory structure standards may be considered by many to be overly restrictive. Ross
82 Nicholson indicated that there has been a number of concerns raised over the past few years
83 regarding accessory structure standards in the Zoning Ordinance. He indicated that the goal
84 would be to revisit all accessory structure standards in the Zoning Ordinance to ensure they
85 suitable for the current times and needs of Township residents.

86

87 Chairman Stickel moved down to the next item on the list of future items, “Alternative Building
88 Materials”. Ross Nicholson indicated that the item was added to the list following a number of
89 inquiries regarding the possibility of permitting dwellings built with “upcycled” materials such
90 as shipping containers. The Planning Commission briefly discussed.

91 Chairman Stickel moved down to the next item under future items, “Tiny Houses”. Ross
92 Nicholson indicated that the item was added following a number of inquires from people looking

93 to downsize into small, minimalist-style dwellings (between 100 and 800 square feet, but
94 primarily under 600 square feet). He continued, stating that the current minimum floor area for
95 single-family residential dwellings is 1,200 square feet for a 1-story/ranch-style home in all
96 single-family zoning districts. He stated that most of the inquires for smaller dwellings were
97 specific to actual “tiny homes”, which are generally under 600 square feet of living area,
98 typically built onto a trailer/movable foundation, however, there have also been a number of
99 inquires from people who are interested in downsizing to smaller, conventional-style dwelling
100 (around 800 square feet) on permanent foundations. Rich Erickson asked if it would be possible
101 for people to seek a variance for a reduction in the minimum floor area for a new dwelling. Ross
102 Nicholson indicated that he has not seen anyone apply for such a variance, but it could happen
103 since minimum floor area is a dimensional standard. He continued, stating that, though people
104 could technically apply for a variance, it would be much more difficult to demonstrate
105 compliance with the required criteria for a variance than it would be for setback variances
106 because they would need to demonstrate practical difficulty without a consideration of monetary
107 factors. Most of the people who wish to “downsize” their living space wish to do so for energy
108 efficiency, reduced maintenance, and simplified living in general, which would generally be
109 considered “wants” rather than “needs”, reducing the likelihood that variances could be granted
110 in compliance with the Michigan Zoning Enabling Act (MZEA). The Planning Commission
111 briefly discussed. Ross Nicholson suggested that, if the Planning Commission feels that
112 permitting “tiny houses” should be considered, there are a number of ways it would be done
113 without negatively affecting existing patters of development, such as establishing a new zoning
114 district for single family dwellings with reduced minimum floor area requirements.

115
116 Chairman Stickel moved on to the next item under future items, “Environmental Study
117 Requirements”. Ross Nicholson indicated that he believes the item was added to the list
118 following the latest application for a new cemetery. He indicated that he believed the intent of
119 including the item was to revisit the current environment study requirements for uses that
120 warrant them and determine whether or not revisions should be made to ensure land uses do not
121 negatively impact the environment. He indicated that the item ties into the next item on the list,
122 “Cemetery Standards (Working with Livingston County)”. Chairman Stickel moved down to
123 that item. Ross Nicholson stated that the latest cemetery application also prompted the
124 Livingston County Planning Department to begin review and modification of their cemetery
125 standards to ensure they are appropriate and up-to-date. He stated that, as Livingston County
126 works through those standards, the Planning Commission should review them to ensure they are
127 consistent with the Township’s cemetery standards.

128
129 Chairman Stickel moved on to the next list item, “Limited Lot Waivers”. Ross Nicholson
130 explained that limited lot waivers are intended to allow for a waiver of certain outdoor storage
131 location requirements on parcels of land that have significant dimensional and/or topographic
132 limitations that prevent property owners from storing items within permitted yard locations. He
133 stated that he does not believe there to be any major issues with the current limited lot waiver
134 standards, but he recommended reviewing them to ensure they are appropriate since they have
135 not been addressed in a number of years.

136
137 Chairman Stickel moved on to the next item, “Temporary Housing”. Ross Nicholson explained
138 that the Zoning Ordinance currently allows for the use of a temporary dwelling during

139 construction of new dwelling and for temporary housing following a disaster. He stated that
140 there are frequent inquires for the use of temporary housing during construction and there have
141 been questions raised whether the current approval requirements are appropriate. He stated that
142 the language for temporary housing during construction is written in a way where travel trailers
143 may not be considered (the language is specific to manufactured homes), however, the Township
144 has approved the use of travel trailers a number of times over the past few years because they
145 had demonstrated compliance with all approval criteria. He suggested that the Planning
146 Commission should review the current standards to ensure they can consider the use of travel
147 trailers as long as the Livingston County Health Department (LCHD) approves a temporary
148 connection to well and septic/sewer and to determine whether or not the current approval
149 standards should be amended.

150
151 Chairman Stickel moved down to the last item on the list, “Guest Houses/ Mother-in-Law
152 Suites”. Ross Nicholson indicated that the Zoning Ordinance does not currently permit guest
153 houses or similar structures in single-family zoning districts. He stated that, over the years, there
154 have been many inquiries regarding the use, especially for the purpose of housing
155 elderly/handicapped family members in close proximity to a principle residence (as an
156 alternative to assisted living/retirement homes). He stated that most people are either unable to
157 afford care for relatives through facilities and/or would like to provide a higher-quality level of
158 care for them than would be otherwise possible. The Planning Commission briefly discussed.
159 Ross Nicholson indicated that one of the primary arguments against permitting guest houses or
160 similar structures is that property owners could potentially rent them out to random people short-
161 term when not inhabited by family/friends (such as Airbnb). He stated that the use of deed
162 restrictions or other mechanisms could potentially be implemented to prevent the use of such
163 structures as short-term rentals. The Planning Commission briefly discussed. He recommended
164 changing the title of the item to “Accessory Dwelling Units” or “ADU’s” because the term
165 encompasses guest houses, mother-in-law suites, pool houses, and all similar uses.

166
167 Chairman Stickel moved down to the last section of the list, “Applications”. All applications
168 listed were crossed off the list. Dan Stickel asked for confirmation that all items under the
169 section had been completed. Ross Nicholson confirmed.

170
171 Chairman Stickel asked the Planning Commission if they had any suggestions for additional
172 items to be added to the list. Kurt Schulze noted that the MMMA (Michigan Medical Marihuana
173 Act) caregiver regulation amendments were not included on the list. Ross Nicholson indicated
174 that the item should be added under “In Progress, Near Completion” since the proposed
175 amendments had already been reviewed, recommended for approval by the Planning
176 Commission, reviewed during a public hearing, reviewed by the Livingston County Planning
177 Commission, and reviewed by the Township Board. The Planning Commission briefly
178 discussed.

179
180 *The item was closed (no action taken).*

181
182 **CALL TO THE PUBLIC:**

183 Chairman Stickel asked if there were any public questions or comments.

184

185 Alexa Huspek (resident), asked to see a copy of the PC Action List. She asked for clarification
186 on several items from the list. The Planning Commission and Ross Nicholson provided
187 clarification.

188
189 Chairman Stickel asked if there were any additional questions or comments. None were
190 received.

191
192 *The item was closed*

193
194 **MISCELLANIOUS BUSINESS #1: Next Workshop Meeting:**

195
196 A Workshop meeting was scheduled for Wednesday, September 16, 2020, beginning at 6:00 pm.
197 Ross Nicholson stated that he would verify that a quorum would be present at the meeting. He
198 indicated that, if a quorum can be confirmed, he would convert the workshop meeting to a
199 regular meeting so action could be taken on the “Election of Officers” item. Chairman Stickel
200 confirmed that would be appropriate due to the current vacancy for the position of Planning
201 Commission Secretary.

202
203 Kurt Schulze took a moment to thank the former Planning Commission Chairman, Mark Meisel,
204 and the former Planning Commission Secretary, Dave Wardin, for their work on the Planning
205 Commission and their service to the Township.

206
207 *The item was closed.*

208
209 *The meeting was adjourned at 7:43 pm by Chairman Stickel.*

COMMUNICATION #3

**Planning Commission Meeting Minutes,
Sept. 16, 2020**

**TYRONE TOWNSHIP PLANNING COMMISSION
MEETING MINUTES**

September 16, 2020 6:00 p.m.

Meeting Held at the Township Hall and Via Zoom Video Conferencing

PRESENT: Dan Stickel, Bill Wood, Kurt Schulze, Rich Erickson, and Jon Ward

OTHERS PRESENT: Tyrone Township Planner Greg Elliott and Tyrone Township Planning & Zoning Administrator Ross Nicholson

CALL TO ORDER (6:01 pm): The meeting was called to order by Chairman Dan Stickel.

PLEDGE OF ALLEGIANCE (6:01 pm):

CALL TO THE PUBLIC (6:02 pm):

No public comments or questions were received.

APPROVAL OF THE AGENDA (6:04 pm):

Kurt Schulze made a motion to approve the agenda. Rich Erickson supported the motion. Motion carried by unanimous voice vote.

APPROVAL OF THE MINUTES (6:04 pm):

- 1) None.

OLD BUSINESS #1 (6:05 pm): Election of Officers:

Rich Erickson nominated Jon Ward for Planning Commission secretary. All were in favor and the motion carried by unanimous vote.

Kurt Schulze nominated Rich Erickson for Planning Commission ex-officio of the Zoning Board of Appeals. All were in favor and the motion carried by unanimous vote.

Rich Erickson nominated Kurt Schulze for Vice-Chairman of the Planning Commission. All were in favor and the motion carried by unanimous vote.

The item was closed at 6:08 pm.

OLD BUSINESS #2 (6:09 pm): Pool Covers:

Chairman Dan Stickel asked Ross Nicholson to bring the Planning Commission up to speed on pool covers. Nicholson summarized past communication. He explained that the Township Board had tasked the Planning Commission with reviewing our current swimming pool enclosure

requirements specifically because the state of Michigan Building Code now permits the use of ASTM-compliant pool covers in lieu of perimeter fencing with self-latching gates. The Planning Commission has been working on a draft document with some recommendations on how to handle it. There was a suggestion to make it a Special Land Use and also a discussion to just treat it as a fenced enclosure with a self-latching gate in accordance with the state building code. Mark Meisel had prepared a draft that Nicholson had sent to the commissioners. He said they can either continue working on this document or start over.

Stickel recapped what Nicholson stated, and he said he agrees that we should allow the ASTM 1346 rated pool covers to be installed in lieu of a fence. Right now, Tyrone Township does not provide for such an alternative. The only change from the last time we talked would have been #5 on the drafted document which were Rich Erickson's thoughts which states *"If the cover has reached the recommended life expectancy, and it has not been repaired or replaced to comply with ASTM 1346-91 the Township requires a compliant fence to be erected"*.

Erickson said when they were talking about it in the past (**INAUDIBLE**)

Planner Greg Elliott stated that the Township is immune from liability exclusive of gross negligence. The Township is not the inspecting body; this is a provision of the Michigan Building Code and the County is going to be performing the initial inspection to ensure that the pool is compliant. We are just removing an obstacle to that which is contained in the zoning ordinance. As opposed to telling them what they can do, another option would be to eliminate the provisions of the zoning ordinance that require the fence or that addresses how the pool has to be kept entirely and just reference the Michigan Building Code. That way the Township is not involving itself in the matter at all and leaving it to the county to enforce the building code, which they do.

Schulze said they were concerned with whether there was a need for a Special Land Use Permit. We don't require one for a fence, so why would we require one for the pool cover? Why not just include the building code in the ordinance?

Elliott said one of the concerns was the life span of the pool covers & having a Special Land Use review was a way to revisit from time to time to be sure they're still a functional cover. That would have applied to fences, as well, but fences are less prone to failure than a pool cover.

Stickel asked Schulze what the Board had to say about it. Schulze stated that the Board was not interested in adding an enforcement piece to this, to keep track of those people who have a pool cover and to check on them. Why do we want to do this? We're not doing this with fencing.

Stickel said we should allow the pool & spa covers just as the building code does and defer to the building code as much as possible.

Erickson said we should write in section F of the ordinance something that says enclosure must comply with Michigan Building Code and then reference it. We don't need any other language.

Stickel said if we get into too much detail about what kind of pool and spa covers we allow, we run the risk of the building code changing and the ordinance not. Bill Wood said he didn't feel like it should be Ross's responsibility to check on the pool covers. If they put up a fence when their pool cover fails, then who's to say they'll replace their fence if it fails.

Stickel asked Elliott if he was aware of any townships that had a building department with an enforcement mechanism in place for pool covers. Elliott said that would not be typical, once there is a final inspection, the building department is done. Unless there is a complaint or new construction there would be no reason to visit the property again. If a violation occurs and a neighbor complains about an unprotected pool, you could enforce it if you have an ordinance in place that sets a standard for that. If our zoning ordinance says it must comply with Michigan Building Code, then you find that it isn't in compliance, then it's a violation of both our zoning ordinance and the Michigan Building Code.

Stickel asked should we be specific in the ordinance as far as ASTM standards they should follow, etc.? Elliott said that they should not be specific and just reference Michigan Building Code. It is revised every three years. It's never a good call to prescribe standards that are contained in other ordinances. Stickel agreed.

Stickel talked about the proposed text on the document that Nicholson submitted. He said he doesn't think they should move forward as it's written. Maybe they can re-write section F, maybe soften it up and just defer to the Michigan Building Code and revisit it at the next meeting. Schulze suggested having Nicholson rewrite it and send it to Elliott for review and they could have it by the next meeting. Nicholson agreed. Schulze motioned to table Pool Covers, pending revisions by Nicholson and review by Elliott, until the next meeting. Erickson supported. The motion carried.

