

**TYRONE TOWNSHIP
PUBLIC HEARING & REGULAR BOARD MEETING
APPROVED MINUTES – FEBRUARY 5, 2019**

CALL TO ORDER

Supervisor Cunningham called the meeting of the Tyrone Township Board to order with the Pledge of Allegiance on February 5, 2019 at 7:00 p.m. at the Tyrone Township Hall.

ROLL CALL

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

PUBLIC HEARING

The purpose of the public hearing was to hear any objections to the proposed project and to the petitions filed by Township property owners with respect to the proposed Irish Hills Subdivision Road Improvement project. Supervisor Cunningham opened the public hearing at 7:00 pm. Brian Coles questioned the board regarding the process and the scope of work. Mr. Campanella was opposed to the project because he thought the township was responsible years ago when the developer didn't finish the road due to bankruptcy. The public hearing closed at 7:16 p.m.

APPROVAL OF AGENDA – OR CHANGES

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

The modification was to add New Business #9 Hartland Senior Center's request for allocated funds.

APPROVAL OF CONSENT AGENDA

**Regular Board Meeting Minutes – January 15, 2019
Treasurer's Report
Clerk's Warrants and Bills**

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

COMMUNICATIONS

- 1. Macklin mechanical agreement to add old town hall.**
- 2. Fire Run Report- December 31, 2018**

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

PUBLIC REMARKS

Supervisor Cunningham, Spicer Engineer Phil Westmoreland, and Dykema Gossett Bond Attorney Jim Kiefer explained the special assessment process for road improvement projects.

UNFINISHED BUSINESS

None.

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NEW BUSINESS

- 1. Resolution (4) #190201 to approve the petitions, project, cost estimates, special assessment district and to prepare the special assessment roll for the Laurel Springs Road Improvement Project.**

RESOLUTION #190201
TYRONE TOWNSHIP, LIVINGSTON COUNTY

Resolution #4 – Laurel Springs Subdivision Road Improvement Project (2019)

RESOLUTION APPROVING PETITIONS, PROJECT, COST ESTIMATES,
SPECIAL ASSESSMENT DISTRICT
AND CAUSING THE SPECIAL ASSESSMENT ROLL TO BE PREPARED

WHEREAS, the Township Board of Trustees (the “Township Board”) has received petitions from property owners in the Township (the “Petitions”) for certain road improvements to be made in the Laurel Springs Subdivision area of the Township;

WHEREAS, the Township Board has determined to proceed with the Laurel Springs Subdivision area road improvements, as described in Exhibit A (the “Project”);

WHEREAS, preliminary plans and cost estimates for the Project have been filed with the Township Clerk;

WHEREAS, the Township Board has tentatively determined to finance the cost of the Project by issuing bonds (the “Bonds”), in accordance with Act No. 188, Michigan Public Acts of 1954, as amended (“Act 188”);

WHEREAS, the Township Board has tentatively determined to use Special Assessments levied under Act 188 to raise the funds to pay the Township’s obligations on the Bonds;

WHEREAS, the Township Board held a public hearing on the Project, the Petitions that have been submitted to the Township Board requesting the Project, and the proposed special assessment district (the “Special Assessment District”) for the Project on January 15, 2019;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. In accordance with Act 188, and the laws of the State of Michigan, the Township Board approves the completion of the Project and approves the plans and cost estimates for the Project, which are on file with the Township Clerk and which are identified as “Plans and Cost Estimates for the Laurel Springs Subdivision Road Improvement Project (2019).”
2. The Township Board determines that the petitions for the Project submitted to the Township Board were sufficient to satisfy the requirements under Act No. 188 for initiating an improvement project.

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3. The Township Board determines that the Special Assessment District for the Project shall consist of the parcels identified in Exhibit B. The term of the Special Assessment District shall be through 2038.

