

**TYRONE TOWNSHIP  
REGULAR BOARD MEETING & PUBLIC HEARING  
APPROVED MINUTES – JULY 18, 2023 – PAGE 1**

**CALL TO ORDER**

Supervisor Cunningham called the meeting of the Tyrone Township Board to order with the Pledge of Allegiance on July 18, 2023 at 7:06 p.m. at the Tyrone Township Hall.

**ROLL CALL**

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

**PUBLIC HEARING – Police & Fire Protection Special Assessment**

Supervisor Cunningham opened the public hearing at 7:06 p.m. The purpose of the public hearing was to consider objections and comments regarding the plans, boundaries of the specials assessment district, and cost estimates. Livingston County Sheriff Mike Murphy explained how the sheriff contract works for township residents. Several residents voiced confusion and Supervisor Cunningham explained the special assessment funds the township's police and fire protection contracts; without it there will be no fire service and the township will not have a police officer in the township. Several residents felt manufactured home owners are not being charged enough. Resident Karl Gill spoke in opposition of the special assessment and three letters of opposition were received (Glynn Brewer, Steven Haverstick, Gerald Ray). The Supervisor closed the public hearing at 8:06 p.m.

**APPROVAL OF AGENDA – OR CHANGES**

Trustee Walker moved to approve the agenda as amended. (Trustee Tucker seconded.) The motion carried; all ayes. The modifications are as follows:

Added: Appointment of Treasurer Jennifer Eden to the Livingston County Sewer Advisory Committee.

Added: Closed session to discuss litigation.

**APPROVAL OF CONSENT AGENDA**

**Regular Board Meeting Minutes – June 6, 2023**

**Treasurer's Report – May 31, 2023**

**Clerk's Warrants and Bills – July 5, 2023**

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

**COMMUNICATIONS**

- 1. Livingston County Sheriff Report – May 31, 2023**
- 2. Fire Service Report – July 5, 2023**

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

**PUBLIC REMARKS**

None.

**TYRONE TOWNSHIP  
REGULAR BOARD MEETING & PUBLIC HEARING  
APPROVED MINUTES – JULY 18, 2023 – PAGE 2**

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

- 1. Police and Fire Protection: Resolution #230701 to establish the boundary, determine the levy, and schedule second public hearing.**

RESOLUTION #230701  
TYRONE TOWNSHIP, LIVINGSTON COUNTY

POLICE AND FIRE PROTECTION  
SPECIAL ASSESSMENT DISTRICT NO. X0082

ESTABLISHMENT OF BOUNDARY OF SPECIAL ASSESSMENT DISTRICT;  
DETERMINATION OF LEVY FOR POLICE AND FIRE PROTECTION;  
ESTABLISHMENT AND NOTICE FOR PUBLIC HEARING.

WHEREAS, there exists a need for Police and Fire Protection Services in Tyrone Township; and

WHEREAS, Section 1(3) of Act 33, Public Acts of Michigan, 1951, as amended (“Act 33”) provides that the Tyrone Township Board may proceed to defray the cost of purchasing and housing equipment, for the operation of the equipment, or both, for Police and Fire protection, by special assessment on the lands and premises in Tyrone Township except lands and premises exempt from the collection of taxes under the general property tax act, Act 206, Public Acts of Michigan, 1893; and

WHEREAS, the Tyrone Township Board authorized the preparation of estimates of the cost and expense of providing Police and Fire protection and that estimate was filed with the Tyrone Township Clerk and was available for public inspection; and

WHEREAS, the Tyrone Township Board tentatively designated a special assessment district known as the Tyrone Township Police and Fire Protection Special Assessment District (“Special Assessment District”) consisting of all lots and parcels of property located within the boundaries of Tyrone Township for purposes defraying the cost of purchasing and housing equipment, for the operation of the equipment, or both, for Police and Fire protection; and

WHEREAS, the Tyrone Township Board, by resolution, scheduled a public hearing for this date at the Tyrone Township Hall located at 8420 Runyan Lake Road, Fenton, Michigan 48430 to hear and consider comments and objections to the estimate of cost, the creation of a special assessment district, the special assessment district tentatively designated herein, and defraying the expenses of the special assessment district on the properties benefiting, except lands and premises exempt from the collection of taxes under the general property tax act, Act 206, Public Acts of Michigan, 1893; and