The item was tabled at 6:25 pm

OLD BUSINESS #2 (6:26 pm): MMMA Caregiver Regulations:

Stickel asked Nicholson to bring them up to speed. Nicholson said that back in 2018 they had open enforcement on someone who started a caregiver operation without going through the special land use. The board tasked the Planning Commission with reviewing the current caregiver operation standards. It was sent to Livingston County to review. Then the Supreme Court decision put everything back into the air.

Elliott said it was the Court of Appeals' decision previously, and the Supreme Court reversed it. Based on that decision it said that we could regulate certain aspects of the caregiver operations through the zoning ordinances in particular locations that made us take it off the shelf and start looking at it again.

The next step would be to hold another public hearing because it's been a long time since the original one. After that, it could be recommended to the township board. And then it would go on to Livingston County Planning Commission for their review and recommendation.

Schulze asked if other townships have gone in and revised the caregiver portions of their ordinances. Elliott said most people feel that caregiver operations are a thing of the past. There used to be motivation to get into the caregiver operations, but now that recreational marijuana use is a thing. There has been a radical decrease in the number of patients getting medical marijuana. It's easier to just go to the store and buy it now.

Erickson said that they did have a public hearing specific to this issue. They had deleted all the text in one aspect of it. Elliott said they deleted references to patients. Growing by patients is completely irrelevant because every citizen can grow what medical marijuana patients used to grow so we can't regulate it. He recalls going through the document and making the revisions to make it specific to caregivers. The reasons to have it are pretty slim, but it probably doesn't do any harm by having it.

Stickel asked that given that we have had a public hearing recently is their next step if they choose to do so, to send this out to the board? Elliot said they make a recommendation to the board, and then Nicholson will send it to the county planning before the board takes it up. Stickel asked if Elliott was saying we're regulating an obsolete thing. Elliott said yes, pretty much. Stickel asked Nicholson if all these notes were based on all their past meetings. Nicholson said he needed to verify if this was the most recent document. He said he thinks that former Planning Commission Chairman Mark Meisel may have made some changes and not sent them since the public hearing discussion.

Stickel said they shouldn't move forward without having the most recent revisions which were made as a result of a public hearing.

Stickel said he spoke with Mark Meisel last week and he may send over his latest revisions at some time. He recommended they table this pending the receipt of the most recent revision. Schulze motioned to table MMMA Caregiver Regulations. Erickson seconded. The motion carried by unanimous vote.

The item was closed at 6:39 pm

OLD BUSINESS #3 (6:39 pm): PC Action List:

Stickel said they should add Pool Covers and MMMA Caregiver Regulations to "in progress, near completion". He asked what other priorities the board wants to take on in the next six months. Schulze stated that accessory structures have become a hot issue as far as size and limitations that currently exist. Nicholson stated that there is a plan to set up a joint meeting with the township board in November and that will be a good opportunity to get some direction and input from them as well. He said he wants to rewrite the list and discuss what they can remove to be prepared for the joint meeting. Stickel asked if animal units ordinance was done. Nicholson said that depends on whether revisions have been made. There was a public hearing, it was sent to the county, and comments were received from them, and it went to the board. The board had some issues with it. We didn't receive clear enough recommendations from the board. He and Schulze plan to work with Mike Cunningham to put their notes together and come up with an answer.

Erickson said he felt that we could put pool covers and accessory structures in the “in progress” list. He said it seems that many of their applications are talking about sightlines and accessory structures. Stickel agreed that those three items (accessory structures, sightlines, and pool covers) should be their top priority items.

Stickel said they went through this list at the last meeting but he would go through it again so that the new member can catch up and also for Bill Wood who was absent at the last meeting.

He touched on each item and they worked together to clean up the list and prioritize topics.

NEW BUSINESS:

None.

CALL TO THE PUBLIC:

No comments were received.

MISCELLANEOUS BUSINESS:

None.

ADJOURNMENT:

The meeting was adjourned at 7:08 pm.

COMMUNICATION #4

**Planning Commission Meeting Synopsis,
Oct. 21, 2020**

**TYRONE TOWNSHIP PLANNING COMMISSION
WORKSHOP MEETING SYNOPSIS**

October 21, 2020 6:00 p.m.

Present: Kurt Schulze, Dan Stickel, and Steve Krause

Absent: Perry Green, Rich Erickson, Jon Ward, and Bill Wood

Others Present: Karie Carter

APPROVAL OF THE AGENDA:

Approved the agenda as presented.

OLD BUSINESS:

1. PC Action List – The items on the list were discussed.
2. Outdoor Lighting – The item was discussed. Current ordinances on lighting need to be reviewed.

NEW BUSINESS:

1. Accessory Structure Standards – The item was discussed. Karie Carter & Ross Nicholson were tasked with reviewing the current standards and making suggestions for the next meeting.

MISCELLANEOUS BUSINESS:

None

ADJOURNMENT: The meeting adjourned at 7:17 P.M.

COMMUNICATION #5

**Planning Commission Meeting Synopsis,
Nov. 10, 2020**

**TYRONE TOWNSHIP PLANNING COMMISSION
REGULAR MEETING SYNOPSIS
November 10, 2020 7:00 p.m.**

Note: This meeting was recessed at 7:30 for a public hearing

Present: Kurt Schulze, Dan Stickel, Jon Ward, and Steve Krause

Absent: Perry Green, Rich Erickson, and Bill Wood

Others Present: Ross Nicholson

APPROVAL OF THE AGENDA:

Approved the agenda as amended

APPROVAL OF THE MINUTES:

1. 09/08/2020 Regular Meeting Minutes: Approved as presented.
2. 09/16/2020 Regular Meeting Minutes: Approved as presented

OLD BUSINESS:

1. Fults/Pine Meadow Drive Land Division & Shared Private Driveway: The Planning Commission discussed the application and confirmed that the applicant had fulfilled the conditions for approval of the proposed land division and shared private driveway. The item was recommended for Township Board approval.
2. Irish Hills/Ron Gordon Proposed PUD Agreement Amendment: The Planning Commission discussed the proposal. The item was recommended for Township Board approval conditional upon review of the proposed text by the Township Attorney.
3. Pool Enclosure Requirements: A public hearing was held on the proposed Zoning Ordinance amendment to Section 21.21.F. The proposed amendment was recommended for Township Board approval.

NEW BUSINESS:

1. Joint Meeting Preparation: The Planning Commission briefly discussed. No action was taken.
2. Master Plan Update Preparation: The Planning Commission briefly discussed. No action was taken.

MISCELLANEOUS BUSINESS:

ADJOURNMENT: The meeting adjourned at 8:05 P.M.

NEW BUSINESS #1

Request of Marcia McQueen to appeal her fire service charge.

FENTON FIRE DEPARTMENT, FENTON, MICHIGAN 48430

Split Billing
Lucas + Moore

A	FDID 02506	State MI	Incident Date 02/07/2020	Station 3	Incident No. 0000037	Day of Week Fri	Exposure 000	Transaction Add	NFIRS - 1 Basic
B	Location Directions Apt./Suite/Room City Fenton							Census Tract Street Type Suffix EXPY Cross street or directions, as applicable North of White Lake Rd	
Weather Information Weather Type Wind Speed MPH 0						Air Temp 0 F	Wind Direction		
C	Incident Type 322 Motor vehicle accident with injuries			E1 Dates & Times Alarm 02/07/2020 22:10 Dispatch 02/07/2020 22:10 En Route 02/07/2020 22:13 Arrival 02/07/2020 22:20 Controlled Last Cleared 02/07/2020 23:28			E2 Shifts & Alarms Shift or Platoon Alarms District 2 1		
D	Aid Given or Received N None			Their FDID Their State Their Incident Number			E3 Special Studies Special Study ID# Special Study Value		
F	Actions Taken Primary Action Taken(1) 81 Incident command Additional Action Taken(2) 43 Hazardous materials spill control and confinement Additional Action Taken(3)			G1 Resources Apparatus or Personnel Form Used Apparatus Personnel Suppression 0 0 EMS 0 0 Other 4 11 Water Usage 0 gal. Miles: Sta. to Scene 0.0			G2 Estimated Dollar Losses & Values LOSSES: Property \$ Contents \$ PRE-INCIDENT VALUE: Property \$ Contents \$		
H1	Casualties Fire Service Civilian Deaths 0 0 Injuries 0 0		H3 Hazardous Materials Release N None						
H2	Detector Mixed Use Property NN Not mixed use								
J	Property Use 961 Highway or divided highway								
FD Use									
Sort Fld 1. Tyrone Township									
K1	Person/Entity Involved No. 1			Business Name Title First Name MI Last Name Marcia K McQueen			Phone Number (810) 597-7086		
Number Prefix Street or Highway 2108 Gilmartin				Street Type Suffix ST		State Zip Code MI 48503-			
PO Box Apt./Suite/Room City Flint				K2 Owner Business Name Title First Name MI Last Name Suffix					
Number Prefix Street or Highway Suffix				Street Type Suffix					
More people are involved. Check the Supplemental form.				PO Box Apt./Suite/Room City State Zip Code					
M	Authorization Officer in Charge ID 7 Member Making Report ID 321			First Name MI Last Name Scott B Smith First Name MI Last Name Charlene Rooney			Position/Rank Assignment Date Captain 02/07/2020 Position/Rank Assignment Date 02/13/2020		

FENTON FIRE DEPARTMENT, FENTON, MICHIGAN 48430

Remarks for Incident: 0000037 Exp.: 000 Date: 02/07/2020

Time: 22:10

Printed: 02/14/2020

Dispatched for a PIA northbound US23 north of White Lake Road.

Arrived on location in Car2. Fenton PD on location informed me this was a MVA with three cars involved.

R26 arrived on scene. I had them proceed north to the second vehicle. We had been told they had an injury at that vehicle. Upon further investigation, we were told all occupants had given signed refusals. We cleaned up fluids from the pavement and vehicle debris, controlled traffic. Assisted with loading vehicles and returned to the station.

Vehicle #1:

License Plate CLN 014

2015

VIN 1G11C5SL7EU138515

Driver/Owner:

Marcia Kahille McQueen

2108 Gilmartin St

Flint, MI 48503

Insurance:

Farm Bureau

Policy PA-10489562

Agent: Ben Noyce Lutcf 810-653-8508

Additional Occupant:

Ravin McQueen

2108 Gilmartin St

Flint, MI 48503

Vehicle #2:

License Plate DZH 1481

2007 Ford

VIN 1FMDK056147GA21670

Driver:

Cheryl Ann Herzog

309 East St

Linden, MI 48451

Owner:

Thomas Robert Herzog

Insurance: State Farm

Vehicle #3:

2003 Honda

VIN 1HGCM56633A003677

Driver:

Travis William Luca

989 Water View Ln

Fenton, MI 48430

Owner:

Erin & Hitchcock Lucas

Insurance: State Farm

Vehicle #1



Remarks for Incident: 0000037 Exp.: 000 Date: 02/07/2020 Time: 22:10

Equipment Used:

Oil Dry: 1

Completed By:

Captain Scott Smith

FENTON FIRE DEPARTMENT, FENTON, MICHIGAN 48430

A	FDID 02506	State MI	Incident Date 02/07/2020	Station 3	Incident No. 0090037	Exposure 000	Transaction Add	NFIRS - 9 Apparatus or Resources
----------	---------------	-------------	-----------------------------	--------------	-------------------------	-----------------	--------------------	---

B	Apparatus or Resource		Dates and Times		Number of People	Use
			Date	Hrs:Min		
1	ID E-11 Engine 11	Type 11 Engine	Dispatch // : :	Arrival // : :	5	0 Other
			Clear // : :			
Miles Traveled: 0.0			Hrs:Min in Use: 0:00			
Actions Taken						
Primary Action Taken (1)		Additional Action Taken (2)		Additional Action Taken (3)		Additional Action Taken (4)
78 Control traffic						
2	ID R-26 Rescue 26 Truck	Type 71 Rescue unit	Dispatch // : :	Arrival // : :	3	0 Other
			Clear // : :			
Miles Traveled: 0.0			Hrs:Min in Use: 0:00			
Actions Taken						
Primary Action Taken (1)		Additional Action Taken (2)		Additional Action Taken (3)		Additional Action Taken (4)
43 Hazardous materials spill						
3	ID C-2 Car 2 - Officers Vehicle	Type 00 Other apparatus/resource	Dispatch // : :	Arrival // : :	1	0 Other
			Clear // : :			
Miles Traveled: 0.0			Hrs:Min in Use: 0:00			
Actions Taken						
Primary Action Taken (1)		Additional Action Taken (2)		Additional Action Taken (3)		Additional Action Taken (4)
81 Incident command						
4	ID STNBY Standby	Type 00 Other apparatus/resource	Dispatch // : :	Arrival // : :	2	0 Other
			Clear // : :			
Miles Traveled: 0.0			Hrs:Min in Use: 0:00			
Actions Taken						
Primary Action Taken (1)		Additional Action Taken (2)		Additional Action Taken (3)		Additional Action Taken (4)
92 Standby						