4. The Township Supervisor is directed to prepare a proposed Special Assessment Roll for the Special Assessment District identified in Exhibit B. The Special Assessment Roll shall describe all the parcels of land to be assessed with the names of the respective record owners of each parcel, if known, and the total amount to be assessed against each parcel of land. When the Township Supervisor completes the Special Assessment Roll, he shall affix his certificate to the roll, which certificate shall be substantially in the form of Exhibit C to this resolution.

RESOLVED BY: Trustee Walker
SUPPORTED BY: Trustee Schultz

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

ADOPTION DATE: February 5, 2019

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on February 5, 2019, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



Marcella Husted
Township Clerk

Exhibit A
Description of Project

The Project will consist of crushing and shaping existing asphalt in certain roadways and placing a new hot mix asphalt of approximately three and one-half inches on the roadways. The roadways on which the improvements are proposed to be made consist of the following roads in and around the Laurel Springs Subdivision: Laurel Springs Boulevard, Overlook Drive and Dentonview Drive.

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Exhibit B

Description of the Special Assessment District

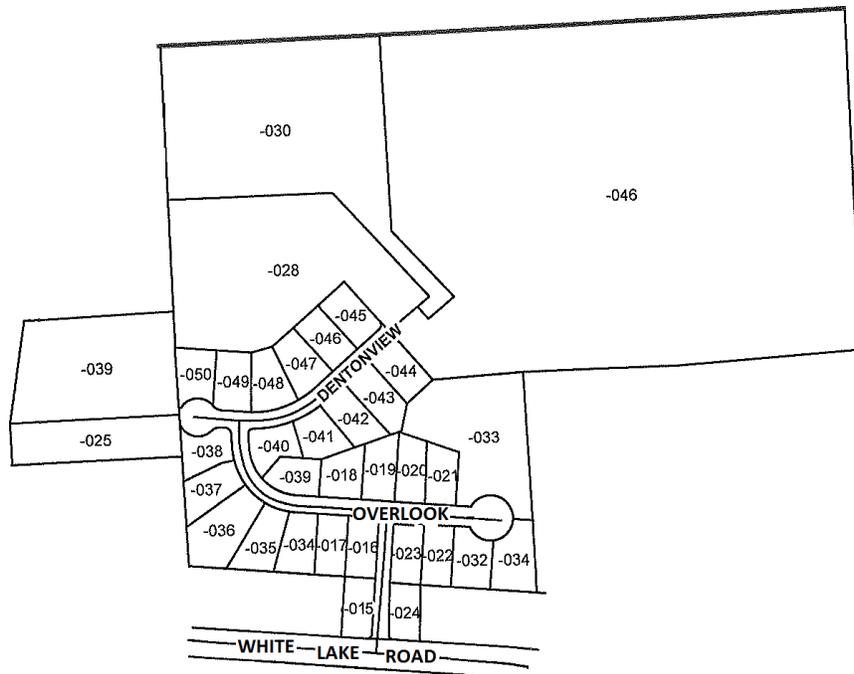
TYRONE TOWNSHIP

LAUREL SPRINGS SUBDIVISION ROAD IMPROVEMENT PROJECT (2019)
SPECIAL ASSESSMENT DISTRICT

The Laurel Springs Subdivision Road Improvement Project (2019) Special Assessment District (the “Special Assessment District”) has been formed to specially assess the properties benefited from the Project. The project (the “Project”) will consist of crushing and shaping existing asphalt in certain roadways and placing a new hot mix asphalt of approximately three and one-half inches on the roadways. The roadways on which the improvements are proposed to be made consist of the following roads in and around the Laurel Springs Subdivision: Laurel Springs Boulevard, Overlook Drive and Dentonview Drive. The Project is designed to serve the properties in the Special Assessment District (the “District”), which District consists of the properties located within the area designated on the map attached as Appendix 1 and includes the specific properties that are identified by the permanent lot and parcel numbers set forth in Appendix 2.