**TYRONE TOWNSHIP  
REGULAR BOARD MEETING & PUBLIC HEARING  
APPROVED MINUTES – JULY 18, 2023 – PAGE 3**

WHEREAS, such public hearing was preceded by proper notice in the Tri-County Times and the Livingston Press & Argus, newspapers of general circulation in the Township, and by first-class mail notice to each property owner of record within the District and upon the assessment roll; and

WHEREAS, the Tyrone Township Board held the public hearing on this date at the Tyrone Township Hall and heard and considered comments and objections to the estimate of cost of purchasing and housing equipment, for the operation of the equipment, or both, for Police and Fire protection, the creation of a special assessment district, the special assessment district tentatively designated herein, and defraying the expenses of the special assessment district on the properties benefiting, except lands and premises exempt from the collection of taxes under the general property tax act, Act 206, Public Acts of Michigan, 1893; and

WHEREAS, a record of those present to protest, and of written protests submitted at or before the public hearing was made a part of the minutes of the hearing.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Tyrone Township Board determines that the boundaries of the Special Assessment District be the boundaries of Tyrone Township and encompassing all lands within Tyrone Township.
2. The Tyrone Township Board determines that the amount of the special assessment levy for Police and Fire Protection Services against the taxable lots and parcels of land located within the Special Assessment District shall be as follows: a) vacant parcels, \$100.00; b) parcels with residential structures, \$175.00; c) parcels containing structures or trailers with multiple units, \$275.00, plus an additional \$25.00 per unit; and (d) all other parcels, \$275.00.
3. The Tyrone Township Supervisor shall spread the special assessment levy on all of the lands and premises in the special assessment district benefiting from Police and Fire protection, except lands and premises exempt from the collection of taxes under the general property tax act, Act 206, Public Acts of Michigan, 1893 to defray the expense of Police and Fire Protection.
4. The Tyrone Township Board shall hold a public hearing on August 15, 2023 at 7:00 pm at the Tyrone Township Hall located at 8420 Runyan Lake Road, Fenton, Michigan 48430 to hear and consider comments and objections to the distribution of the special assessment levy for Police and Fire Protection.
5. The Tyrone Township Clerk shall cause to be published in a newspaper of general circulation in the proposed Special Assessment District a notice stating the time, place, and purpose of the meeting. This notice shall be published not less than 5 days before the hearing. Proof of publication of the notice shall be filed with the Tyrone Township Clerk.

**TYRONE TOWNSHIP  
REGULAR BOARD MEETING & PUBLIC HEARING  
APPROVED MINUTES – JULY 18, 2023 – PAGE 4**

6. The Tyrone Township Clerk Notice shall also provide notice stating the time, place, and purpose of the meeting to each owner of, or party in interest in, property to be assessed whose name appears upon the last local tax assessment records by mailing by first class mail addressed to that owner or party at the address shown on the tax records at least 10 days before the date of the hearing.

7. The form of the Notice of the Public Hearing to be mailed and published, as required herein, shall be substantially as set forth in Exhibit A, attached, with such changes as are approved by the Tyrone Township Supervisor.

RESOLVED BY: Trustee Schulze  
SUPPORTED BY: Trustee Walker

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

ADOPTION DATE: July 18, 2023

**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 July 18, 2023, 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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Pamela Moughler  
Township Clerk

**TYRONE TOWNSHIP  
REGULAR BOARD MEETING & PUBLIC HEARING  
APPROVED MINUTES – JULY 18, 2023 – PAGE 5**

EXHIBIT A

TOWNSHIP OF TYRONE  
LIVINGSTON COUNTY, MICHIGAN  
1951 PA 33 PROCEEDINGS

Notice of Public Hearing on the Assessment Roll for the  
Police and Fire Protection Special Assessment District No. X0082

NAME  
STREET ADDRESS  
CITY, STATE, ZIP

PARCEL ID

TO THE RESIDENTS AND PROPERTY OWNERS OF THE TOWNSHIP OF TYRONE, LIVINGSTON COUNTY, MICHIGAN AND ANY OTHER INTERESTED PERSONS:

PLEASE TAKE NOTICE that the Supervisor and assessing officer of the Township have reported to the Township Board and filed in the office of the Township Clerk for public examination a special assessment roll prepared by him covering all the properties within the Special Assessment District benefited by the proposed assessment. The assessment roll has been prepared for the purpose of assessing the costs of providing police and fire protection within the assessment district as more particularly shown on the plans on file with the Township Clerk at 8420 Runyan Lake Road, Fenton, MI, which assessment is in the total amount of \$810,736.00.

