

**HOWELL TOWNSHIP BOARD REGULAR MEETING**  
**March 14, 2016**  
**Howell Township Hall**  
**6:30. p.m.**

**MEMBERS PRESENT:**

Mike Coddington	Supervisor
Carolyn Eaton	Clerk/Zoning Administrator
Jonathan Hohenstein	Treasurer
Matthew Counts	Trustee
Dar Howard	Trustee
Lois Kanninen	Trustee
Michael Tipton	Trustee

**MEMBERS ABSENT:**

Supervisor Coddington called the meeting to order at 6:30 p.m. The roll was called. All rose for the Pledge of Allegiance.

**CALL TO THE BOARD: MOTION** by Hohenstein, seconded by Tipton, **“TO APPROVE THE MARCH 14, 2016 AGENDA AS PRESENTED.”** Motion carried unanimously.

**APPROVAL OF MINUTES: MOTION** by Hohenstein, seconded by Counts, **“TO APPROVE THE FEBRUARY 8, 2016 REGULAR MEETING MINUTES AS CORRECTED: UNDER AUDITOR’S REPORT, CORRECT SPELLING OF THE WORD COOPERATION.”** Motion carried unanimously. (See February 8, 2016 Minutes)  
**MOTION** by Eaton, seconded by Howard, **“TO APPROVE THE FEBRUARY 8, 2016 CLOSED SESSION MEETING MINUTES AS PRESENTED.”** Motion carried unanimously.

**CORRESPONDENCE:**

See list.

**CALL TO THE PUBLIC:**

Paul Rogers from the HAPRA discussed the proposed Recreation Millage to be placed on the August 2, 2016 Election, of 0.75 mills levied against all property within the 5 entities of the HAPRA which are contained in the Howell Public School District. This would be for five (5) years, for the period of January 2017 – January 2022 inclusive, as a new millage for the purpose of funding the operation of and capital equipment, facilities and improvements. He discussed some of the changes of funding that would occur if the millage passes and some of the projects that are planned. Each of the entities that are involved with the HAPRA will have to pass the millage in order for it to go into effect.

Questions and concerns were taken from the board.

Donald Parker from LCBOC discussed the Livingston County General Fund, decrease in foreclosures, increase in building permits, pension system, the jail expansion, and improvements to the Old County Court House Annex Amphitheater. He also stated that Livingston County maintains a very strong fiscal position and has the lowest tax rate of the 83 counties in Michigan.

State Representative Hank Vaupel stated it is Budget Time at the state and would like the township’s input during the work sessions. Important issues for the Emergency Appropriations are the Flint water problem and the Detroit Schools. He would like feedback from the board on both of those issues. He also talked about Hoop Houses and the bill that is up for a vote and the effect it could have on local zoning.

**OLD BUSINESS:**

- A. OAK GROVE MEADOWS, EXTENSION THROUGH 2017 FINAL SITE PLAN REVIEW – Clerk/Zoning Administrator Eaton stated Allen Edwin Homes would like an extension of the PUD and Site Plan approvals for Oak Grove Meadows. They are about to finish Amber Oaks and will start on Oak Grove Meadows in the summer of 2017. **MOTION** by Eaton, seconded by Hohenstein, **“TO EXTEND THE PUD AND SITE PLAN FOR OAK GROVE MEADOWS FOR ONE (1) YEAR THROUGH 2017.”** Discussion followed. Motion carried unanimously.
  
- B. REVOLVING FUND, RESOLUTION REMOVAL OF CERTAIN PARCELS – Treasurer Hohenstein stated that at last month’s meeting the board agreed to withhold the Tax and Special Assessment Payments from the County Chargebacks on certain parcels. However, this should have been done by resolution. **MOTION** by Hohenstein, seconded by Howard, **“TO APPROVE RESOLUTION #03.16.401, LIVINGSTON COUNTY REVOLVING FUND AS PRESENTED.”** Discussion followed. A roll-call vote was taken: Tipton – yes, Coddington – yes, Eaton – yes, Howard – yes, Kanninen – yes, Counts – yes, Hohenstein – yes. Motion carries 7 to 0.
  
- C. RAINBOW VS. HOWELL TOWNSHIP, SETTLEMENT MOTION – Clerk, Zoning Administrator Eaton stated that the settlement amount and authorization to approve a settlement agreement was done last month with the court date included. However, it did not happen on that date and is now going to court on the 15<sup>th</sup>. This requires a new motion to approve the settlement if needed. **MOTION** by Howard, seconded by Tipton, **“TO ALLOW CLERK EATON OR TREASUER HOHENSTEIN OR SUPERVISOR CODDINGTON TO APPROVE A SETTLEMENT FOR THE RAINBOW LITIGATION NOT TO EXCEED THE AMOUNT DISCUSSED AND RECOMMENDED BY THE ATTORNEY IN THE EXECUTIVE SESSION. DATE ACCEPTED NOW THROUGH JULY 15, 2016.”** Discussion followed. Motion carried unanimously.
  