FENTON FIRE DEPARTMENT, FENTON, MICHIGAN 48430

A	FDID 02506	State MI	Incident Date 02/07/2020	Station 3	Incident No. 0000037	Exposure 000	Transaction Add	NFIRS - 15 Supplemental	
K1	Person/Entity Involved		Business Name				Phone Number		
	No. 2	Title	First Name Cheryl	MI A	Last Name Herzog			Suffix	
	Number 300	Prefix	Street or Highway East		Street Type ST	Suffix			
	PO Box	Apt./Suite/Room		City Linden	State MI	Zip Code 48451-			
K2	Person/Entity Involved		Business Name				Phone Number		
	No. 3	Title	First Name Travis	MI W	Last Name Lucas			Suffix	
	Number 969	Prefix	Street or Highway Water View		Street Type LN	Suffix			
	PO Box	Apt./Suite/Room		City Fenton	State MI	Zip Code 48430-			
L1	Supplemental Special Studies								
	Special Study ID#	Special Study Value	2	Special Study ID#	Special Study Value	3	Special Study ID#	Special Study Value	4
1									
	Special Study ID#	Special Study Value	6	Special Study ID#	Special Study Value	7	Special Study ID#	Special Study Value	8
5									
L2	Remarks								

Uscr: RIPTSRV

Communications

02/07/20 23:01:10

Event Report

Event ID 2020-022113

Call Ref# 853

Date/Time Received 02/07/20 22:09:20

Rpt #: 20-0207-0003	Call Source: W911	Prime FCSTA Unit:	Services Involved LAW FIRE EMS		
Location: N US23/WHITE LAKE RD		FENT			
X-ST:	Jur: CAD		Service: FIRE	Agency: FCFD	
Business:	Phone: () -		St/Beat: 92	District: 1YT	RA: GP 9201
Nature: PERSONAL INJURY ACCIDENT		Alarm Lvl: 1	Priority: P	Medical Priority	
Caller: CAMERON SCHNEIDER		Alarm			
Addr:		Phone: (810) 336-2511		Alarm Type:	
Vehicle #:	St:	Report Only: No	Race:	Sex:	Age:
Call Taker: MKAUTMAN		Console: CAD08			
Geo-Verified Addr: Yes	Nature Summary Code:	Disposition: CLR		Close Comments:	
Notes: See Event Notes Addendum at end of this report					

Times

Event	Time	Time From Call Received	Unit Reaction	Notes
Call Received	02/07/20 22:09:20			
Call Routed	02/07/20 22:09:20	:	Unit Reaction:000:11:06	(1st Dispatch to 1st Arrive)
Call Take Finished	02/07/20 22:09:20	:	En-Route:000:04:52	(1st Dispatch to 1st En-Route)
1st Dispatch	02/07/20 22:09:35	000:00:15 (Time Held)	On-Scene:000:40:19	(1st Arrive to Last Clear)
1st En-Route	02/07/20 22:14:27	000:05:07		
1st Arrive	02/07/20 22:20:41	000:11:21 (Reaction Time)		
Last Clear	02/07/20 23:01:00	000:51:40		

Unit	Empl ID	Type	Description	Time Stamp	Comments	Close Code	User
FCSTA	0	D	Dispatched	02/07/20 22:09:35	Stat/Beat: 92		EDOLAN
FCSTA	0	AK	{FCSTA} EMS & FD	02/07/20 22:12:56			EDOLAN
FCSTA	0	E	En-Route	02/07/20 22:14:27			EDOLAN
FCRE	0	D	Dispatched	02/07/20 22:15:13	Stat/Beat: 92		EDOLAN
FCRE	0	E	En-Route	02/07/20 22:17:09			EDOLAN
FCSTA	0	A	Arrived	02/07/20 22:20:41			EDOLAN
FCRE	0	A	Arrived	02/07/20 22:20:58			EDOLAN
FCRE	0	C	Cleared	02/07/20 23:01:00		BU	EDOLAN

Event ID 2020-02113 Call Ref # 853 PERSONAL INJURY ACCIDENT at N US23/WHITE LAKE RD

Radio Log					Close
Unit	Empl ID	Type	Description	Time Stamp	Code User
FCSTA	0	C	Cleared	02/07/20 23:01:00	CLER EDOLAN

Event Log					Close
Unit	Empl ID	Type	Description	Time Stamp	Code User
		TS	Time Spawned	02/07/20 22:09:20	MKAUTMA
		RPT	Requested Report#	02/07/20 22:09:20	MKAUTMA
		PAG	Automatic Nature Page	02/07/20 22:09:25	PAGESRV
		REC	Unit Rec Btn Click	02/07/20 22:09:33	EDOLAN
		REC	Unit Recommendation	02/07/20 22:09:35	EDOLAN
		REC	Unit Recommendation	02/07/20 22:09:35	EDOLAN
		REC	Unit Recommendation	02/07/20 22:09:38	EDOLAN
		REC	Unit Recommendation	02/07/20 22:09:38	EDOLAN
		ARM	Added Remarks	02/07/20 22:12:56	EDOLAN
		RSW	Reset Watchdog Timer	02/07/20 22:12:56	EDOLAN
		ARM	Added Remarks	02/07/20 22:13:00	EDOLAN
		ARM	Added Remarks	02/07/20 22:15:30	MKAUTMA
		ARM	Added Remarks	02/07/20 22:18:29	CLOPEZ
		ARM	Added Remarks	02/07/20 22:28:56	CLOPEZ
		ARM	Added Remarks	02/07/20 22:38:47	EDOLAN
		ARM	Added Remarks	02/07/20 22:39:09	CLOPEZ
		ARM	Added Remarks	02/07/20 22:39:48	CLOPEZ
		ARM	Added Remarks	02/07/20 22:43:14	CLOPEZ

Event Notes Addendum

Notes: MULTIPLE CALLS ON THIS ACCIDENT. UNK INJURIES. [02/07/20 22:03:56 MKAUTMAN]
 Event spawned from UNKNOWN ACCIDENT. [02/07/2020 22:04:01 MKAUTMAN]
 [LAW] GRY HONDA ACCORD
 810-931-4477
 BLOCKING THE ROAD WAY [02/07/20 22:04:13 AGILLHOUSE]
 UDTS: {A104} EMS & FD UNIT ACK DISP [02/07/20 22:04:44 MKAUTMAN]
 [LAW] SECOND CALLER 810-394-0799 ALACERASH ONE VEH NO LIGHTS AND BLOCKING [02/07/20 22:05:37
 BKINCAID]
 CALLER IN A WHITE MALIBU JUST W/O OF WHITE LAKE RD [02/07/20 22:08:09 MKAUTMAN]
 KNEES ARE LOCKED UP [02/07/20 22:08:20 MKAUTMAN]
 MARCIE MCQUEEN 810-597-7086 [02/07/20 22:08:34 MKAUTMAN]
 Call Aborted:
 2. Wireless disconnect [.] [02/07/20 22:12:27 MKAUTMAN]
 UDTS: {FCSTA} EMS & FD UNIT ACK DISP [02/07/20 22:12:56 EDOLAN]
 [LAW] BMMA 810-791-0161 BLUE FORD FRBESTYLE IN THE MEGA CONEY ISLAND PAKING LOT - UNABLE TO
 MOVE TO THE CHURCH [02/07/20 22:15:30 MKAUTMAN]
 [LAW] UDTS: {4759} SECURE STATUS ON SCENE [02/07/20 22:18:29 CLOPEZ]
 [LAW] UDTS: {4759} SECURE STATUS ON SCENE [02/07/20 22:28:56 CLOPEZ]
 [LAW] OTHER HALF INVOLVED IN MVA WILL BE AT PRESBYTERIAN CHURCH WEST OF US23 ON WHITE
 LAKE

[02/07/20 22:38:47 EDOLAN]

[LAW] UDTs: (4759) SECURE STATUS ON SCENE [02/07/20 22:39:09 CLOPEZ]

[LAW] UDTs: (4759) SECURE NO FURTHER CHECKS [02/07/20 22:39:48 CLOPEZ]

[LAW] BLU FORD FREESTYLE AT CHURCH [02/07/20 22:43:14 CLOPEZ]

Call Aborted:

9. EMD Previously Completed [-] [02/07/20 22:47:04 AGILLHOUSE]

FENTON CITY FIRE DEPARTMENT ALARM REPORT

DATE 2/07/20 ALARM TIME 2210HRS ALARM NUMBER 20-37

CALL TYPE P.I. ACCIDENT

INCIDENT LOCATION BUS 23 / N. OF WHITE LAKE ROAD

CROSS STREET _____ CONSUMERS W/O# _____

DISPATCHER PAROLA 911 TX ✓ RADIO _____ FROM _____

WALK IN _____ OTHER _____ GENESEE CTY _____ OAKLAND CTY _____ LIVINGSTON CTY X

PERSON REPORTING INCIDENT _____ PHONE _____

STATION 45-10 IN SERVICE 2218HRS STAFFING: 1 OFFICERS _____ DRIVERS _____ FF'S _____

STATION 45-10 CLEARED 2308 POLICE DEPARTMENT REPORT # _____

IN SERVICE	PERSONNEL	ON LOCATION	RETURNING
CHIEF 1 _____	w/ _____	_____	_____
BRUSH 17 _____	w/ _____	_____	_____
CAR 2 <u>CAPT 1 @ 2213HRS.</u>	w/ _____	_____	_____
ENGINE 11 <u>2216HRS</u>	w/ _____	<u>2223HRS</u>	<u>2302</u>
TANKER 14 _____	w/ _____	_____	_____
LADDER 15 _____	w/ _____	_____	_____
RESCUE 16 _____	w/ _____	_____	_____
RESCUE 26 <u>LT 4 @ 2215HRS</u>	w/ <u>4</u>	<u>2220HRS</u>	<u>2302</u>
UTILITY 27 _____	w/ _____	_____	_____
MUTUAL AID _____	w/ _____	_____	_____
MUTUAL AID _____	w/ _____	_____	_____
OTHER OFFICERS _____	_____	_____	_____

OFFICER IN COMMAND _____ SITUATION UNDER CONTROL _____

COMMAND TERMINATED _____ FIRE OUT _____ EXTRICATION COMPLETED _____

AMBULANCE COMPANY _____ TIME REQUESTED _____

AMBULANCE COMPANY _____ TIME REQUESTED _____

AMBULANCE CO. RESPONSE FROM _____ ON LOCATION _____

AMBULANCE CO. RESPONSE FROM _____ ON LOCATION _____

GCSD REQUEST _____ ON SCENE _____ GCSD RESPONSE FROM _____

PATIENT LOADED _____ ENROUTE TO WHAT HOSPITAL _____ FF'S ABOARD _____

PATIENT LOADED _____ ENROUTE TO WHAT HOSPITAL _____ FF'S ABOARD _____

REQUEST FROM COMMAND (INCLUDE TIMES) _____

Authority: 1949 PA 300, Sec. 207.622
Compliance Required: MSP LU-10E
Penalty: \$100 or 60 days (Rev 01/2016)

External # 0056949
Crash ID

Page 01 of 02
File Class 9300-1

STATE OF MICHIGAN TRAFFIC CRASH REPORT

ORI MI 4714700
Department Name LIVINGSTON COUNTY SHERIFF'S OFFICE
Incident# 2000716
Reporter: C. SCHMIDT (321)

Crash Date 02/07/2020
Crash Time 21:59
No. of Units 03
Crash Type Rear End
Special Circumstances: None None None None None
 None None None None None
 None None None None None
Special Checks: Fatal Non-Traffic Area CRV/Snowmobile

County 47 - Livingston
Traffic Control: None None None
Weather: None None None None None
 None None None None None
Blowing Snow
Arts: None None None
Frwy Other Freeway Areas

City/Township Tyrone Township
Combining Circumstances: None None None
Light Dark - Unlighted
Road Surface Condition Wet
Total Lanes 02
Speed Limit 70
Posted Yes

Work Zone (if applicable) Type: None None None
Wipers Present None None None
Activity None None None
Location

Prefix US23
Primary Road Name
Road Type HWY
Suffix
Divided Roadway N

Distance / Direction 1170 Feet N
Trafficway Divided Highway With Traffic Barrier

Prefix WHITE LAKE
Intersecting Road Name
Road Type RD
Suffix
Divided Roadway

Unit Number 01
Unit Known Yes
State MI
Driver License Number L220602887263
Date of Birth (Y/M) 04/03/2002 (17)
License Type: Operator Chauffeur Moped
Endorsements: Cycle Farm Restricted
Sex M
Total Occupants 01
Hazardous Action: Unable To Stop

Unit Type MV
Driver Information: TRAVIS WILLIAM LUCAS
989 WATER VIEW LN
FENTON - QC, MI 48430
Driver is Owner
Injury
Position Frontleft...
Restraint: Shoulder & Lap Belt

Driver Condition at Time of Crash: 1st Appeared Normal
2nd
Driver Detained By: Unknown
Ejected No
Trapped No
Airbag Deployed: Not Deployed

Hospital: None
Ambulance: None

Alcohol Suspected: No
Contributing Factor: No
Alcohol Test Type: Breath Blood Urine PBT Refused Not Offered
Alcohol Test Results: Pending
Test Results: No
Intoxec Device: No

Drug Suspected: No
Contributing Factor: No
Drug Test Type: Blood Urine Field Refused Not Offered
Drug Test Results: Pending
Test Results: No
Citation Issued: Hazardous Other 257.627

Vehicle Registration 3MMK96
State MI
Vehicle Description 2003 HONDA ACCORD
Model ACCORD
Color GRAY

VIN 1HGCM56633A003677
Vehicle Type Passenger Car (pa)
Special Vehicles Not Applicable
Private Trailer Type
Vehicle Defect

Automated System(s) in Vehicle: None
Automation System Level in Vehicle: None
Automated System Level Engaged at Time of Crash: None

Insurance Company STATE FARM
Insurance Policy # 4563720-A26-22D
Towed By CORRIGAN'S
Towed To IMPOUND LOT