Appendix 1

Map of Special Assessment District



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Appendix 2

List of Permanent Lot and Parcel Numbers
in the Special Assessment District

4704-11-100-025	4704-11-101-016	4704-11-101-034	4704-11-101-043
4704-11-100-028	4704-11-101-017	4704-11-101-035	4704-11-101-044
4704-11-100-030	4704-11-101-018	4704-11-101-036	4704-11-101-045
4704-11-100-032	4704-11-101-019	4704-11-101-037	4704-11-101-046
4704-11-100-033	4704-11-101-020	4704-11-101-038	4704-11-101-047
4704-11-100-034	4704-11-101-021	4704-11-101-039	4704-11-101-048
4704-11-100-039	4704-11-101-022	4704-11-101-040	4704-11-101-049
4704-11-100-046	4704-11-101-023	4704-11-101-041	4704-11-101-050
4704-11-101-015	4704-11-101-024	4704-11-101-042	

Exhibit C

Certificate

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

Dated: February __, 2019

Township Supervisor

- 2. Resolution (5) #190202 to acknowledge the filing of the special assessment roll, to schedule and issue statutory notice of a public hearing for the Laurel Springs Road Improvement Project.**

RESOLUTION #190202
TYRONE TOWNSHIP, LIVINGSTON COUNTY

Resolution #5 – Laurel Springs Subdivision Road Improvement Project (2019)

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

**TYRONE TOWNSHIP
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WHEREAS, the Township Board of Trustees (the “Township Board”) has received petitions from property owners in the Township (the “Petitions”) for certain road improvements to be made in the Laurel Springs Subdivision area of the Township;

WHEREAS, the Township Board has determined to proceed with the Laurel Springs Subdivision area road improvements, as described in Exhibit A (the “Project”);

WHEREAS, the Township Board has tentatively determined to finance the cost of the Project by issuing bonds (the “Bonds”), in accordance with Act No. 188, Michigan Public Acts of 1954, as amended (“Act 188”);

WHEREAS, the Township Board has tentatively determined to use Special Assessments levied under Act 188 to raise the funds to pay the Township’s obligations on the Bonds;

WHEREAS, the plans and cost estimates for the Project have been filed with the Township Clerk;

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

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Township Board acknowledges that the Township Supervisor has filed the Proposed Roll with the Township Clerk.
2. The Township Board acknowledges that the Supervisor has certified that (a) the Proposed Roll was prepared in accordance with the Township Board’s direction, and (b) the Proposed Roll was prepared in accordance with the laws of the State of Michigan.
3. In accordance with Act 188, Michigan Public Acts of 1954, as amended, and the laws of the State of Michigan, there shall be a public hearing on the Proposed Roll.
4. A public hearing shall be held on March 5, 2019, at 7:00 p.m., at the offices of Tyrone Township, Livingston County, Michigan.
5. The Township Clerk is directed to mail, by first class mail, a notice of the public hearing to each owner of or party in interest in property to be assessed, whose name appears upon the last Township tax assessment records. The last Township tax assessment records means the last assessment roll for ad valorem tax purposes which has been reviewed by the Township Board of Review, as supplemented by any subsequent changes in the names or addresses of such owners or parties listed thereon. The notice to be mailed by the Township Clerk shall be similar to the notice attached as Exhibit B and shall be mailed by first class mail on or before February 8, 2019. Following the mailing of the notices, the Township Clerk shall complete an affidavit of mailing similar to the affidavit set forth in Exhibit C.

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6. The Township Clerk is directed to publish a notice of the public hearing in the Tri-County Times, a newspaper of general circulation within the Township. The notice shall be published twice, once on or before February 10, 2019, and once on or before February 24, 2019. The notice shall be in form substantially similar to the notice attached in Exhibit B.

RESOLVED BY: Trustee Walker
SUPPORTED BY: Trustee Schultz

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

ADOPTION DATE: February 5, 2019

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on February 5, 2019, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



Marcella Husted
Township Clerk

Exhibit A

Description of Project

The Project will consist of crushing and shaping existing asphalt in certain roadways and placing a new hot mix asphalt of approximately three and one-half inches on the roadways. The roadways on which the improvements are proposed to be made consist of the following roads in and around the Laurel Springs Subdivision: Laurel Springs Boulevard, Overlook Drive and Dentonview Drive.