- D. CHLORIDE CORRECTION – Treasurer Hohenstein stated that at last month’s meeting the wrong Chloride Company name was given in the motion. The board’s intent was to stay with previous company that we have been using. Instead of MCS, it should be Chloride Solution. **MOTION** by Hohenstein, seconded by Howard, **“TO ACCEPT BID FOR 2016 FROM CHLORIDE SOLUTIONS AT \$0.169 PER GALLON.”** Discussion followed. Motion carried unanimously.

**NEW BUSINESS:**

- A. KREBS 4706-19-400-002 / 4706-19-300-020, REQUEST FARMLAND AND OPEN SPACE PRESERVATION PA16 – Clerk/Zoning Administrator Eaton stated that the entities were notified of the request and there has been no response from the public about this request. Livingston County Planning has recommend approval. **MOTION** by Howard, seconded by Eaton, **“TO APPROVE KREBS 4706-19-400-002 / 4706-19-300-020 FARMLAND AND OPEN SPACE PRESERVATION PA16.”** Discussion followed. Motion carried unanimously.
  
- B. ROAD WORK – Treasurer Hohenstein stated that he has talked with the Cohoctah Clerk about cost sharing some of the projects on Allen Road. Their meeting is not until the 14<sup>th</sup> and they will get back to us afterwards. It was the consensus of the board to hold off until next the meeting to make decision on those cost sharing projects with Cohoctah Township. Discussion concerning which is better; to do an entire project in one year or divide the project into 2 years. The first year, ditching and tree trimming or removal would be done and in the 2<sup>nd</sup> year, the stone placement would be done. **MOTION** by

Hohenstein, seconded by Counts, **“TO ACCEPT BID FOR \$191,430.00 FOR THE ENTIRE ROAD PROJECT FOR CRANDALL ROAD FROM WARNER ROAD TO MARR ROAD.”** Discussion followed. A roll-call vote was taken: Kanninen – yes, Hohenstein – yes, Tipton – yes, Counts – yes, Eaton – yes, Howard – no, Coddington – yes. Motion carries 6 to 1. ^Donald Parker from LCBOC stated he would make some inquires with the Road Commission about Allen Road, between Byron and Oak Grove.

- C. LUCY ROAD, ATTORNEY LETTER – Clerk/Zoning Administrator Eaton presented a letter from the township attorney to the Lucy Road Attorney. In the letter it stated several concerns about conduct or inaction by Lucy Road Resources regarding the property at 2440 W. Highland Road. It is now several months past the Consent Agreement and issues have not been brought into compliance. Mr. Brockway was in attendance and stated he has a property agreement for the sale of the property adjacent to the property with the Consent Agreement. He is hoping to sell that property to help pay the back taxes and to come into compliance with the Consent Decree. It was the consensus of the board that the sale of the adjacent property has no bearing on the issue, Mr. Brockway is already in default of the Consent Decree. **MOTION** by Eaton, seconded by Counts, **“TO GO FORWARD WITH THE CONSENT DECREE AND TURN THE MATTER OVER TO TOWNSHIP ATTORNEY.”** Discussion followed. A roll-call vote was taken: Counts – yes, Eaton – yes, Coddington – yes, Tipton – yes, Howard – yes, Hohenstein – no, Kanninen – yes. Motion carries 6 to 1.
- D. TERM ENDING, MARK FREUDE AND CAROLYN HENRY, RE-APPOINTMENT TO PLANNING COMMISSION – Clerk/Zoning Administrator Eaton stated that Mark Freude and Carolyn Henry’s appointment to the Planning Commission has expired. They both would like to remain on the commission. **MOTION** by Eaton, seconded by Howard, **“TO RE-APPOINT MARK FREUDE AND CAROLYN HENRY TO THE PLANNING COMMISSION FOR 3 YEAR TERM, ENDING 12/31/2018.”** Motion carried unanimously. Discussion followed concerning absenteeism. There is an open seat available on the Planning Commission. An ad in the local paper will be placed for this position.
- E. TERM ENDING, RICHARD LEACH, REPLACEMENT TO ZONING BOARD OF APPEALS – Clerk/Zoning Administrator Eaton stated that Richard Leach is not seeking re-appointment to the ZBA. His seat is now open and we will run an ad in the local paper for that position. The township has received one request for the ZBA position. It is the consensus of the board to run ads for all open seats, both planning commission and zoning board of appeals.
- F. TERM ENDING, KIM BABCOCK, RE-APPOINTMENT TO ZONING BOARD OF APPEALS – Clerk/Zoning Administrator Eaton stated that Kim Babcock’s appointment to Zoning Board of Appeals has expired. She would like to remain on the board. **MOTION** by Eaton, seconded by Hohenstein, **“TO RE-APPOINT KIM BABCOCK TO THE ZONING BOARD OF APPEALS FOR A 3 YEAR TERM, ENDING 12/31/2018.”** Motion carried unanimously.