Location of Greatest Damage 10
First Impact 01
Extent of Damage Disabling Damage
Vehicle Direction N
Vehicle Use Private
Action Prior: Going Straight Ahead

Sequence of Events: Motor Vehicle In Transport
First: Motor Vehicle In Transport
Second: Motor Vehicle In Transport
Third: None
Fourth: None

Passenger Information: None
Date of Birth (Age) Sex Position Restraint
Injury Ejected Trapped Airbag Deployed

Hospital: None
Ambulance: None

Passenger Information: None
Date of Birth (Age) Sex Position Restraint
Injury Ejected Trapped Airbag Deployed

Hospital: None
Ambulance: None

Passenger Information: None
Date of Birth (Age) Sex Position Restraint
Injury Ejected Trapped Airbag Deployed

Hospital: None
Ambulance: None

Owner Information: None
USDOT MC MPSC

Driver's CDL Type: None
Endorsements: H P T N S O X
CDL Exempt: Farm Other

GWR/GCWR: 10,000 lbs. or Less 10,001 - 20,000 lbs. Greater than 20,000 lbs.
Vehicle Configuration Cargo Body Type Medical Code Hazardous Material: Placard Cargo Spill
ID # Class #

Owner Information: None
Owner Information:

Owner Information: None
Owner Information:

Damaged Property: None
Public Owner & Phone



LOCATION

PASSENGERS

OWNERS

Authority: 1949 PA 300, Sec. 267.622
Compliance Required: MSP UD-10E
Penalty: \$100 and/or 90 days (Rev. 01/2016)

Exhibit # 0056949
Crash ID

Page 02 of 02
File Class 9300-1

STATE OF MICHIGAN TRAFFIC CRASH REPORT

ORI
MI 4714700

Department Name
LIVINGSTON COUNTY SHERIFF'S OFFICE

Incident# 2000716
Reviewer
C. SCHMIDT (321)

Crash Date: 02/07/2020
Crash Time: 21:59
No. of Units: 03
Crash Type: Rear End
Special Circumstances: None Fleeing Police Hit and Run Unknown School Bus Arrival
Special Checks: Fatal Non-Traffic Area ORV/Snowmobile

County: 47 - Livingston
Traffic Control: None
Relation to Roadway: On Road
Weather: Blowing Snow
Area: Fwy Other Freeway Areas

City/Township: Tyrone Township
Contributing Circumstances: 1st: None 2nd:
Light: Dark - Unlighted
Road Surface Condition: Wet
Total Lanes: 02
Speed Limit: 70
Posted: Yes

Work Zone (if applicable): Type: Workers Present: Activity: Location:

Primary Road Name: US23
Road Type: HWY
Suffix: Divided Roadway
N

Distance / Direction: 1170 Feet N
Trafficway: Divided Highway With Traffic Barrier

Intersecting Road Name: WHITE LAKE
Road Type: RD
Suffix: Divided Roadway

Unit Number: 03
Unit Known: Yes
State: MI
Driver License Number: M250565461983
Date of Birth (Age): 12/26/1970 (49)
License Type: Operator Chauffeur Moped
Endorsements: Cycle Farm Recreational
Sex: F
Total Occupants: 02
Hazardous Action: None

Unit Type: MV
Driver Information: MARCIA KAHILLE MCQUEEN
2108 GILMARTIN ST
FLINT, MI 48503
SPLIT BILL
(810) 597-7085
Driver Is Owner:
Injury: C
Position: Front/left...
Restraint: Shoulder & Lap Belt

Driver Condition at Time of Crash: 1st: Appeared Normal 2nd:
Driver Distracted By: Not Distracted
Ejected: No
Trapped: No
Airbag Deployed: Not Deployed

Hospital: Hurley Medical Center (250040)
Ambulance: Livingston County (471001)

Alcohol Suspected: No
Contributing Factor: No
Alcohol Test Type: Breath Blood Urine Refused Not Offered
Alcohol Test Results: Pending
Test Results:
Interlock Device: No

Drug Suspected: No
Contributing Factor: No
Drug Test Type: Blood Urine Refused Not Offered
Drug Test Results: Pending
Test Results:
Citation Issued: Hazardous Other

Vehicle Registration: CLND147
State: MI
Vehicle Description: 2014 CHEVROLET MALIBU
Color: WHITE

VIN: 1G11C6SL7EU138515
Vehicle Type: Passenger Car (pa)
Special Vehicle: Not Applicable
Private Trailer Type:
Vehicle Defect:

Automated System(s) in Vehicle:
Automation System Level in Vehicle:
Automation System Level Engaged at Time of Crash:

Insurance Company: PROGRESSIVE
Insurance Policy #: 931709199
Towed By: FENTON TOWING
Towed To: OWNER DISCRETION

Location of Greatest Damage: 8
First Impact: 08
Extent of Damage: Disabling Damage
(Power Unit under Working)
Vehicle Direction: N
Vehicle Use: Private
Action Prior: Going Straight Ahead

Sequence of Events:
First: Motor Vehicle In Transport
Second:
Third:
Fourth:

Passenger Information: RAYVEN TOCARRA MONELLA MCQUEEN
2108 GILMARTIN ST
FLINT, MI 48503
(810) 597-7085
Date of Birth (Age): 07/05/2007 (12)
Sex: F
Position: Front/right Side
Restraint: Shoulder & Lap Belt
Injury: Ejected: Trapped: Airbag Deployed: Not Deployed

Hospital: None
Ambulance: None

Passenger Information:
Date of Birth (Age):
Sex: Position:
Restraint:
Injury: Ejected: Trapped: Airbag Deployed:

Hospital:
Ambulance:

Passenger Information:
Date of Birth (Age):
Sex: Position:
Restraint:
Injury: Ejected: Trapped: Airbag Deployed:

Hospital:
Ambulance:

Center Information:
USDOT MC MPSC
Driver's CDL Type: None
Endorsements: H P T N S X
CDL Exempt: Farm Other

GVM/GCWR: 10,000 lbs or Less 10,001 - 26,000 lbs Greater than 26,000 lbs
Vehicle Configuration: Cargo Body Type: Modest Card: Hazardous Material: Placard Cargo Spill
ID #: Class #:

Owner Information: BARBARA ANN MOORE
3516 LYNN ST
FLINT, MI 48503
Owner Information:

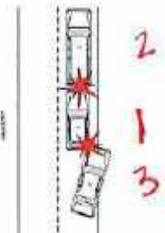
Damaged Property: Public: Owner's Phone:

OWNERS: BARBARA ANN MOORE
3516 LYNN ST
FLINT, MI 48503
Owner Information:

Damaged Property: Public: Owner's Phone:

Damaged Property: Public: Owner's Phone:

Damaged Property: Public: Owner's Phone:

Unit Number 02	Unit Known Yes	State MI	Driver License Number H622115067691	Date of Birth (Age) 09/05/1961 (58)	License Type <input checked="" type="checkbox"/> Operator <input type="checkbox"/> Chauffeur <input type="checkbox"/> Moped	Endorsements <input type="checkbox"/> Cycle <input type="checkbox"/> Farm <input type="checkbox"/> Recreational	Sex F	Total Occupants 02	Hazardous Action None	
Unit Type MV	Driver Information CHERYL ANN HERZOG 309 S EAST ST LINDEN, MI 48451 (810) 701-0161			Driver is Owner <input type="checkbox"/>	Injury <input type="checkbox"/>	Position Frontleft...	Restraint Shoulder & Lap Belt			
Driver Condition at Time of Crash 1st Appeared Normal				Driver Distracted By Not Distracted		Ejected No	Trapped No	Airbag Deployed Not Deployed		
Hospital None				Ambulance None						
Alcohol Suspected No	Contributing Factor No	Alcohol Test Type <input type="checkbox"/> Breath Field <input type="checkbox"/> Blood <input type="checkbox"/> Urine <input type="checkbox"/> Refused <input type="checkbox"/> Not Offered			Alcohol Test Results <input type="checkbox"/> Pending	Test Results:	Intoxlock Device No			
Drug Suspected No	Contributing Factor No	Drug Test Type <input type="checkbox"/> Blood Field <input type="checkbox"/> Urine <input type="checkbox"/> Refused <input type="checkbox"/> Not Offered			Drug Test Results <input type="checkbox"/> Pending	Test Results:	Citation Issued <input type="checkbox"/> Hazardous <input type="checkbox"/> Other			
Vehicle Registration DZH1481	State MI	Vehicle Description 2007	Year 2007	Make FORD	Model FREESTYLE	Color LIGHT BLUE				
VIN 1FMDK06147GA21670	Vehicle Type Passenger Car (pa)	Special Vehicles Not Applicable	Private Trailer Type	Vehicle Defect						
Automatic System(s) in Vehicle		Automatic System Level in Vehicle			Automatic System Level Engaged at Time of Crash					
Insurance Company STATE FARM		Insurance Policy # 666 5828-D16-22A			Towed By		Towed To			
Location of Greatest Damage 5	First Impact 05	Extent of Damage Functional Damage	(Power Unit and/or Trailers)	Vehicle Direction N	Vehicle Use Private	Action Price Going Straight Ahead				
Sequence of Events First <input checked="" type="checkbox"/> Motor Vehicle in Transport Second Third Fourth ■ indicates MOST harmful event)										
Passenger Information EMMA DOROTHY HERZOG NOT BILLED 309 S EAST ST LINDEN, MI 48451 (810) 308-9843				Date of Birth (Age) 09/30/1998 (21)	Sex F	Position Frontright Side	Restraint Shoulder & Lap Belt			
Hospital None				Ambulance None						
Passenger Information				Date of Birth (Age)	Sex	Position	Restraint			
Hospital				Ambulance						
Passenger Information				Date of Birth (Age)	Sex	Position	Restraint			
Hospital				Ambulance						
Passenger Information				Date of Birth (Age)	Sex	Position	Restraint			
Hospital				Ambulance						
Carrier Information				UDDOT	MC	NPUC				
GWR/GCWR <input type="checkbox"/> 10,000 lbs. or Less <input type="checkbox"/> 10,001 - 26,000 lbs. <input type="checkbox"/> Greater than 26,000 lbs.				Vehicle Configuration	Cargo Bed Type	Medical Card	Hazardous Material <input type="checkbox"/> Placard <input type="checkbox"/> Cargo Spill		ID #	Class #
Owner Information THOMAS ROBERT HERZOG 309 S EAST ST LINDEN, MI 48451				Owner Information						
Witness Information				Witness Information						
Investigated at Scene Yes	Reported at Date (Time) 02/07/2020 21:59	1st Investigator Name (Badge) R. SANDERS (370)		2nd Investigator Name (Badge)			Photos			
Narrative Unit 1, Unit 2 and Unit 3 were all NB on US23 Hwy. Unit 2 was driving a little slower than 70 MPH, due to the blowing snow. Unit 1 failed to stop in a clear distance and struck Unit 2. Unit 3 then struck Unit 1.				Diagram 						

Marian Krause

From: Mike Cunningham
Sent: Tuesday, July 7, 2020 2:20 PM
To: Marian Krause
Subject: FW: marcia mcqueen

Can you bring me the file on this please
MC

RECEIVED
JUL 07 2020

From: Barbara <lookinforcandi@aol.com>
Sent: Tuesday, July 7, 2020 9:41 AM
To: Mike Cunningham <mcunningham@tyronetownship.us>
Subject: marcia mcqueen

hi Marian Krause, Tyrone Township Emergency Service Coordinator

I am writing you to ask for a waiver for calling 911 for an accident I had in February. I was in an accident with several other cars, My OwnStar did not respond. I was in a car with my minor child and we were frightened about what happened. I was on the expressway and a car stalled out causing several cars to hit it. I ended up in the ditch, my mom's car was totaled and my daughter and I were transported to Hurley Medical Center.

I thought 911 was for help. I did not know what to do, I could not think. I just wanted to make sure my daughter was safe. I am a widow and on Social Security. I don't have the resources to pay such an amount. I am still fighting with the insurance company and the tow services. We were returning from a basketball practice in Detroit. As a driver we should know the protocol for an accident but i just did not know and I am sorry. As we are going through this pandemic and other financial concerns, I am finding it difficult to navigate. Any consideration you can give me in this matter will be greatly appreciated. My mom is still without a car.



July 15, 2020

Marcia McQueen
2108 Gilmartin St
Flint MI 48503

RE: Incident:0000037

Dear Ms. McQueen,

Please be advised that we have received your appeal on July 6, 2020 in regards to the charges associated with your incident, I have also received the Fenton City Fire report dated February 7, 2020 as well as Michigan Crash Report from the Livingston County Sheriff Department. In reviewing your appeal, you made a call for emergency services stating you had been in an accident. 911 dispatched Fenton City Fire to your location. Upon review of the Fenton City Fire Report and Michigan Crash Report you had rear ended a car that rear ended another car.

Tyrone Township does not have its own fire department and has to contract with neighboring fire departments to obtain such services. We currently pay for these services on a per run basis regardless of the services rendered. Once the responding vehicle, in this case a fire truck, leaves the building we get charged. Your incident resulted in a total charge \$1,433.00, in which we are billing you half the charge of \$709.50. After reviewing the facts of this case, I am denying your appeal. You have the following options:

1. Contact Tyrone Township and pay the \$709.50
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 feel that the charges are unjust, I urge you to pursue option number 3. If you do decide on option number 3, please contact Deputy Clerk Terri Medor at the township to be placed on the board agenda. This contact must be made within 14 days of this letter.