Exhibit B

Form of Notice of Public Hearing
for the Tyrone Township
Laurel Springs Subdivision Road Improvement Project (2019)
Special Assessment Roll

**TYRONE TOWNSHIP
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Tyrone Township
Livingston County, Michigan

NOTICE OF PUBLIC HEARING Upon
Special Assessment Roll for the TYRONE TOWNSHIP Laurel Springs Subdivision ROAD
IMPROVEMENT PROJECT (2019)
SPECIAL ASSESSMENT DISTRICT

NOTICE IS HEREBY GIVEN:

(1) The Township Board of Tyrone Township, Livingston County, Michigan (the “Township”), in accordance with the laws of the State of Michigan, has determined to levy special assessments against lands in the TYRONE TOWNSHIP Laurel Springs Subdivision ROAD IMPROVEMENT PROJECT (2019) SPECIAL ASSESSMENT DISTRICT (the “District”) that will benefit from the construction of road improvements in the District. The District consists of the properties located within the area designated on the map attached as Appendix 1 and includes the specific properties that are identified by the permanent lot and parcel numbers set forth in Appendix 2.

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

(3) The Township Board will conduct a public hearing beginning at 7:00 p.m., local time, on March 5, 2019, at the Tyrone Township Offices, 10408 Center Road, Fenton, Michigan to explain and answer questions pertaining to the Roll and to hear objections to the Roll. Any person objecting to the Roll must file his or her objections before the close of the public hearing or within such additional time (if any) as the Township Board may grant.