PLEASE TAKE FURTHER NOTICE that the assessing officer has further reported that the assessment against each parcel of land within the district is to such relative portion of the whole sum levied against all parcels of land within the district as to the benefit of such parcels bears to the total benefit to all parcels within the district. Each parcel shall be assessed as follows: a) vacant parcels, \$100.00; b) parcels with residential structures, \$175.00; c) parcels containing structures or trailers with multiple units, \$275.00, plus an additional \$25.00 per unit; and (d) all other parcels, \$275.00.

PLEASE TAKE FURTHER NOTICE that the Township Board will meet at the Township Hall, 8420 Runyan Lake Road, Fenton, MI commencing at 7:00 P.M. on August 15, 2023, for the purpose of reviewing the special assessment roll and hearing any objections thereto. The roll may be examined at the office of the Township Clerk during regular business hours of regular business days until the time of the hearing and may further be examined at the hearing. Appearance and protest at the hearing held to confirm the special assessment roll is required in order to appeal the amount of the special assessment to the Michigan Tax Tribunal.

An owner or party in interest, or his or her agent, may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required. The owner or person having an interest in the real property who protests in person or in writing at the hearing may file a written appeal of special roll with the Michigan Tax Tribunal within 30 days after the confirmation of the special assessment roll.

Pamela Moughler, Clerk  
Township of Tyrone

**TYRONE TOWNSHIP  
REGULAR BOARD MEETING & PUBLIC HEARING  
APPROVED MINUTES – JULY 18, 2023 – PAGE 6**

**2. Policy for waste removal special assessments.**

RESOLUTION #230702  
TYRONE TOWNSHIP, LIVINGSTON COUNTY

POLICY FOR WASTE REMOVAL SPECIAL ASSESSMENTS

WHEREAS, the Tyrone Township Board has previously established special assessment districts for waste removal when requested for portions of the township; and

WHEREAS, responding to the number of complaints the township receives about unsatisfactory waste services is not conducive of performing township business; and

WHEREAS, some residents have voiced their opinions that these special assessments have been imposed upon them by the township; and

WHEREAS, the Tyrone Township Board believes it is in the best interest to allow residents to contract for their own household waste removal services to provide residents the opportunity to hire services that meet their own needs.

NOW, THEREFORE BE IT RESOLVED that the Township Board will not in the future create special assessment districts for purposes of funding waste removal services, nor will the Township Board renew any existing special assessments districts created to fund waste removal services.

RESOLVED BY: Trustee Tucker

SECONDED BY: Treasurer Eden

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

ADOPTION DATE: July 18, 2023

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 July 18, 2023, 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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Pamela Moughler  
Township Clerk

**TYRONE TOWNSHIP  
REGULAR BOARD MEETING & PUBLIC HEARING  
APPROVED MINUTES – JULY 18, 2023 – PAGE 7**

**3. Request for Treasurer to attend MMTA Fall Conference.**

Trustee Schulze moved to authorize the Treasurer to attend the Michigan Municipal Treasurers Association fall conference. (Trustee Walker seconded.) The motion carried; all ayes.

**4. Appointment of Jennifer Eden to the Livingston County Sewer Advisory Committee.**

Trustee Walker moved to appoint Treasurer Jennifer Eden to the Livingston County Sewer Advisory Committee. (Trustee Schulze seconded.) The motion carried; all ayes.

**MISCELLANEOUS BUSINESS**

None.

**PUBLIC REMARKS**

One resident stated his opinion.

**CLOSED SESSION**

RESOLUTION #230703  
TYRONE TOWNSHIP, LIVINGSTON COUNTY

CLOSED SESSION

Trustee Walker resolved to go into closed session to discuss pending litigation. (Trustee Tucker seconded.)

Roll call: Ferguson, yes; Cunningham, yes; Tucker, yes; Schulze, yes; Eden, yes; Walker, yes; Moughler, yes.

The board convened in closed session at 8:17 p.m.

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

The board reconvened in open session at 9:00 p.m.

**ADJOURNMENT**

Trustee Walker moved to adjourn. (Trustee Tucker seconded.) The motion carried; all ayes. The meeting adjourned at 9:01 p.m.