

**TYRONE TOWNSHIP  
REGULAR BOARD MEETING  
APPROVED MINUTES – MARCH 30, 2021**

**CALL TO ORDER**

Supervisor Cunningham called the meeting of the Tyrone Township Board to order with the Pledge of Allegiance on March 30, 2021 at 7:00 p.m. electronically via Zoom per Covid-19 restrictions.

**ROLL CALL**

Present: Supervisor Mike Cunningham, Treasurer Jennifer Eden, Clerk Marcella Husted, Trustees Kurt Schulze, Herman Ferguson, David Walker, and Zach Tucker.

**APPROVAL OF AGENDA – OR CHANGES**

Trustee Walker moved to approve the agenda as amended. (Trustee Tucker seconded.) The motion carried; all ayes. The following items were as added to the agenda:

- Added Public Remarks related to agenda items only, following Communications;
- Added New Business #6a to request the board adopt a resolution to extend the Supervisor's state of emergency declaration;
- Added New Business #6b to adopt temporary Open Meetings Act procedures;
- Added New Business #10 Whittaker Road improvement quote.

**APPROVAL OF CONSENT AGENDA**

- Regular Meeting Minutes – March 2, 2021**
- Treasurer's Report**
- Clerk's Warrants and Bills**

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

**COMMUNICATIONS**

- 1. Livingston County Sheriff Report – February 28, 2021**
- 2. Planning Commission Approved Meeting Minutes – November 10, 2020**
- 3. Planning Commission Approved Meeting Minutes – December 8, 2020**
- 4. Planning Commission Meeting Synopsis – March 9, 2021**
- 5. Fire Service Report- February 28, 2021**

Trustee Schulze moved to receive and place on file Communications #1-5 as presented. (Trustee Walker seconded.) The motion carried; all ayes.

**PUBLIC REMARKS**

Audience members asked general questions about agenda items.

**UNFINISHED BUSINESS**

None.

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**NEW BUSINESS**

**1. Adjust and approve the 2020-2021 budget.**

Trustee Walker moved to approve the 2020-2021 as amended. (Trustee Tucker seconded.) The motion carried; all ayes. The amendments are as follows:

FINAL Budget Amendments by Fund for Fiscal Year 2020/2021

Fund	Department	Account No.	Account Name	Current Budget	Current Balance as of 3/23/21	Amendment
GENERAL FUND	Zoning	101-722.000-704.000	PER DIEM WAGES	\$ 1,995.00	\$ 2,565.00	\$ 2,565.00
GENERAL FUND	Zoning	101-722.000-900.000	PRINTING & PUBLISHING	\$ 1,300.00	\$ 1,542.00	\$ 1,542.00
PUBLIC IMPROVEMENT BLDG & SITE FUND		145-901.000-976.000	CAPITAL OUTLAY, BUILDING ADDITIONS	\$ 80,000.00	\$ 95,569.00	\$ 100,000.00
PUBLIC SAFETY		205-345.000-812.001	FIRE CONTRACTS - FIRE RUNS (FENTON TWP)	93,788.00	87,413.00	\$ 120,000.00
PUBLIC SAFETY		205-345.000-812.003	FIRE CONTRACTS - FIRE RUNS (HARTLAND)	136,057.00	150,465.00	\$ 175,000.00
SHANNON GLEN RUBBISH		225-528.000-926.000	TRASH/RUBBISH REMOVAL	\$ 4,543.00	\$ 4,951.00	\$ 4,951.00
JAYNE HILL RUBBISH		226-528.000-926.000	DUMPSTER/RUBBISH SERVICE	\$ 19,631.00	\$ 21,743.00	\$ 21,744.00
		226-528.000-818.000	LEGAL FEES	\$ -	\$ 198.00	\$ 198.00

**2. General Appropriation Resolution.**

RESOLUTION #210308  
TYRONE TOWNSHIP, LIVINGSTON COUNTY

BUDGET FOR FISCAL YEAR ENDING MARCH 31, 2022

WHEREAS, it is the intention of the Tyrone Township Board to comply with the provisions of Michigan Public Act 621 of 1978, the Uniform budgeting and Accounting Act, as modified to fit the needs of Tyrone Township;