Sincerely,

Michael Cunningham
Tyrone Township Supervisor

NEW BUSINESS #2

**Request of Ron Gordon to revise the Irish Hills
PUD Agreement.**



November 11, 2020

Township Board
Tyrone Township
8420 Runyan Lake Road
Fenton, MI 48430

Subject: Agenda Request – Irish Hills PUD Agreement Amendment # 3

Dear Township Board Members:

During our meeting on November 10, 2020, Kurt Schulze moved to recommend Township Board approval of the request by Ron Gordon to amend the Irish Hills PUD Agreement, conditional upon review of the proposed amendment by the Township Attorney. Steve Krause supported the motion. The motion carried by unanimous voice vote.

The Planning Commission has determined that the proposed amendment is a minor change to the PUD agreement. The proposed amendment to the PUD agreement would allow for continued operations of the Fenton Trading Post, Inc. (trailer sales facility) as a permitted use on “Parcel F” indefinitely in the Irish Hills PUD.

Following review of the proposed amendment text by the Township Attorney, the Planning Commission recommends the Township Board approve the proposed 3rd amendment to the Irish Hills PUD Agreement.

Respectfully submitted,

Tyrone Township Planning Commission

Chairman

**THIRD AMENDMENT TO PUD AGREEMENT FOR CLOVERLEAF
DEVELOPMENT, INC.**

This agreement is entered into on the ___ day of _____, 2020 between Tyrone Township, a Michigan Municipal Corporation (hereinafter referred to as the “Township”), whose offices are located at 10408 Center Road, Fenton, Michigan 48430, and Cloverleaf Development, Inc., a Michigan Corporation (hereinafter referred to as the “Developer”), whose offices are located at 7335 Old US 23, Fenton, Michigan 48430.

RECITALS

WHEREAS: The parties entered into a PUD Agreement dated June 10, 2003 which was recorded on June 12, 2003 in Liber 3967, page 0632 in the Livingston County Register of Deeds; and

WHEREAS: The parties entered into a First Amendment to the PUD Agreement dated November 28, 2006 which was recorded on December 21, 2007 in the Livingston County Register of Deeds in document number 2007R-040580; and

WHEREAS: The parties entered into a Second Amendment to the PUD Agreement dated October 27, 2011 and recorded on November 16, 2011 in the Livingston County Register of Deeds in document number 2011R-02448.

NOW THEREFORE: The parties agree that the First Amendment to PUD Agreement is hereby amended as follows:

1. Paragraph 2a of the First Amendment of the PUD Agreement dated November 28, 2006 is hereby amended and replaced by the following:

2a. The operations of The Fenton Trading Post, Inc. may continue as a permitted use on Parcel ‘F’.

All remaining provisions of the PUD Agreement dated June 10, 2003; First Amendment to the PUD Agreement dated November 28, 2006; and the Second

Amendment to the PUD Agreement dated October 11, 2011 not affected by this Third Amendment shall remain in full force and effect.

WHEREFORE, the parties hereto, have set their hands and seals on this ____ day of _____, 2020

Tyrone Township

BY:
Its:

BY:
Its:

Cloverleaf Development, Inc.

BY: Ron Gordon
Its: President

STATE OF MICHIGAN)
)SS
COUNTY OF LIVINGSTON)

On the ____ day of _____, 2020, Tyrone Township, a Michigan Municipal Corporation by: _____, _____ and _____, _____, appeared before me, signed, acknowledged, and delivered the above agreement.

Notary Public, Livingston County,
My Commission Expires:

STATE OF MICHIGAN)
)SS
COUNTY OF LIVINGSTON)

On the ____ day of _____, 2020, Cloverleaf Development, Inc., a Michigan Corporation by: Ron Gordon, its President appeared before me, signed, acknowledged, and delivered the above agreement.

Notary Public, Livingston County,
My Commission Expires:

Drafted by and After Recording, Return to:
David T. Bittner
Barley & Bittner, P.C.
Attorney at Law
710 E. Grand River
Howell, Michigan 48843
517-546-7363

NEW BUSINESS #3

**Request to support the County Designated
Assessor Bid Proposal.**

Edward K. VanderVries

V&V Assessing LLC
2910 Business One Drive
Kalamazoo MI 49048
(269) 720-1928

EDUCATION:

Michigan Master Assessing Officer - MMAO (IV) June 2012. Certified Personal Property Examiner.
Associates Degree from Kalamazoo Valley Community College May 2006.
Graduated from Portage Central High School in 1981. Completed 4 years at Western Michigan University, College of Business.

EXPERIENCE:

Assessment & Consulting Services 1996 to Present – DBA Edward K. VanderVries.

I provide contract assessment & consulting services. I am under contract to provide assessment services to the City of Albion, City of Marshall & City of Portage. Also, the Townships of Moran, Sheridan, Holton, Laketon, & Union. I serve the City of Zeeland & Niles (Power Plant Properties Only). I utilize personally trained and supervised personnel and provide certified assessors where required. I also consult with local units with large scale industrial properties. I provided assessment consultation to the City of Luna Pier for their decommissioned Coal Plant and Grayling Township for their new Particle Board Plant in 2018. I have provided taxpayer support and assessment consultation for Lakeshore Condominium properties both as membership shareholders and providing accurate assessment allocation for member share expense allocation and new construction taxable valuation additions. I assist with various property tax appeals and have been designated as an expert in the assessing field for Tax Tribunal matters.

Equalization Director – 6-2012 to 12-2017 – Van Buren County

Director of Land Services 7-2003 to 7-2016 – Van Buren County

Director Planning & Economic Development – 7-2005 to 7-2016

Supervisor for the preparation of state mandated reports such as the Equalization Report, Interim Report, Headlee Report, and Analysis for Equalized Valuation Report. Prepares all sales and appraisal studies by reviewing information for all assessing units within the County. Gathers data from various documents submitted by the townships and cities to compute and compile the annual Equalization Report. Performs real property appraisals as assigned. Performs audit verification for personal property accounts and participates in the appraisal of all types of personal property subject to the General Property Tax Law for equalization purposes. Makes determination of value for ad valorem personal property assessment and equalization purposes, including statement verification and checking utilities. Oversees the Planning and Land Management staff responsible for name and address information and parcel identification and GIS mapping. Staff Rep to the Van Buren County Brownfield Redevelopment Authority and the Economic Development Corporation.

Instructor 2011 to Present – Michigan Assessors Association & State Tax Commission (STC)

Instructor for the State Tax Commission - The Equalization Process semester as part of the STC MAAO 1 year program 2012 - 2017. Also, I taught this class with Laurie Spencer as a continuing education class offered by the MAA at their 2011, 2012, & 2013 schools.

Property Appraiser III 11-2001 to 7-2003 – City of Portage

Responsible for all residential appraisals, new construction, board of review & tribunal appeals. I prepared and updated warrant for City Treasurer throughout the year. I assisted Deputy Assessor with commercial and industrial appraisals, new construction, and board of review & tribunal appeals. I supervise and train level II appraisers with fieldwork and computer entry. I performed all land division approvals for the city and performed all land splits throughout the year. Prepared DDA and TIFA recapture reports annually for the finance director.

Assessor/Zoning Administrator 12-2000 to 11-2001 – Caledonia Township

Assessor/Zoning Administrator/Code Enforcement Officer: Responsible for all assessment duties and placing updated information into computer. I prepared all state, county and local reports required by the STC. I reviewed all zoning issues, logged complaints, did site inspections, sent warnings and citations as well as represented the township in all court matters. I was the staff representative to the Zoning Board of Appeals.

Assessor 6-1996 to 12-2000 - Ted Gruizinga, Inc.

Responsible for 3 Units of Government, Caledonia Township, Charleston Township, and the City of Galesburg. Updating assessment cards and placing updated information into computer programs (SAMS or Equalizer). I prepared all state, county and local reports required by the STC.

(This was a sub-contractor position)

Owner 1989 to 2003 PC Training & Maintenance.

I taught and performed network installations. I employed additional teachers and taught for Davenport University. I personally installed many of the computer networks in Allegan, Kalamazoo, and Van Buren Counties along with the introduction of BS&A assessment software.

REFERENCES:

References are available upon request. All past and current units of government noted may be contacted.

Interlocal Agreement for Livingston County to Approve the Designated Assessor for the period January 1, 2021 through December 31, 2025

Public Act 660 of 2018 requires a county to have a Designated Assessor on file with the State Tax Commission as of December 31, 2020. Accordingly, the following interlocal agreement (hereinafter "AGREEMENT") has been executed by the Board of Commissioners for Livingston County, a majority of the Assessing Districts in Livingston County, and the individual put forth as the proposed Designated Assessor. Livingston County and the Assessing Districts are collectively referred to throughout this AGREEMENT as the "Parties."

RECITALS

WHEREAS, The Assessing Districts are Municipal Corporations located within the County of Livingston, in the State of Michigan;

WHEREAS, The Michigan Constitution of 1963, Article 7, Section 28 permits a political subdivision to exercise jointly with any other political subdivision any power, privilege or authority which such political subdivisions share in common with each other and which each might exercise separately;

WHEREAS, The Urban Cooperation Act of 1967, being MCL 124.505 *et seq*, and the Intergovernmental Transfer of Functions and Responsibilities Act, give effect to the Constitutional provision by providing that public agencies may enter into interlocal agreements to carry out their respective functions, powers and authority;

WHEREAS, P.A. 660 of 2018 requires each County to enter into an AGREEMENT that designates the individual who will serve as the County's Designated Assessor. That interlocal agreement must be approved by the County Board and a majority of the Assessing Districts in the County.

WHEREAS, P.A. 660 of 2018 mandates that the Designated Assessor shall be an advanced assessing officer or a master assessing officer.

NOW, THEREFORE, based on the foregoing Recitals, and in consideration of the terms of this Agreement, the Members agree as follows:

BACKGROUND INFORMATION

Livingston County proposes that Edward K. VanderVries (R-7530) serve as the Designated Assessor for the following Assessing Districts within Livingston County: Townships of Conway, Cohoctah, Deerfield, Tyrone, Handy, Howell, Oceola, Hartland, Iosco, Marion, Genoa, Brighton, Unadilla, Putnam, Hamburg, & Green Oak. The Cities of Howell, Brighton, & Fenton. Included as an addendum to this AGREEMENT are the Livingston County SEV totals by unit, and a listing of the total number of parcels, by classification, within each Assessing District.

Once the Designated Assessor process is invoked, the Parties agree that the Designated Assessor will perform the duties associated with being the assessor of record for an Assessing District at a mutually agreeable location. The Parties further agree that specific hours will be negotiated as part of the employment contract to be executed in the event an Assessing District is subject to the Designated Assessor process.

QUALIFICATIONS OF DESIGNATED ASSESSOR

1. Edward K. VanderVries is currently certified as a Michigan Master Assessing Officer (MAAO). Certification number R-7530. Edward K. VanderVries is currently an owner of V&V Assessing LLC.
2. Mr. VanderVries has been the assessor of record for many complex assessing jurisdictions and currently serves in that role for the Cities of Portage, Marshall, & Hart. He also serves in that role for the Townships of Union, Sheridan, Moran, Holton, & Laketon. Mr. VanderVries is also the Equalization Director for Oceana County.
3. There are no known conflicts of interest between the Designated Assessor and Livingston County or any Assessing Districts within the County.

It is understood that the individual identified as the Designated Assessor in this AGREEMENT will, during the length of this agreement, maintain their assessor certification in good standing with the State Tax Commission and when required to serve as the Designated Assessor for an Assessing District in Livingston County shall act as the Assessor of Record for that Assessing District. When acting as the Assessor of Record for an Assessing District, the Designated Assessor shall meet all the requirements as set forth by the State Tax Commission's *Supervising Preparation of the Assessment Roll* approved by the State Tax Commission August 21, 2018.

Any additional requirements that are agreed to by the Designated Assessor, the County and the Assessing Districts may not conflict with the State Tax Commission's *Supervising Preparation of the Rolls*.

DUTIES AND RESPONSIBILITIES OF DESIGNATED ASSESSOR

The Designated Assessor, while serving as the assessor of record for an Assessing District within Livingston County shall satisfy all requirements contained State Tax Commission's *Supervising Preparation of the Assessment Roll* approved by the State Tax Commission August 21, 2018.

Within days of being appointed as the Designated Assessor for an Assessing District, the Designated Assessor shall prepare and transmit to the Assessing District's supervisor, manager, or chief executive a detailed proposal, including a schedule for delivery of documents, to correct deficiencies identified by the State Tax Commission's audit.

The Parties agree that the Designated Assessor, while serving as the assessor of record for an Assessing District within Livingston County, shall:

1. Attendance at Board of Review Meetings

The Designated Assessor, or his designee, shall attend all March, July, and December Board of Review meetings. It is agreed that if an Assessing District does not have an existing resolution allowing for alternative dates for July and December Boards of Review, they will adopt one.

2. Duties and Responsibilities related to Assessment Appeals

The Designated Assessor, or his designee, shall defend all appeals to the Small Claims Division of the Michigan Tax Tribunal. This shall include, but not be limited to, answering and filing petitions, preparing and submitting evidence and other such information necessary to properly defend such appeal, and he or his designee appearing at all hearings or meetings as may be necessary for defending such appeals. All of the foregoing regarding appeals to the small claims division of the Michigan Tax Tribunal is deemed to be included the services compensated pursuant to the terms and provisions of this agreement.

All other appeals to the Full Claims Division of the Michigan Tax Tribunal, State Tax Commission, or other court, the Assessing District shall obtain competent legal counsel at its expense. If counsel shall desire assistance of the Designated Assessor in the defense of such appeals, additional fees for preparing appraisals, analyses, and/or consultation, shall be reviewed and approved by the Assessing District and agreed upon in a case-by-case basis. The Designated Assessor shall be available to the Assessing District as an expert witness on behalf of the Assessing District in any proceedings. Compensation for travel associated with such proceedings shall be reimbursed by Assessing District.

