

**TYRONE TOWNSHIP  
REGULAR BOARD MEETING  
APPROVED MINUTES – OCTOBER 19, 2021 – PAGE 1**

**CALL TO ORDER**

Supervisor Cunningham called the meeting of the Tyrone Township Board to order with the Pledge of Allegiance on October 19, 2021 at 7:00 p.m. at the Tyrone Township Hall.

**ROLL CALL**

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

**APPROVAL OF AGENDA – OR CHANGES**

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

**APPROVAL OF CONSENT AGENDA**

**Regular Board Meeting Minutes – September 21, 2021**

**Treasurer’s Report – September 30, 2021**

**Clerk’s Warrants and Bills – October 13, 2021**

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

**COMMUNICATIONS**

- 1. Livingston County Sheriff’s Report- September 30, 2021**
- 2. Fire Service Report - September 30, 2021**

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

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

- 1. Request of Darren Moore to appeal his fire service fee.**

The Moores were burning in a fire pit with no burn permit. A resident reported to 911 they were burning trash. The Moores denied burning trash, but admitted they’ve never had a burn permit in the 20 years they’ve lived there.

Trustee Walker moved to reduce their \$1447.00 fire service fee by half. (Trustee Ferguson seconded.) The motion failed; 3 ayes, 4 nays (Tucker, Eden, Cunningham, Husted).

Supervisor Cunningham changed his vote to support. The motion carried; 4 ayes; 3 nays (Tucker, Eden, Husted.) The Moores will be responsible for \$723.50 of the fire service fee.

**TYRONE TOWNSHIP  
REGULAR BOARD MEETING  
APPROVED MINUTES – OCTOBER 19, 2021 – PAGE 2**

**2. DMN Property Holdings proposed private drive application.**

Trustee Walker moved to approve the proposed private drive application request by DMN Property Holdings. (Trustee Ferguson seconded.) The motion carried; all ayes. Two shared driveways are approved: one located off the end of Shannon Glen Drive, the other located off the end of Riverwalk Drive.

**3. Settlement agreement request.**

RESOLUTION #211001  
TYRONE TOWNSHIP, LIVINGSTON COUNTY  
TO APPROVE BETLEY VS. TYRONE TOWNSHIP  
SETTLEMENT AGREEMENT  
  
SETTLEMENT AGREEMENT

**RECITALS:**

1. Mark and Molly Betley ("the Betleys") are owners of 10466 Runyan Lake Road, Fenton, MI ("the property").
2. The Betleys have submitted plans to and seek a land use permit from Tyrone Township ("the Township") to construct a single family residence on the property.
3. That the Betleys and Township (collectively "the parties") including the Township's Planning Commission and Zoning Board of Appeals, have had multiple discussions and meetings wherein the parties have heard and considered the concerns of the parties and an agreement has been reached between the parties, the terms of which are set forth below, as to the construction of a home on the property.


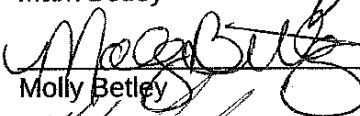

**TERMS OF AGREEMENT:**

1. The Betleys agree to construct a single family home on the property consistent with the plot plan they initially submitted to the Township on or about January 2020.
2. That the setbacks for the construction of the proposed residence, as it relates to the shoreline of Runyan Lake shall be 122.78 feet as to the south side of the residence and 137.35 feet to the north side from the edge of the main floor deck. The deck for the residence shall be at the same elevation as the main floor ranch level. The deck shall be 14 feet in length thereby making the south side of the residence 136.78 feet from the shoreline and 151.35 feet from the north side of the shoreline.
3. The Township hereby agrees to process and issue, through its zoning administrator, a land use permit for the Betleys to construct their proposed residence in accordance with the plot plan the Betleys previously submitted to the Township and with the setbacks set forth in the immediately preceding paragraph of this Agreement upon:

**TYRONE TOWNSHIP  
REGULAR BOARD MEETING  
APPROVED MINUTES – OCTOBER 19, 2021 – PAGE 3**

- a. Betley submitting a site plan depicting his proposed new structure at the set-backs established by this agreement;
  - b. Submission of building plans to the County and Tyrone Township;
  - c. Erection of the construction fence as required by the Tyrone Township Planning Commission;
  - d. Establish the escrow account required for the demolition of the existing structure;
4. The Betleys agree to demolish the existing structure on the property within 3 months of the issuance of a certificate of occupancy for the new construction. The 3 month period may be extended up to an additional 3 months upon Betley providing proof that he hired a demolition contractor within 2 weeks of the issuance of the certificate of occupancy but the demolition contractor cannot complete the demolition within the initial 3 month period.
  5. The Betleys hereby agree, as it relates to the primary structure on the property, to refrain from requesting any variances from the Township.
  6. The Betleys agree to follow all applicable ordinance requirements not inconsistent with the terms of this agreement.

2-16-2021  
Date:  
2/16/2021  
Date  
3/3/2021  
Date

  
Mark Betley  
  
Molly Betley  
  
Mike Cunningham  
Tyrone Township Official (print name)

RESOLVED BY: Trustee Schulze

SUPPORTED BY: Supervisor Cunningham

VOTE: Ferguson, no; Walker, yes; Cunningham, yes; Jennifer, yes; Schulze, yes; Tucker, yes; Husted, no.

ADOPTION DATE: October 19, 2021

**TYRONE TOWNSHIP  
REGULAR BOARD MEETING  
APPROVED MINUTES – OCTOBER 19, 2021 – PAGE 4**

**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 October 19, 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.



\_\_\_\_\_  
Marcella Husted  
Tyrone Township Clerk

**4. Appointment to Planning Commission.**

Trustee Ferguson moved to approve the Supervisor's appointment of Chester Schultz to the Planning Commission to fill the position vacated by Dan Stickel. (Trustee Tucker seconded.) The motion carried; all ayes. The term expires August 31, 2022.

**PUBLIC REMARKS**

Residents questioned and commented on the Betley settlement regarding sight lines, concerns about the date of adoption, whether the ZBA could be over-ruled, and the precedence it creates. Other concerns included cancelled meetings, master plan, covid funds, and townhouse updates.

**MISCELLANEOUS BUSINESS**

None.

**ADJOURNMENT**

Trustee Walker moved to adjourn. (Trustee Schultz seconded.) The motion carried; all ayes. The meeting adjourned at 7:42 p.m.