THEREFORE, BE IT RESOLVED THAT the following budgetary policies and procedures for reconciling the 2020-2021 budget and for establishing a 2021-2022 budget, in accordance with said Act, be set forth as follows:

1. The chief administrative officer of the budget shall be the Supervisor.
2. The chief administrative officer or Supervisor shall receive assistance in performance of budgetary responsibilities from the Clerk and from the accountant employed by the Township Board.
3. By November 30, 2021, the Supervisor shall compile the information, as outlined in the Act, for presentation to the chairman or officer of each department, board and commission of Tyrone Township.
4. By December 31, 2021, each department, board and commission shall complete the forms requested by the Supervisor as to their estimates of the amount of money required for each line item in their activity for the ensuing fiscal year.

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Any department, board or commission which generates revenue from the public hearings, land use permits or the sale or rental of services shall estimate anticipated revenue for the ensuing fiscal year.

5. No later than February 1, 2022, the Tyrone Township Board shall meet in special work session to review the requests of each department, board and commission to make recommendations on the content of the proposed fiscal year budget, ensuring that the total of estimated expenditures does not exceed the total estimated revenue and accumulated fund balance.
6. The Supervisor shall compile the recommendations of the Tyrone Township Board into a budget document, all Funds, and shall present the proposed budget to the Tyrone Township Board no later than the first regularly scheduled Board Meeting in March. The Tyrone Township Board shall set time, date, and place for all required public hearings on the proposed budget.
7. No later than the second regularly scheduled Tyrone Township Board Meeting in March, the Board shall pass, by Resolution, a general appropriations measure which spells out the policies and procedures of the Tyrone Township Board regarding compliance with and modifications to P.A. 621 of 1978.
8. The Supervisor shall be required to monitor the expenditures of each department, board and commission to ensure that expenditures do not exceed the budgeted amount, and shall make recommendations to the Tyrone Township Board to amend the budget when such action seems necessary.
9. The Supervisor shall provide quarterly reports of actual revenues and expenditures compared to budgeted amounts, as required by the Act. Quarterly reports shall be provided to the Tyrone Township Board for the first three-quarters; thereafter, the comparison reports shall be required monthly until the end of the fiscal year.
10. The Tyrone Township Clerk has been authorized by board action on September 3, 1991, to obligate the Township in an amount up to \$2,000 without prior approval of the Board, and that the Clerk summarize the items and amounts so warranted and submit the report for approval of the Board at the following meeting as outlined by Resolution #090103 adopted January 20, 2009.
11. The Tyrone Township Clerk has been authorized, in action taken September 3, 1991, to make capital expenditures up to \$400 with authorization by the Board at the next meeting. Capital expenditures over \$400 must have prior Township Board approval.

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FURTHER, BE IT RESOLVED THAT, pursuant to MCL 141.412 notice of a public hearing on the proposed budget was published on February 21, 2021, and a public hearing on the proposed budget was held on March 2, 2021, the Tyrone Township Board adopts the 2021-2022 budget of all funds by revenue and expense, as prepared and presented.

RESOLVED BY: Trustee Walker  
SUPPORTED BY: Treasurer Eden

VOTE: Walker, yes; Schulze, yes; Ferguson, yes; Tucker, yes; Cunningham, yes; Eden, yes; Husted, yes.

ADOPTION DATE: March 30, 2021

**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 March 30, 2021, 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.



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Marcella Husted  
Township Clerk

**3. Request to write off uncollectible fire service charges.**

Trustee Walker moved to write off the uncollectible fire service charges in the amount of \$3,934.00. (Trustee Tucker seconded.) The motion carried; all ayes.

**4. Contract for White Lake Rd. improvement.**

Trustee Walker moved to authorize the contract with the county road commission for the improvements to White Lake Rd. (Treasurer Eden seconded.) The motion carried; all ayes. The estimated cost of the improvement is \$260,000.00 and will be shared between the road commission and the township; the township's cost not to exceed \$130,000.00.

**5. Proposals for an office copier.**

Trustee Ferguson moved to authorize the 5-year lease with Ricoh for two new office copiers. (Trustee Walker seconded.) The motion carried; all ayes.