3. Reporting Requirements and responsibility to meet with local unit officials

On or before December 31 of each year, at the Assessing Districts request, the Designated Assessor shall prepare written recommendations and conclusions regarding the current state of the Assessing Districts Assessment Rolls, by class, together with specific recommendations concerning actions which, in the opinion of the Designated Assessor, should be taken to achieve maximum equity and uniformity in the assessment process and compliance with State Tax Commission guidelines and rules and regulations.

4. Any and all obligations of local unit assessing staff members

If an Assessing Unit employs any certified assessing staff other than the Assessor of Record, those staff members will remain employees of the Assessing District. Those staff members will continue to conduct their duties as they understand them under the supervision of the Designated Assessor. If changes in duties are identified as necessary by the Designated Assessor, those changes will be discussed with the employee and the Assessing District prior to implementation. No existing staff member will be terminated by the Designated Assessor without the prior approval of the Assessing District.

5. Responsibilities of Designated Assessor while not acting as an assessor of record for an Assessing District under this agreement

The Designated Assessor will have no official duties of record pertaining to this agreement until such time as he is appointed the Designated Assessor of Record for an Assessing District under this agreement. Upon their request, the Designated Assessor will meet with an Assessing District to discuss potential solutions of any deficiencies identified by AMAR to avoid any formal action by the State Tax Commission.

6. Requirement to remain certified and in good standing

The Designated Assessor shall maintain his Michigan Master Assessing Officer certification and remain in good standing with the requirements of the State Tax Commission.

7. Non-exclusivity

Nothing in this Agreement prevents or limits the Designated Assessor from serving as the Designated Assessor, Certifying Assessor, Assessor of Record, Equalization Director, or in any other assessing capacity in any City, Township, County, or Assessing District jurisdiction in Michigan.

**DUTIES AND RESPONSIBILITIES OF LIVINGSTON COUNTY AND
ASSESSING DISTRICTS WITHIN LIVINGSTON COUNTY**

The Parties to this AGREEMENT understand and agree that the Assessing Districts identified in this AGREEMENT required to utilize the services of the Designated Assessor will, during and throughout the term of this AGREEMENT, to the following:

1. Access to required documents and information

While under contract with the Designated Assessor, the Assessing District shall provide reasonable access to all assessing records, documents, databases, and information. This shall include remote access to the Assessing District's computer and network resources if available.

2. Policies and procedures

Furnish the Designated Assessor with any applicable local policies and procedures that the Designated Assessor may be subject to during the period of time the Designated Assessor serves as the Assessing District's assessor of record including technology, equipment, facilities, personnel, etc. that may apply to him or his designee.

3. Provide any technology, equipment, and workspace

The Assessing District shall provide necessary technology, equipment, and workspace for the Designated Assessor to carry out their requirements under this Agreement.

DESIGNATED ASSESSOR COMPENSATION

The Designated Assessor may charge an Assessing District that is required to contract with the Designated Assessor and that Assessing District shall pay, for the reasonable costs incurred by the Designated Assessor in serving as the Assessing District's Assessor of Record, including, but not limited to, the costs of overseeing and administering the annual assessment, preparing and defending the assessment roll, and operating the assessing office.

1. Fee Structure

Should the Designated Assessor process be invoked, the annual fees for providing oversight, preparation and administration of the annual assessment roll will be based on a per parcel basis with the following fee schedule:

Agricultural Real	\$16.00 per parcel
Commercial Real	\$18.00 per parcel
Industrial Real	\$18.00 per Parcel
Residential Real	\$16.00 per parcel
Other Real	\$16.00 per parcel
Personal Property	\$15.00 per parcel
Special Act Parcels	\$20.00 per parcel

Should the necessity of a re-appraisal be necessary to bring an Assessment District into AMAR compliance the per parcel fee for such service, for real property, is \$80.00 per parcel.

Hourly fee schedule for personnel are as follows:

MMAO Assessor	\$175.00 per Hour
MAAO Assessor	\$100.00 per Hour
MCAO Assessor	\$60.00 per Hour
Support Staff	\$45.00 per Hour

the fees above are for services performed by the Designated Assessor in 2021 and are subject to a 4% increase for subsequent years under this contract.

2. Payment Responsibility

All fees associated with serving as the Designated Assessor shall be paid directly by the Assessing District under contract within 30 days of invoicing.

3. Payment in the event of Death or Disability

In the event of Death or Disability of the Designated Assessor, only compensation for work performed and completed shall be made.

4. Identification of additional Costs

The following items are considered additional costs outside of overseeing and administering the annual assessment, preparing and defending the assessment roll, and operating the assessing office:

- Setting up Tax Database for Tax Collection
- Printing or mailing of Tax Bills
- Printing or mailing of Assessment Change Notices, or Personal Property forms
- Appraisal work for Full Tribunal Appeals
- Expert Testimony

These additional costs shall be the responsibility of the Assessing District.

5. Contractor Relationship

All services provided by the Designated Assessor while under contract with the Assessing District will be further agreed to by contract with the Designated Assessor's company V&V Assessing LLC. V&V Assessing LLC will provide for general liability, workers' comp, professional errors and omissions insurance upon a mutually agreed amount indemnifying the Assessing District. The Designated Assessor is an employee of V&V Assessing LLC and any and all resources of V&V Assessing LLC provided to the Assessing District under this agreement would be further specified by contract subject to the fees and terms specified above.

6. Current V&V Assessing LLC Clients

The need to invoke the Designated Assessor is only necessary if an Assessing District is in substantial non-compliance with AMAR and a corrective action plan is not accepted or approved upon a follow up review. Should these events somehow occur with an existing client of V&V Assessing LLC, at the time of the execution of this agreement, V&V Assessing LLC would waive all costs associated with this agreement.

MISCELLANEOUS

1. Petition to State Tax Commission

Upon the execution of this Interlocal Agreement, the County shall petition the State Tax Commission to approve Edward K. VanderVries MMAO as the County Designated Assessor. The individual shall serve as the County Designated Assessor upon approval of the State Tax Commission. If the State Tax Commission rejects the County's petition, then the parties agree to enter into additional Interlocal agreements under MCL 211.10g(4)(a) until a suitable assessor is presented.

2. Nondiscrimination

The Parties shall adhere to all Federal, State, and local laws, ordinances and regulations prohibiting discrimination in the performance of this Interlocal Agreement. The Parties shall not discriminate against a person to be served or applicant for employment because of race, color, religion, national origin, age, sex, disability that is unrelated to a individual's ability to perform the duties of a particular job or position, height, weight, or marital status. Breach of this section shall be regarded as a material breach of this interlocal agreement.

This interlocal agreement shall become effective upon the execution hereof by the parties hereto.

Addendum 1

L-4411

2020

DATE 10/1/2020

LIVINGSTON COUNTY BOARD OF COMMISSIONERS

PAGE 1 OF 2

REPORT OF TOTAL REAL AND PERSONAL PROPERTY VALUATIONS

(as prepared by IRS)

LIVINGSTON COUNTY EQUALIZATION DEPARTMENT

ASSESSMENT JURISDICTION	REAL PROP. VALUATIONS		PERS. PROP. VALUATIONS		COMBD PROP. VALUATIONS	
	ASSESSED	EQUALIZED	ASSESSED	EQUALIZED	ASSESSED	EQUALIZED
TOWNSHIPS:						
CONWAY	175,752,410	175,752,410	4,542,220	4,542,220	180,294,630	180,294,630
COHOCATAH	181,135,200	181,135,200	7,149,300	7,149,300	188,284,500	188,284,500
DEERFIELD	278,509,100	278,509,100	2,214,500	2,214,500	280,723,600	280,723,600
TYRONE	542,428,300	542,428,300	21,229,700	21,229,700	563,658,000	563,658,000
HANDY	378,454,180	378,454,180	22,322,400	22,322,400	400,776,580	400,776,580
HOWELL	448,724,000	448,724,000	50,027,400	50,027,400	498,751,400	498,751,400
COCEOLA	781,041,800	781,041,800	47,515,100	47,515,100	828,556,900	828,556,900
HARTLAND	908,877,300	908,877,300	42,632,000	42,632,000	951,509,300	951,509,300
IOSSCO	126,846,600	126,846,600	28,322,020	28,322,020	155,168,620	155,168,620
MARION	881,558,100	881,558,100	32,422,800	32,422,800	913,980,900	913,980,900
GENDA	1,492,009,968	1,492,009,968	64,517,600	64,517,600	1,556,527,568	1,556,527,568
BRIGHTON	1,360,976,800	1,360,976,800	37,573,500	37,573,500	1,398,550,300	1,398,550,300
UNADILLA	181,759,980	181,759,980	7,210,000	7,210,000	188,969,980	188,969,980
PUTNAM	472,422,560	472,422,560	31,575,320	31,575,320	504,000,880	504,000,880
HAMBURG	1,387,575,420	1,387,575,420	25,125,680	25,125,680	1,412,701,100	1,412,701,100
GREEN OAK	<u>1,341,824,320</u>	<u>1,341,824,320</u>	<u>25,092,900</u>	<u>25,092,900</u>	<u>1,366,917,220</u>	<u>1,366,917,220</u>
TOTAL TOWNS:	10,868,558,318	10,868,558,318	521,629,430	521,629,430	11,390,187,748	11,390,187,748
CITIES:						
HOWELL	417,758,400	417,758,400	20,520,800	20,520,800	438,279,200	438,279,200
BRIGHTON	621,658,100	621,658,100	30,622,200	30,622,200	652,280,300	652,280,300
FENTON	0	0	0	0	0	0
TOTAL CITIES:	1,039,416,500	1,039,416,500	51,143,000	51,143,000	1,090,559,500	1,090,559,500
TOTAL COUNTY:	11,907,974,818	11,907,974,818	572,772,430	572,772,430	12,480,747,248	12,480,747,248

Addendum 2

L-4411

2020

DATE 10/1/2020

LIVINGSTON COUNTY BOARD OF COMMISSIONERS

PAGE: 3 OF 9

REPORT OF PARCEL COUNT BY CLASS

as prepared by the

LIVINGSTON COUNTY EQUALIZATION DEPARTMENT

ASSESSMENT JURISDICTION	AGR	COM	IND	RES	DEV	EXE	TOTAL REAL	TOTAL PERG.	TOTAL REAL & PERG.
<u>TOWNSHIPS:</u>									
CONWAY	292	2	3	1,531	0	0	1,834	27	1,861
COHOCTAH	102	24	18	1,871	0	0	1,982	70	1,975
DEERFIELD	222	7	42	1,992	0	0	2,163	62	2,216
TYRONE	22	42	38	4,190	10	0	4,317	76	4,393
HANDY	202	224	72	3,027	0	0	3,226	332	3,558
HOWELL	102	162	72	3,280	0	0	3,614	508	3,952
OCEOLA	111	63	12	5,573	0	0	5,759	148	6,006
HARTLAND	21	252	28	5,437	10	0	6,008	282	6,171
IOSCO	252	7	4	1,789	0	0	2,050	46	2,096
MARION	93	48	11	5,225	0	0	5,377	140	6,017
GENOA	50	373	34	7,876	0	0	8,199	753	8,943
BRIGHTON	1	427	22	7,727	0	0	8,227	905	9,133
UNADILLA	144	41	4	1,854	0	0	2,143	81	2,224
PUTNAM	74	134	12	3,785	0	0	4,014	220	4,234
HAMBURG	9	122	27	10,002	0	0	10,230	255	10,485
GREEN OAK	<u>2</u>	<u>253</u>	<u>144</u>	<u>7,557</u>	<u>0</u>	<u>0</u>	<u>7,982</u>	<u>212</u>	<u>8,677</u>
TOTAL TWP:	1,871	2,209	622	72,381	20	0	77,110	4,862	81,672
<u>CITIES:</u>									
HOWELL	0	364	31	2,695	0	0	3,088	513	3,601
BRIGHTON	0	283	54	3,923	0	130	3,800	818	4,316
FENTON	0	0	0	0	0	1	1	0	1
TOTAL CITIES:	0	647	85	6,618	0	131	6,889	1,331	7,020
COUNTY TOTAL:	1,871	2,856	714	78,997	20	131	83,999	5,893	89,592

Current State Equalized Values in the County by class, including special act values. Total number of parcels in the County by classification including special act roll within each Assessing District.