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

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

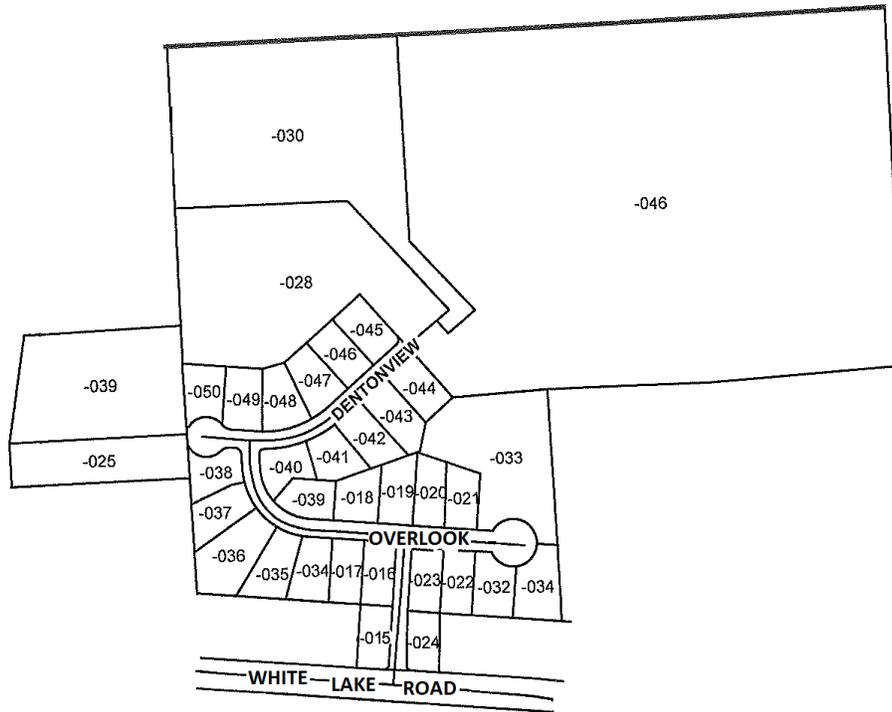
Dated: February __, 2019

Marcella Husted
Tyrone Township Clerk

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Appendix 1

Map of Special Assessment District



Appendix 2

List of Permanent Lot and Parcel Numbers
in the Special Assessment District

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4704-11-100-028	4704-11-101-017	4704-11-101-035	4704-11-101-044
4704-11-100-030	4704-11-101-018	4704-11-101-036	4704-11-101-045
4704-11-100-032	4704-11-101-019	4704-11-101-037	4704-11-101-046
4704-11-100-033	4704-11-101-020	4704-11-101-038	4704-11-101-047
4704-11-100-034	4704-11-101-021	4704-11-101-039	4704-11-101-048
4704-11-100-039	4704-11-101-022	4704-11-101-040	4704-11-101-049
4704-11-100-046	4704-11-101-023	4704-11-101-041	4704-11-101-050
4704-11-101-015	4704-11-101-024	4704-11-101-042	

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Exhibit C

Affidavit of Mailing

STATE OF MICHIGAN)
)
COUNTY OF LIVINGSTON)

Marcella Husted, being first duly sworn, deposes and says that she personally prepared for mailing, and did on February __, 2019, send by first-class mail, the notice of hearing, a true copy of which is attached hereto, to each record owner of or party in interest in all property to be assessed for the improvement described therein, as shown on the last local tax assessment records of the Township of Tyrone; that she personally compared the address on each envelope against the list of property owners as shown on the current tax assessment rolls of the Township; that each envelope contained therein such notice and was securely sealed with postage fully prepaid for first-class mail delivery and plainly addressed; and that she personally placed all of such envelopes in a United States Post Office receptacle on the above date.

Marcella Husted
Tyrone Township Clerk

Subscribed and sworn to before me
on _____.

Notary Public

Livingston County, Michigan
Acting in Livingston County

My commission expires: _____

3. Meeting date resolution #190203.

RESOLUTION #190203
TYRONE TOWNSHIP, LIVINGSTON COUNTY

2019-2020 MEETING DATES

WHERE AS, the State of Michigan has enacted the Open Meetings Act which requires the specific designation of the dates, times, and places of all regular meetings of the Tyrone Township Board;

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WHERE AS, it is the desire of the Tyrone Township Board to conduct all of its business in an open forum in compliance with said Act;

THEREFORE, BE IT RESOLVED THAT the Tyrone Township BOARD will hold regular meetings beginning at 7:00 p.m., at the Tyrone Township Hall, 10408 Center Road, the first and third Tuesday evenings of each month unless changed due to conflicts with holidays or elections. In the fiscal year, April 1, 2019 to March 31, 2020 the meetings will be held on the following dates:

April 2 & 16, 2019	October 1 & 15, 2019
May 7 & 21, 2019	November 5 & 19, 2019
June 4 & 18, 2019	December 3, 2019*
June 19, 2019*	December 17, 2019
July 2 & 16, 2019	January 7 & 21, 2020
August 6 & 20, 2019	February 4 & 18, 2020
September 3 & 17, 2019	March 3 & 31, 2020

** Board and Planning Commission joint meetings start at 6:00 pm.*

BE IT FURTHER RESOLVED THAT the Tyrone Township PLANNING COMMISSION meetings will be held on the second Tuesday evenings of each month beginning at 7:00 p.m., and workshops the third Wednesday of each month at 6:00 pm. at the Tyrone Township Hall, 10408 Center Road, unless changed due to conflicts with holidays or elections. In the fiscal year, April 1, 2019 to March 31, 2020, the meetings and workshops will be held on the following dates:

April 9 & 17, 2019	October 8 & 16, 2019
May 14 & 22, 2019	November 12, 2019
June 11, 2019	December 3, 2019*
June 19, 2019*	December 10 & 18, 2019
July 9 & 17, 2019	January 14 & 22, 2020
August 13 & 21, 2019	February 11 & 19, 2020
September 10 & 18, 2019	March 17 & 25, 2020

** Board and Planning Commission joint meetings start at 6:00 pm.*

BE IT FURTHER RESOLVED THAT the Tyrone Township ZONING BOARD OF APPEALS meetings will be held on the second Monday evening of each month upon request beginning at 7:00 p.m., at the Tyrone Township Hall, 10408 Center Road, unless changed due to conflicts with holidays or elections. Sometimes the agenda length may determine the need for two meetings to be held during the month. In the fiscal year, April 1, 2019 to March 31, 2020, the meetings may be held on the following dates:

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April 8, 2019
May 13, 2019
June 10, 2019
July 8, 2019
August 12, 2019
September 9, 2019

October 14, 2019
November 11, 2019
December 9, 2019
January 13, 2020
February 10, 2020
March 23, 2020

RESOLVED BY: Trustee Walker
SUPPORTED BY: Trustee Schultz

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

ADOPTION DATE: February 5, 2019

CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on February 5, 2019, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



Marcella Husted
Township Clerk

4. Lake Tyrone Improvement Board's request for reimbursement of Enbridge Grant funds.

Trustee Walker moved to release the Enbridge Grant funds to the Lake Tyrone Improvement Board. (Trustee Schultz seconded.) The motion carried; all ayes.

5. Discussion of township-wide garbage service.

The board discussed the results from a 2013 survey that indicated 55% of the residents wanted township-wide garbage and recycling service. The board decided to let residents decide on a future ballot and the Supervisor will work on ballot language.

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6. Preliminary budget for 2019-2020 fiscal year.

The board discussed the preliminary budget for the 2019-2020 fiscal year.

7. Resolution #190204 to collect 2019 summer tax.

RESOLUTION #190204
TYRONE TOWNSHIP, LIVINGSTON COUNTY

TO AUTHORIZE NEGOTIATING FOR
SUMMER TAX COLLECTION WITH SCHOOLS

WHEREAS, Act 333, Public Acts of Michigan, 1982, provides that townships may negotiate the collection of summer property taxes upon request of the local school districts; and

WHEREAS, in previous years school districts within the boundaries of Tyrone Township have requested one-half or all of the tax levy;

WHEREAS, school districts within the boundaries of Tyrone Township have indicated they will request one-half or all of the 2019 tax levy, including debt services; and

WHEREAS, the 2019 summer property tax collection shall not be an additional expense to Tyrone Township;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The negotiations for the collection of the 2019 summer school tax, as certified by school districts within Tyrone Township, are authorized.
2. The Supervisor, Mike Cunningham, and Treasurer, Jennifer Eden, are authorized and directed to negotiate on behalf of Tyrone Township.
3. These taxes will be levied commencing July 1, 2019.
4. Should an agreement not be determined to cover reasonable expenses, Tyrone Township will not be responsible for the collection of the above tax.

RESOLVED BY: Trustee Pool
SUPPORTED BY: Trustee Walker

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

ADOPTION DATE: February 5, 2019

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CERTIFICATION OF THE CLERK

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting, held on February 5, 2019, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



Marcella Husted
Tyrone Township Clerk

8. Request for the Treasurer to attend the MMTA Institute.

Trustee Walker moved to reject the request of the Treasurer to attend the MMTA Institute, due to budget constraints. (Trustee Pool seconded.) The motion carried; all ayes. The Treasurer will apply for a scholarship.

9. Hartland Senior Center's request for allocated funds.

Trustee Schultz moved to contribute the allocated amount of \$4,400 to the Hartland Senior Center. (Trustee Pool seconded.) The motion carried; all ayes.

PUBLIC REMARKS

None.

MISCELLANEOUS BUSINESS

1. Closed session to discuss real estate purchase.

RESOLUTION #190205
TYRONE TOWNSHIP, LIVINGSTON COUNTY

CLOSED SESSION

Supervisor Cunningham resolved to convene in closed session to discuss a real estate acquisition. (Trustee Pool seconded.)

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

The board convened in closed session at 7:57 p.m.

* * * * * Closed Session Minutes * * * * *

The board reconvened in open session at 8:23 p.m.

ADJOURNMENT

Trustee Walker moved to adjourn. (Trustee Pool seconded.) The motion carried; all ayes. The meeting adjourned at 8:23 p.m.