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**6. State of Emergency declaration to continue electronic meetings.**

Supervisor Cunningham explained that, although the governor’s recent Covid-19 declaration allows in-person meetings as of April 1, 2021, only a maximum of 25 people may be in attendance and they must social-distance. He said the township’s electronic meetings have recently had 60-150 people in attendance and the size of the township meeting room won’t accommodate that number with social-distancing. As the appointed Emergency Management Coordinator, Supervisor Cunningham declared a local “state of emergency,” to allow the township to continue to hold all public meetings electronically:

**Local “State of Emergency” Tyrone Township**

Submission date: March 30, 2021

To: Deputy State Director of Emergency Management and Homeland Security – Emergency Management and Homeland Security Division, Michigan State Police; District 1 Emergency Management and Homeland Security Division Coordinator

Beginning on March 10, 2020 the County of Livingston sustained widespread injury, loss of life, and damaging economic impact caused by the novel coronavirus (COVID-19), a respiratory disease that can result in serious illness or death. As a result of this situation, the following conditions exist: as of March 8, 2021; Livingston County has experienced 9,439 confirmed cases of COVID 19 and 140 confirmed COVID 19 related deaths; Cases are expected to continue through spring of 2021, and Livingston County has received an insufficient amount of vaccine to address all currently eligible groups and vaccinations for the general public may not be available for several months leading into the summer of 2021, per current estimates. Livingston County is currently complying with the MDHHS issued epidemic orders under MCL 333.2253, which grants certain powers to the director of the department to protect public health. These epidemic orders partially replaced the EOs issued by Governor Whitmer to protect public health and safety.

On October 16, 2020 Senate Bill 1108 extended the ability to hold public meetings electronically / virtually through December 31, 2020 and retroactively from March 18, 2020. Further, that between January 1, 2021 and December 31, 2021, public meetings may be held electronically / virtually if there is a statewide or local state of emergency or state of disaster as described in section 3(2).

On December 23, 2020, Michigan Governor Gretchen Whitmer signed into law Senate Bill 1246, extending the authority for public bodies to conduct electronic "virtual" meetings for any reason through March 31, 2021. At this time, there is no amendment to extend Senate Bill 1246 beyond the expiration date of March 31, 2021.

The COVID 19 health crisis is expected to continue through the greater part of 2021. The health, safety, and welfare of Livingston County citizens, employees, directors, and government leadership is of paramount concern. This state of emergency is being declared by Livingston County in order to take action at the local level to protect the afore mentioned groups from the spread of infection, illness, and possible death caused by the COVID 19 virus.

Due to the prolonged nature of this event, this emergency declaration remains in effect until May 31, 2021 or when the board acts to terminate or extend the state of emergency.

Therefore, as Tyrone Township, Supervisor Mike Cunningham in accordance with Section 10 of 1976 PA 390, as amended, I hereby declare that a "state of emergency" exists within our jurisdiction as of March 30, 2021 and that local resources are being utilized to the fullest possible extent. The response and recovery elements of our emergency operations plan have been activated.

Authorized by:

NAME OF CHIEF ELECTED OFFICIAL  
TITLE  
JURISDICTION

Signature: 

**6a. Resolution to extend the Supervisor’s state of emergency declaration.**

**RESOLUTION #210309  
TYRONE TOWNSHIP, LIVINGSTON COUNTY  
DECLARATION OF STATE OF EMERGENCY**

WHEREAS, there are confirmed cases of Coronavirus (Covid-19), a highly contagious virus, within the state of Michigan, Livingston County and Tyrone Township; and,

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WHEREAS, the COVID-19 virus is highly communicable, and has caused fatalities throughout the US and other nations; and

WHEREAS, the Township Supervisor, Michael Cunningham has declared a local state of emergency pursuant to his authority set-forth in The Emergency Management Act, 1976 PA 390;

WHEREAS, the Tyrone Township Board consents to the continuation of the declaration of local state of emergency;

NOW, THEREFORE, BE IT RESOLVED, the Tyrone Township Board of Trustees confirms and extends the Declaration of Local State of Emergency until May 31, 2021.