(A.)Real Property, SEV, as of 2020 March BOR:

<u>Property Class</u>	<u>SEV</u>	<u>Number of Parcels</u>
Property Class	SEV	Number of Parcels
Agricultural Real	\$264,144,350	1,871 Parcels
Commercial Real	\$1,222,573,290	2,866 Parcels
Industrial Real	\$338,197,690	714 Parcels
Residential Real	\$10,042,217,988	78,089 Parcels
Timber-Cutover	\$0	0 Parcels
Developmental	\$8,864,500	20 Parcels

(B.)Personal Property, as of 2020 March BOR

<u>Property Class</u>	<u>SEV</u>	<u>Number of Parcels</u>
Agricultural Personal	\$0	0 Parcels
Commercial Personal	\$137,133,365	5452 Parcels
Industrial Personal	\$39,391,730	272 Parcels
Residential Personal	\$0	0 Parcels
Utility Personal	\$396,617,335	169 Parcels

(C.)Equivalent State Equalized Value of Special Acts as of 2020 March BOR

Industrial Facilities Exemptions	
Exemptions (Act 198 of 1974)	\$38,829,120
DNR	\$15,320,799

List of unique, complex or high value properties within the County:

General Motors Proving Grounds, Brighton Township

Thal Summit, Howell City

SIGNATURES

LIVINGSTON COUNTY BOARD CHAIR:

_____ Date

ASSESSING DISTRICT REPRESENTATIVES:

CONWAY TOWNSHIP

_____ CONWAY TOWNSHIP REPRESENTATIVE

_____ Date

COHOCTAH TOWNSHIP

_____ COHOCTAH TOWNSHIP REPRESENTATIVE

_____ Date

DEERFIELD TOWNSHIP

_____ DEERFIELD TOWNSHIP REPRESENTATIVE

_____ Date

TYRONE TOWNSHIP

_____ TYRONE TOWNSHIP REPRESENTATIVE

_____ Date

HANDY TOWNSHIP

_____ HANDY TOWNSHIP REPRESENTATIVE

_____ Date

HOWELL TOWNSHIP

HOWELL TOWNSHIP REPRESENTATIVE

Date

OCEOLA TOWNSHIP

OCEOLA TOWNSHIP REPRESENTATIVE

Date

HARTLAND TOWNSHIP

HARTLAND TOWNSHIP REPRESENTATIVE

Date

IOSCO TOWNSHIP

IOSCO TOWNSHIP REPRESENTATIVE

Date

MARION TOWNSHIP

MARION TOWNSHIP REPRESENTATIVE

Date

GENOA TOWNSHIP

GENOA TOWNSHIP REPRESENTATIVE

Date

BRIGHTON TOWNSHIP

BRIGHTON TOWNSHIP REPRESENTATIVE

Date

UNADILLA TOWNSHIP

UNADILLA TOWNSHIP REPRESENTATIVE

Date

PUTNAM TOWNSHIP

PUTNAM TOWNSHIP REPRESENTATIVE

Date

HAMBURG TOWNSHIP

HAMBURG TOWNSHIP REPRESENTATIVE

Date

GREEN OAK TOWNSHIP

GREEN OAK TOWNSHIP REPRESENTATIVE

Date

HOWELL CITY

HOWELL CITY REPRESENTATIVE

Date

BRIGHTON CITY

BRIGHTON CITY REPRESENTATIVE

Date

FENTON CITY

FENTON CITY REPRESENTATIVE

Date

DESIGNATED COUNTY ASSESSOR

EDWARD K. VANDERVRIES, MMAO

Date

Act No. 660
Public Acts of 2018
Approved by the Governor
December 28, 2018
Filed with the Secretary of State
December 28, 2018
EFFECTIVE DATE: December 28, 2018

**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2018**

Introduced by Rep. Lower

ENROLLED HOUSE BILL No. 6049

AN ACT to amend 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” by amending sections 10d, 10e, and 28 (MCL 211.10d, 211.10e, and 211.28), section 10d as amended by 1984 PA 19, section 10e as added by 1986 PA 223, and section 28 as amended by 2006 PA 143, and by adding section 10g.

The People of the State of Michigan enact:

Sec. 10d. (1) The annual assessment of property shall be made by an assessor who has been certified as qualified by the state tax commission as having successfully completed training in a school of assessment practices or by the passage of a test approved by the state tax commission and conducted by the state tax commission or an agency approved by the state tax commission that will enable the individual to properly discharge the functions of the office. The school shall be established by an approved educational institution in conjunction with the state tax commission and be supervised by the state tax commission and its agents and employees. The state tax commission may determine that a director of a county tax or equalization department or an assessor who has not received the training possesses the necessary qualifications for performing the functions of the office by the passage of an approved examination.

(2) The state tax commission may also grant a conditional 6-month certification to a newly elected assessing officer or an assessing officer appointed to fill an unexpired term if all of the following criteria are met:

(a) The newly elected or appointed assessing officer applies for certification and pays the required filing fee.

(b) The governing body of the assessing district requests the state tax commission to conditionally certify the newly elected or appointed assessing officer.

(c) The newly elected or appointed assessing officer or the governing body of the assessing district submits a statement outlining the course of training he or she plans to pursue.

(d) The period of time for which the conditional certification is requested does not exceed 6 months after the date that he or she assumes office.

(3) Conditional certification under subsection (2) shall not be granted for any assessing district more than once in 4 years.

(4) Conditional certification under subsection (2) shall only be granted to a newly elected or appointed assessing officer in an assessing district that does not exceed a total state equalized valuation of \$125,000,000.00.

(5) Upon presentation of evidence of the successful completion of the qualifications, the assessor shall be certified as qualified by the state tax commission.

(6) An assessing district that does not have an assessor qualified by certification of the state tax commission may employ an assessor so qualified. If an assessing district does not have an assessor qualified by certification of the state tax commission, and has not employed a certified assessor, the assessment shall be made by the county tax or equalization department or the state tax commission and the cost of preparing the rolls shall be charged to the assessing district.

(7) Every lawful assessment roll shall have a certificate attached signed by the certified assessor who prepared or supervised the preparation of the roll. A village that is located in more than 1 assessing district may, in a form and manner prescribed by the state tax commission, request state tax commission approval that the assessment of property within the village be combined with the assessment of property in 1 of those assessing districts. A certificate attached to an assessment roll pursuant to this subsection shall be in the form prescribed by the state tax commission. If after completing the assessment roll the certified assessor for the assessing district dies or otherwise becomes incapable of certifying the assessment roll, the director of the county tax or equalization department or the state tax commission shall certify the completed assessment roll at no cost to the assessing district.

(8) The assessing district shall assume the cost of training, if a certification is awarded, to the extent of course fees and recognized travel expenditures.

(9) An assessor who certifies an assessment roll over which he or she did not have direct supervision is guilty of a misdemeanor.

(10) The state tax commission shall promulgate rules for the issuance or revocation of certification.

(11) The director of a county tax or equalization department required by section 34 of this act shall be certified by the state tax commission at the level determined to be necessary by the state tax commission before being appointed by the county board of commissioners pursuant to section 34 or before performing or, after March 29, 1985, continuing to perform, the functions of the director of a county tax or equalization department. The state tax commission may grant a conditional extension of 12 months to an individual who is serving as the director of a county tax or equalization department on March 29, 1985 if all of the following conditions are satisfied:

(a) At the time of applying for certification the individual is currently certified at not less than 1 level below the level required by the state tax commission for that county.

(b) The individual applies for certification and pays the required fee.

(c) The county board of commissioners requests the state tax commission to grant the extension.

(d) The individual submits a statement to the state tax commission outlining the course of study he or she intends to pursue to obtain certification.

(12) The state tax commission may grant an additional 6-month extension to the conditional extension described in subsection (11) if the extension is requested by the county board of commissioners and the applicant demonstrates satisfactory progress in the course of study outlined to the state tax commission under subsection (11). In a county in which a vacancy has been created in the position of director of a county tax or equalization department and in which the position was previously filled by an individual certified at the level required by the state tax commission pursuant to this subsection, an individual certified at 1 level below the level required by the state tax commission pursuant to this subsection may serve in the position for 12 months after the vacancy has been created.

Sec. 10e. All assessing officials whose duty it is to assess real or personal property on which real or personal property taxes are levied by any taxing unit of the state shall use only the official assessor's manual or a manual approved by the state tax commission consistent with the official assessor's manual, with their latest supplements, as prepared or approved by the state tax commission as a guide in preparing assessments. Beginning with the tax

assessing year 1978, all assessing officials shall maintain records relevant to the assessments, including appraisal record cards, personal property records, historical assessment data, tax maps, and, through calendar year 2018, land value maps, consistent with standards set forth in the assessor's manual published by the state tax commission.

Sec. 10g. (1) Pursuant to subsection (2), on and after December 31, 2021, the state tax commission shall audit the assessing districts in this state to determine if they do all of the following:

(a) Employ or contract with an assessor of record that oversees and administers an annual assessment of all property liable to taxation in the assessing district, as provided in section 10, in accordance with the constitution and laws of this state. For an assessing district that amends its corrective action plan pursuant to subsection (3)(c), its assessor of record must be an advanced assessing officer or a master assessing officer.

(b) Use a computer-assisted mass appraisal system that is approved by the state tax commission as having sufficient software capabilities to meet the requirements of this act and to store and back up necessary data.

(c) Subject to state tax commission guidelines, have and follow a published policy under which its assessor's office is reasonably accessible to taxpayers. A policy under this subdivision must include, at a minimum, the items in subparagraphs (i) to (iv) and should include the item in subparagraph (v) as follows:

(i) A designation, by name, telephone number, and electronic mail address, of at least 1 official or employee in the assessor's office to whom taxpayer inquiries may be submitted directly by telephone or electronic mail.

(ii) An estimated response time for taxpayer inquiries submitted under subparagraph (i), not to exceed 7 business days.

(iii) Information about how a taxpayer may arrange a meeting with an official or employee of the assessor's office for purposes of discussing an inquiry in person.

(iv) Information about how requests for inspection or production of records maintained by the assessor's office should be made by a taxpayer and how those requests will be handled by the assessor's office.

(v) Information about any process that the assessor's office may have to informally hear and resolve disputes brought by taxpayers before the March meeting of the board of review.

(d) If a city or township building within the assessing district is in an area with broadband internet access, provide taxpayers online access to information regarding its assessment services, including, but not limited to, parcel information, land value studies and documentation, and economic condition factors. As used in this subdivision, "area with broadband internet access" means an area determined by the connect Michigan broadband service industry survey to be served by fixed terrestrial service with advertised speeds of at least 25 megabits per second downstream and 3 megabits per second upstream in the most recent survey available.

(e) Include the contact information described in subdivision (c)(i) in notices to taxpayers concerning assessment changes and exemption determinations, including, but not limited to, notices issued under section 24c.

(f) Ensure that its support staff is sufficiently trained to respond to taxpayer inquiries, require that its assessors maintain their certification levels, and require that its board of review members receive board of review training and updates required and approved by the state tax commission.

(g) Comply with section 44(4) with respect to any property tax administration fee collected under section 44.

(h) Have all of the following:

(i) Properly developed and documented land values.

(ii) An assessment database for which not more than 1% of parcels are in override.

(iii) Properly developed and documented economic condition factors.

(iv) An annual personal property canvass and sufficient personal property records according to developed policy and statutory requirements.

(v) A board of review that operates in accordance with this act.

(vi) An adequate process for determining whether to grant or deny exemptions according to statutory requirements.

(vii) An adequate process for meeting the requirements outlined in the state tax commission's publication entitled, "Supervising Preparation of the Assessment Roll", as those requirements existed on October 1, 2018.

(i) Comply with any other requirement that the state tax commission lawfully promulgates under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, in the exercise of its authority under this act that expressly states that it is intended as an additional requirement under this subsection.

(2) The state tax commission shall develop and implement an audit program to determine whether an assessing district is in substantial compliance with the requirements in subsection (1). If, after December 31, 2021, the state tax commission determines that an assessing district is not in substantial compliance with the requirements in subsection (1), the state tax commission may initiate the process described in subsection (3) to ensure that the assessing district achieves and maintains substantial compliance with those requirements.

(3) The state tax commission shall develop and implement a process to ensure that all assessing districts in the state achieve and maintain substantial compliance with the requirements in subsection (1). At a minimum, that process shall include all of the following actions and procedures:

(a) If the state tax commission determines that an assessing district is not in substantial compliance with the requirements in subsection (1) and elects to initiate the process described in this subsection, the commission shall provide the assessing district with a notice of noncompliance setting forth the reasons the assessing district is not in substantial compliance with the requirements in subsection (1) and requesting that the assessing district develop a corrective action plan approved by its governing body to address those deficiencies. Except as otherwise provided in subdivision (g), an assessing district shall file a corrective action plan requested under this subdivision with the state tax commission within 60 days after receipt of the notice of noncompliance. The state tax commission shall approve a corrective action plan filed under this subdivision or request changes to the plan within 60 days after filing.

(b) No earlier than May 1 and no later than September 1 of the calendar year immediately following the year of the notice described in subdivision (a), or, in the case of a corrective action plan approved by the state tax commission that extends beyond 1 year, no earlier than May 1 and no later than September 1 of the calendar year that is the second calendar year following the year of the notice described in subdivision (a), the state tax commission shall conduct an initial follow-up review with the assessing district and, within 90 days following that review, provide the district with an evaluation of its progress in implementing its corrective action plan and a notice of substantial compliance or noncompliance with the requirements in subsection (1).

(c) Except as otherwise provided in subdivisions (g) and (i), an assessing district that has received a notice of noncompliance as part of an initial follow-up review under subdivision (b) shall elect to either contract with the designated assessor for the county to serve as the district's assessor of record or amend its corrective action plan with the approval of the state tax commission to provide that the assessing district will employ or contract with a new assessor of record, who shall be an advanced assessing officer or a master assessing officer, to achieve and maintain substantial compliance with the requirements in subsection (1).

(d) If an assessing district amends its corrective action plan pursuant to subdivision (c), no earlier than May 1 and no later than September 1 of the following calendar year, the state tax commission shall conduct a second follow-up review with the assessing district and, within 90 days following that review, provide the district with an evaluation of its progress in implementing its corrective action plan and a notice of substantial compliance or noncompliance with the requirements in subsection (1).

(e) If the state tax commission, pursuant to subdivision (b) or (d), provides an assessing district a notice of substantial compliance with the requirements in subsection (1), no further follow-up reviews are required under this subsection.

