

**TYRONE TOWNSHIP
REGULAR BOARD MEETING
APPROVED MINUTES – NOVEMBER 17, 2020**

CALL TO ORDER

Supervisor Cunningham called the meeting of the Tyrone Township Board to order with the Pledge of Allegiance on November 17, 2020 at 7:00 p.m. at the Tyrone Township Hall.

ROLL CALL

Present: Supervisor Mike Cunningham, Treasurer Jennifer Eden, Clerk Marcella Husted (via Zoom), Trustees Kurt Schulze, David Walker, Chuck Schultz and Herman Ferguson.

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

Treasurer’s Report – October 30, 2020

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

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**

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

PUBLIC REMARKS

A man asked the board if they amend the zoning ordinance to allow a small butchering facility on Old US-23. The Supervisor outlined the basic steps he’d have to go through.

UNFINISHED BUSINESS

None.

NEW BUSINESS

1. **Request of Marcia McQueen to appeal a fire service charge.**

Ms. McQueen requested that her fire service charge be waived. She was in a three-car accident on US23 that she was found to be not at fault. The first car (cited as at-fault) had stalled and in icy conditions two cars, including Ms. McQueen’s, collided with the first car.

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Trustee Walker moved to split the total service charge three ways. Supervisor Cunningham said the second car already paid half of the charge. Trustee Walker withdrew his motion.

Trustee Walker moved to waive Ms. McQueen's \$709.50 service charge. (Trustee Schulze seconded.) The motion carried; all ayes.

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

A clause in the current Irish Hills PUD Agreement stated Mr. Gordon would end his business in 2012 and he wants to continue to operate the business.

Trustee Walker moved to amend the Irish Hills PUD Agreement, allowing Mr. Gordon to continue to operate. (Trustee Schultz seconded.) The motion carried; all ayes.

Trustee Walker moved to also update the township's address in the agreement. (Treasurer Eden seconded.) The motion carried; all ayes

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

The board discussed the 19-page RFP for the County Designated Assessor Bid Proposal. The board as a whole did not support the person who applied. No motion was made.

4. Sewer REU Transfer Policy.

RESOLUTION #201101
TYRONE TOWNSHIP, LIVINGSTON COUNTY

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

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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 parcel.
- 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.

RESOLVED BY: Trustee Schulze
SUPPORTED BY: Trustee Schultz

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

ADOPTION DATE: November 17, 2020

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 November 17, 2020, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



Marcella Husted
Tyrone Township Clerk

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

RESOLUTION #201102

TYRONE TOWNSHIP ORDINANCE NO. 24
EMERGENCY RESPONSE COST RECOVERY

Section 4 was amended as follows. See the original resolution or ordinance for the complete language.

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 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.

RESOLVED BY: Trustee Walker
SUPPORTED BY: Trustee Schultz

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

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Marcella Husted
Tyrone Township Clerk

MISCELLANEOUS BUSINESS

None.

PUBLIC REMARKS

A resident via Zoom said he could not hear. The Supervisor said he is looking into connecting the microphones through Zoom.

ADJOURNMENT

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