RESOLVED BY: Trustee Walker

SUPPORTED BY: Trustee Ferguson

VOTE: Ferguson, yes; Eden, yes; Schulze, yes; Cunningham, yes; Tucker, yes; Walker, yes; Husted, yes.

**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 March 30, 2021, 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.



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Marcella Husted  
Township Clerk

**6b. Resolution to Adopt Temporary Open Meetings Act Procedures.**

RESOLUTION #210310  
TYRONE TOWNSHIP, LIVINGSTON COUNTY

TEMPORARY OPEN MEETINGS ACT PROCEDURES

**PURPOSE**

This Resolution is intended to satisfy the Township Board's obligation to have rules of procedure in place to permit remote or electronic meetings by public bodies during the period of time that the Township has a Resolution in place declaring a Local State of Emergency.

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A. Regular, Special, Joint and Executive Meetings

1. Regular Meetings

In the event of a natural or man-made *force majeure* the Township Supervisor may cancel or postpone a scheduled regular meeting.

In accordance with the Resolution #210309 Declaring a Local State of Emergency adopted by the Township Board on March 30, 2021, the Township Board and other public bodies may meet and conduct any of its meetings, in whole or in part, by electronic means using telephonic conferencing or video conferencing until May 31, 2021.

In addition, in accordance with the Open Meetings Act, any Township Board member who is absent because of active military duty or because of a medical condition shall be permitted to participate in any meeting using telephonic conferencing or video conferencing technology. The term “medical condition” means an illness, injury, disability, or other health-related condition, including the quarantine or isolation of a Township Board member to minimize the spread of a contagious disease.

1.1 Electronic Meetings

An electronically-held meeting of the Township Board will be conducted in a manner that permits two-way communication so that members of the Board and other public bodies can hear and be heard by one another, and so that public participants can hear members of the Township Board and be heard by both the Board and other public participants during the audience comment period. The Township may use technology to facilitate typed audience comments submitted by members of the public participating in the electronically-held meeting that shall be read to or shared with members of the Township Board and other participants.

As permitted by the OMA, a physical place is not required for an electronically-held meeting. Members of the Township Board and members of the public participating electronically in a meeting that occurs in a physical place (e.g., Township Hall) are considered present and in attendance at the meeting for all purposes. For a meeting at which Township Board members are physically absent due to military duty or a medical condition and are being accommodated by remote participation, all other Township Board must be physically present at the meeting to be able to participate.

In addition to any other notice required by the OMA, advance notice of an electronically-held meeting shall be posted on a portion of the Township’s website that is fully accessible to the public. The public notice must be included on either the Township’s home page or a separate webpage

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dedicated to public notices for non-regularly scheduled or electronically-held public meetings that is accessible through a prominent and conspicuous link on the Township's website home page and that clearly describes its purpose for public notification of non-regularly scheduled or electronically-held public meetings.

Any scheduled meeting of the Township Board may be held as an electronic meeting as permitted by the OMA if a notice consistent with this rule is posted at least 18 hours before the meeting begins. Any notice of the meeting of the Township Board held electronically must clearly contain all of the following:

- (a) Why the Township Board is meeting electronically;
- (b) How members of the public may participate in the meeting electronically (if a telephone number, internet address or both are required to participate, that information must be provided in the notice);
- (c) How members of the public may contact members of the Township Board to provide input or ask questions on any business that will come before the Board at the meeting; and
- (d) How persons with disabilities may participate in the meeting.

If an agenda exists for an electronically-held meeting of the Township Board, the Township shall, on a portion of its website that is fully accessible to the public, make the agenda of the meeting available to the public at least two (2) hours before the meeting begins. This publication of the meeting agenda does not prohibit subsequent amendment of the agenda at the meeting.

1.2 Member Attendance by Phone/Video

A member of the Township Board who anticipates his or her absence from a Board meeting due to the circumstances set forth in the OMA and these rules may request accommodation of such absence to permit OMA remote participation in and voting on Board business by two-way telephonic or video conferencing communication. A Township Board member who desires to attend a meeting by telephonic or video conferencing shall inform the Township Supervisor, or the designee of the Township Supervisor, at least 24 hours before the meeting so as to permit any necessary technology to be put in place to accommodate participation of the absent member.