(f) Except as otherwise provided in subdivision (g), if the state tax commission provides an assessing district a notice of noncompliance pursuant to a second follow-up review under subdivision (d) or notifies an assessing district that it has fallen out of substantial compliance less than 5 calendar years after the calendar year a notice of substantial compliance was issued under this subsection, the state tax commission may require the assessing district to contract with the designated assessor for the county to serve as the district's assessor of record. If the state tax commission notifies an assessing district that it has fallen out of substantial compliance with the requirements in subsection (1) more than 4 calendar years after the calendar year a notice of substantial compliance was issued, that notice of noncompliance shall be treated as an initial determination of noncompliance under this subsection.

(g) Within 30 days after receiving a notice of noncompliance under subdivisions (a), (b), (d), or (f), an assessing district may file a written petition with the state tax commission challenging the determination. The state tax commission shall arbitrate the dispute based on the documented facts supporting the notice of noncompliance and the information contained in the written petition and may request additional information as needed from the assessing district. If a petition is properly filed under this subdivision, the requirements applicable to an assessing district under subdivisions (a), (c), (e), and (f) do not apply until the state tax commission notifies the assessing district of the results of the arbitration. With respect to the corrective action plan filing requirement in subdivision (a), the 60-day window for filing the plan will run from the date of this notice.

(h) Unless earlier times are agreed to by the state tax commission and the designated assessor, an assessing district that is under contract with a designated assessor under this subsection may petition the state tax commission no sooner than 3 years after commencement of the contract to end its contract with the designated assessor and may subsequently terminate the contract, subject to state tax commission approval, no sooner than 5 years after commencement of the contract. The state tax commission shall approve termination of a contract under this subdivision if it determines that the assessing district can achieve and maintain substantial compliance with the requirements in subsection (1) using a different assessor of record.

(i) Notwithstanding any other provision of this subsection, the state tax commission may immediately require an assessing district to contract with the designated assessor for the county to serve as the district's assessor of record if after the expiration of 90 days following a second notice of noncompliance under subdivision (b) or the issuance of a notice of arbitration results under subdivision (g), whichever is later, the assessing district has not either contracted

with the designated assessor for the county or employed or contracted with a new assessor of record pursuant to subdivision (c) or if both of the following apply:

(i) The assessing district has failed to file an acceptable corrective action plan with the state tax commission under subdivision (a) within 180 days following an initial notice of noncompliance under subdivision (a) or has failed to make a good-faith effort to implement a corrective action plan approved by the state tax commission under subdivision (a) within 240 days following an initial notice of noncompliance under subdivision (a).

(ii) The failure is likely to result in assumption of the assessing district's assessment roll.

(j) A designated assessor may charge an assessing district that is required to contract with the designated assessor under this subsection, and that assessing district shall pay, for the reasonable costs incurred by the designated assessor in serving as the assessing district's assessor of record, including, but not limited to, the costs of overseeing and administering the annual assessment, preparing and defending the assessment roll, and operating the assessing office. The state tax commission shall develop guidelines, which, at a minimum, shall provide for the ability of an assessing district to protest a charge to the state tax commission and the ability of the state tax commission to resolve disputes between the designated assessor and the assessing district regarding costs and charges.

(k) A designated assessor is a local assessing unit for purposes of the provisions in section 44 concerning the division and use of any collected property tax administration fees.

(4) Beginning December 31, 2020, every county shall have a designated assessor on file with the state tax commission, subject to all of the following:

(a) Subject to subdivision (d), to designate an assessor as a designated assessor, a county shall provide the state tax commission with an interlocal agreement that designates an individual who will serve as the county's designated assessor and shall petition the state tax commission to approve of the individual as the designated assessor for that county. The interlocal agreement must be executed by the board of commissioners for that county, a majority of the assessing districts in that county, and the individual put forth as the proposed designated assessor. For purposes of this subdivision and subsection (5)(d), an assessing district is considered to be in the county where all of, or in the case of an assessing district that has state equalized value in multiple counties, the largest share of, that assessing district's state equalized value is located.

(b) Except as otherwise provided in subdivision (d), if the state tax commission determines that an individual named in a petition submitted under subdivision (a) is capable of ensuring that contracting assessing districts achieve and maintain substantial compliance with the requirements in subsection (1), it shall approve the petition.

(c) Except as otherwise provided in subdivision (d), if the state tax commission determines that an individual named in a petition submitted under subdivision (a) is not capable of ensuring that contracting assessing districts achieve and maintain substantial compliance with the requirements in subsection (1), it shall reject the petition and request the submission of additional interlocal agreements under subdivision (a) until a suitable assessor has been presented.

(d) Except as otherwise provided in subdivision (e), an approved designated assessor designation shall not be revoked and no new designation shall be made under subdivision (a) earlier than 5 years following the date of the approved designation.

(e) The state tax commission may designate and approve, on an interim basis and pursuant to a formal agreement, an individual to serve as a county's designated assessor and, if applicable, revoke the approved designation of the current designated assessor under the following circumstances and subject to the following time limit:

(i) If the designated assessor dies or becomes incapacitated.

(ii) If the designated assessor was designated and approved based on his or her employment status and that status materially changes.

(iii) If it determines at any time that the designated assessor is not capable of ensuring that contracting assessing districts achieve and maintain substantial compliance with the requirements in subsection (1).

(iv) If, as of December 31, 2020, it has not been provided an interlocal agreement, executed as provided in subdivision (a), that presents a suitable individual to serve as the county's designated assessor.

(v) An approved designation under this subdivision is effective only until a new assessor has been designated and approved under subdivisions (a) to (c).

(5) As used in this section:

(a) "Advanced assessing officer" means an individual certified by the state tax commission pursuant to section 10d as a Michigan Advanced Assessing Officer(3) or, if the state tax commission changes its certification designations, an individual certified by the state tax commission to perform functions equivalent in scope, as determined by the state tax commission, to those that previously could have been performed by a Michigan Advanced Assessing Officer(3).

(b) "Assessing district" means a city, township, or joint assessing authority.

(c) "Corrective action plan" means a plan developed by an assessing district that specifically indicates how the assessing district will achieve substantial compliance with the requirements in subsection (1) and when substantial compliance will be achieved.

(d) "Designated assessor" means an individual designated and approved, as provided in subsection (4), to serve a county as the assessor of record for the assessing districts in that county that are required to contract with a designated assessor pursuant to the process specified in subsection (3).

(e) "Master assessing officer" means an individual certified by the state tax commission pursuant to section 10d as a Michigan Master Assessing Officer(4) or, if the state tax commission changes its certification designations, an individual certified by the state tax commission to perform functions equivalent in scope, as determined by the state tax commission, to those that previously could have been performed by a Michigan Master Assessing Officer(4).

(f) "Noncompliance" means that the identified deficiencies, taken together, pose a significant risk that the assessing district is unable to perform the assessing function in conformity with the state constitution and state statute. It is the opposite of substantial compliance and shall be determined based on a holistic evaluation of compliance with the requirements in subsection (1), taking into account the anticipated overall impact of the deficiencies on the assessing district's ability to perform the assessment function. A finding of noncompliance shall not be based on isolated technical deficiencies.

(g) "Substantial compliance" means that any identified deficiencies do not pose a significant risk that the assessing district is unable to perform the assessment function in conformity with the state constitution and state statute. It is the opposite of noncompliance.

(6) Not later than 2 years after the effective date of the amendatory act that added this section, the state tax commission shall adopt and publish guidelines to implement this section. The guidelines shall include, at a minimum, minimum standards and model policies to be followed for substantial compliance with the requirements of subsection (1) and shall identify those deficiencies that may lead to a finding of noncompliance and those deficiencies that are technical. The state tax commission may update the guidelines as needed to implement this section.

Sec. 28. (1) The township board shall appoint those electors of the township who will constitute a board of review for the township. At least 2/3 of the members must be property taxpayers of the township. Members appointed to the board of review shall serve for terms of 2 years beginning at noon on January 1 of each odd-numbered year. Each member of the board of review shall qualify by taking the constitutional oath of office within 10 days after appointment. The township board may fill any vacancy that occurs in the membership of the board of review. A member of the township board is not eligible to serve on the board or to fill any vacancy. A spouse, mother, father, sister, brother, son, or daughter, including an adopted child, of the assessor is not eligible to serve on the board or to fill any vacancy. A majority of the board of review constitutes a quorum for the transaction of business, but a lesser number may adjourn and a majority vote of those present will decide all questions. At least 2 members of a 3-member board of review shall be present to conduct any business or hearings of the board of review.

(2) The township board may appoint 3, 6, or 9 electors of the township, who will constitute a board of review for the township. If 6 or 9 members are appointed as provided in this subsection, the membership of the board of review must be divided into board of review committees consisting of 3 members each for the purpose of hearing and deciding issues protested pursuant to section 30. Two of the 3 members of a board of review committee constitute a quorum for the transaction of the business of the committee. All meetings of the members of the board of review and committees must be held during the same hours of the same day and at the same location.

(3) A township board may appoint not more than 2 alternate members for the same term as regular members of the board of review. Each alternate member must be a property taxpayer of the township. Alternate members shall qualify by taking the constitutional oath of office within 10 days after appointment. The township board may fill any vacancy that occurs in the alternate membership of the board of review. A member of the township board is not eligible to serve as an alternate member or to fill any vacancy. A spouse, mother, father, sister, brother, son, or daughter, including an adopted child, of the assessor is not eligible to serve as an alternate member or to fill any vacancy. An alternate member may be called to perform the duties of a regular member of the board of review in the absence of a regular member. An alternate member may also be called to perform the duties of a regular member of the board of review for the purpose of reaching a decision in issues protested in which a regular member has abstained for reasons of conflict of interest.

(4) The size, composition, and manner of appointment of the board of review of a city may be prescribed by the charter of a city. In the absence of or in place of a charter provision, the governing body of the city, by ordinance, may establish the city board of review in the same manner and for the same purposes as provided by this section for townships.

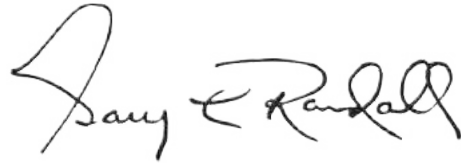
(5) A majority of the entire board of review membership shall indorse the assessment roll as provided in section 30. The duties and responsibilities of the board contained in section 29 shall be carried out by the entire membership of the board of review and a majority of the membership constitutes a quorum for those purposes.

(6) The governing bodies of 2 or more contiguous cities or townships may, by agreement, appoint a single board of review to serve as the board of review for each of those cities or townships for purposes of this act. The provisions in

subsections (1) to (5) should serve as a guide in determining the size, composition, and manner of appointment of a board of review appointed under this subsection.

Enacting section 1. It is the intent of the legislature to appropriate sufficient money to address start-up and training costs associated with this amendatory act, including, but not limited to, necessary costs incurred to train board of review members, increase the number of assessors qualified to serve as assessors of record, facilitate initial designated assessor designations, respond to assessor requests for technical assistance, enhance staff and programming within the state tax commission to improve technical support for assessors of record, and transition some assessment services to designated assessors.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor

NEW BUSINESS #4

Sewer REU Transfer Policy.

The holders of REU'S that have been allocated in respect to specific real property may transfer REU'S subject to the following:

1. Sale or Transfer of Property – Active REU'S. (a) In the event of a sale or transfer of property that has an Active REU, that REU assignment associated with the specific real property shall transfer upon recordation of a Deed conveying title to the real property. No transfer of an REU, once activated, shall be permitted except upon transfer of title to the property for which the REU is assigned.
2. Sale or Transfer of Inactive REU'S.
 - (a) In the event of a sale or transfer of property that has an Inactive REU, that REU assignment associated with the specific real property shall transfer upon recordation of a Deed conveying title to the real property.
 - (b) Any request for transfer of an Inactive REU which is not associated with a conveyance of real property but, rather, represents a request by the holder of the REU allocation to transfer from one property owned by the holder to another property whether owned by the same owner or a third party shall be subject to review and decision by the Township Board of Trustees after consideration of the following factors:
 - i. The unused capacity of the sewer system. It is the preference of the Township to issue additional REU's rather than permitting the transfer of inactive REU's from one property to another.
 - ii. The relationship between the transferring parcel and the receiving parcel. A transfer from a parent parcel to a resulting parcel upon division is reviewed more favorably than a transfer to an unrelated parcels.
 - iii. The benefit to the Township and the sewer district from a transfer of the inactive REU from one parcel to another;
 - iv. Any undue hardship that would result from the inability to transfer an inactive REU.
 - v. Any other factor that the Township finds relevant to the specific request for transfer.

NEW BUSINESS #5

**Revision to the Emergency Response Cost
Recovery Ordinance No. 24.**

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

(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 assessed, added to the total unpaid balance, and collected in the same manner as assessable costs.

(b) If a responsible party appeals an assessment of costs, and that assessment is upheld in whole or in part, the cost upheld shall be due and payable within thirty (30) days from the date of determination of the appeal and late payment fee shall thereafter apply as provided in subsection (a) of this section.

(c) If a responsible party fails to pay the assessment of costs when due as provided in subsection (a) and (b) of this section, then, in addition to the late fee assessment provided for in subsection (a) of this section, the responsible party shall also reimburse the township for all collection costs incurred by the township in collecting assessable costs and late fees including fees charged by third-party debt-collection firms.

(d) The township may proceed by action in any court of competent jurisdiction to collect any assessable costs, late fees and collection costs due and owing under the provisions of this Ordinance, shall have all remedies provided by law in connection with the collection of same and shall be entitled to recover court costs and reasonable attorney fees incurred in that action.