Township Board members attending a meeting by telephonic or video conferencing may fully participate in the meeting, including voting and attendance in any closed session of the Township Board. A Board member participating by telephonic or video conferencing is not permitted



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to chair the meeting unless all Board members are participating by telephonic or video conferencing.

Any member of the Township Board attending a meeting remotely must publicly announce at the outset of the meeting (which shall be included in meeting minutes) that the member is in fact attending the meeting remotely. If the member is attending the meeting remotely for a purpose other than for military duty, the member's announcement must identify the member's physical location by stating the city, township, village, or county and the state from which he or she is attending the meeting remotely.

2. Special Meetings

The rules for electronic meetings and/or remote attendance at regular meetings apply to special meetings. Members of the general public otherwise participating in an electronically-held meeting of the Township Board are excluded from participation in a closed session of the Township Board that is held electronically provided that the closed session is convened and held in compliance with the requirements of the Open Meetings Act applicable to closed sessions.

3. Joint Meetings

The rules for electronic meetings and/or remote attendance at regular meetings apply to special meetings.

4. Executive Session

The rules for electronic meetings and/or remote attendance at regular meetings apply to special meetings.

B. Conduct of Meeting

1. Agenda Preparation

The order of business for all meetings of the Township Board conducted electronically may be altered as determined to be appropriate by the Supervisor at the time the agenda is set.

C. Discussion and Voting

1. Roll Call

For any meeting held electronically, or where any member is participating by telephone conferencing or video conferencing, all votes taken (except for a vote to adjourn) shall be roll call votes.

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D. Citizen Participation

1. General

During Township Board meetings conducted electronically, members of the public attending the meeting, once recognized by the chair, shall identify themselves for the record and indicate whether they are a Township resident. Comments by the public will be limited in the same manner as provided for audience comment for non-electronic meetings to three minutes for each speaker unless the time is extended by the chair or by vote of the Board. Comments by the public during meetings held electronically will be limited to the Audience Comment portion of the meeting.

APPLICABILITY TO ALL OTHER PUBLIC BODIES OF THE TOWNSHIP SUBJECT TO THE OMA

These rules shall also apply to meetings of public bodies of the Township conducted under the OMA by all Township boards, commission, and committees subject to the OMA.

RESOLVED BY: Trustee Ferguson

SUPPORTED BY: Trustee Schulze

VOTE: Eden, yes; Ferguson, yes; Walker, yes; Tucker, yes; Cunningham, yes; Schulze, yes; Husted, yes.

CERTIFICATION OF THE CLERK

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Marcella Husted  
Township Clerk

**7. Request to purchase video equipment to integrate Zoom for electronic meetings.**

Trustee Walker moved to authorize the purchase of video equipment needed to integrate electronic (Zoom) meetings. (Treasurer Eden seconded.) The motion carried; all ayes. The cost (approximately \$4800) will be paid using Public Educational Grant (PEG) money.

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**8. Renewal of commercial insurance policy.**

Trustee Walker moved to renew the commercial insurance policy for \$16,747.00 to Burnham & Flower Insurance Group. (Treasurer Eden seconded.) The motion carried; all ayes.

**9. Approval of road chloride quote.**

Trustee Walker moved to accept the quote from Chloride Solutions of \$.194 per gallon to chloride the township roads. (Trustee Ferguson seconded.) The motion carried; all ayes.

**10. Whittaker Road improvement quote.**

Trustee Walker moved to accept the quote from the road commission to add five inches of 23A gravel to Whitaker Road (approximately 1,700 feet between Bennett Lake and Lobdell Roads) for \$27,000.00. (Trustee Ferguson seconded.) The motion carried; all ayes.

**MISCELLANEOUS BUSINESS**

None.

**PUBLIC REMARKS**

Several people commented and asked questions about the proposed asphalt plant. Supervisor Cunningham also said he received the township planner's reviews of the asphalt plant's rezoning and special land use requests and the reviews will be posted on the website in the morning.

**ADJOURNMENT**

Trustee Schulze moved to adjourn. (Trustee Ferguson seconded.) The motion carried; all ayes. The meeting adjourned at 8:47 p.m.