**REPORTS:**

- A. SUPERVISOR – Supervisor Coddington reported that he has agreed to be the administrator to MI-WATERS for Howell Township.
- B. TREASURER – Treasurer Hohenstein reported: 1) Carol Makushik would like to take class for her re-certification for her MCAT at the cost of \$275.00 on May 24, 2016. **MOTION** by Hohenstein, seconded by Tipton, **“TO APPROVE CAROL MAKUSHIK TO TAKE THE MCAT 2016 SPRING CONTINUING EDUCATION SESSION ON MAY 24-26, 2016 FOR \$275.00”.** Motion carried unanimously. 2) We are

all through collecting taxes. The collection rate was; Winter Tax 87.3% and Summer Tax 97.5%. We were the first ones to get paper work into the county. 3) County wants to switch programs on collection of dog licenses. This is still in the planning process. 4) Thompson Plastics has missed the deadline for paying their taxes by the due date. Paying taxes on time is part of their IFT Agreement. It was missed by 3 days. It was the consensus of the board to allow it this year, but their account will be flagged, that if in the future they are late, they could lose their IFT.

- C. CLERK/ZONING 1) See report. 2) Board members receive payment for attending other meetings. Some of those meetings are paid by the township and some are paid through that particular entity. Trustee Kanninen, who attends the HAPRA, is not being compensated for those meetings she attends. **MOTION** by Eaton, seconded by Hohenstein, **“TO PAY \$50.00 A MEETING, RETROACTIVE BACK TO THE FIRST MEETING THAT KANNIINEN ATTENDED AS THE HAPRA REPRESENTATIVE.”** Discussion followed. Motion carried unanimously. 3) The election went very well and was well attended. All paperwork was done correctly and we had no issues with the Board of Canvassers. Thanks was given for the impeccable job Debby Johnson does.
- D. ASSESSING – See Report.
- E. AIRPORT – Trustee Tipton reported: 1) Next meeting is scheduled for March 22<sup>nd</sup>. 2) Work is being done for the Clean-up Day and process is going well. It will state on the flyer that no objects heavier or larger than what a 2 person team can handle.
- F. FIRE AUTHORITY – Supervisor Coddington reported: 1) getting pricing on a 40’ x 60’ accessory garage. 2) They had their Award Ceremony. 3) Two new trucks are being built. 4) There was diversification of funds.
- G. MHOG – Trustee Howard reported: 1) approved the 2017 Budget. 2) Discussion on the Cross Country Main Line through Marion Township. Routes are still being decided. 3) MHOG Tap Fee Evaluation. 4) DQ Okayed decreasing the base line capacity. 5) A back truck is being built which will be shared with other utilities. 6) Bills were paid.
- H. PLANNING COMMISSION – No February meeting.
- I. ZONING BOARD OF APPEALS – There has not been a meeting. Next meeting is scheduled for March 21<sup>st</sup>.
- J. WEBSITE – Trustee Counts showed a draft of the design for the new Township Website. The board gave feedback about the looks of the website. It is proposed to be up and running with a projected start day of July 1<sup>st</sup>. There will be a merging of the old and the new website with the new address of; [www.howelltwpmi.org](http://www.howelltwpmi.org) . Gradually all business cards, as ordered, will reflect the new address.
- K. WWTP – Treasurer Hohenstein reported: 1) At the meeting, Accounting Clerk Kilpela and he voiced their concerns about Jerry at the WWTP. There needs to be more communication about things that need to be replaced or fixed. Otherwise, things are progressing well at the plant.
- L. LUCY ROAD – 1) See item 8C.

M. HAPRA – Trustee Kanninen reported: 1) there was much discussion about the upcoming millage and Employee Handbooks.

**CALL TO PUBLIC:**

John Mills, 1750 Oak Grove Road – discussed the recent train derailment that happened on his property. It will take several weeks for the clean-up to be completed. Asked about what the Rainbow vs Howell Township was about. (It is in the courts.) Asked question about a piece of property in District 8. Commented on his concern how the Road Commission had taken down very old trees on Hacker Road. Wanted to know about a building issue at the WWTP that was going on last year. (Township hired a new company to finish the project.)

Gary Browning, 4748 Deal Road – is still concerned about the road dead ending at his driveway and there is not enough room for large trucks to turn around without using his driveway. He feels neither the township nor the county is doing anything about his situation. He is asking for the township to write letters stating no one is to turn around in his driveway. (The township cannot do that. The township has gotten the Stop sign replaced. There is nothing else the township can do about traffic using his driveway to turn around. He does not own the property, he only has a right of way for his driveway.)

**DISBURSEMENTS REGULAR AND CHECK REGISTER:**

**MOTION** by Counts, seconded by Howard, **“TO APPROVE THE REGULAR DISBURSEMENTS THROUGH MARCH 8, 2016 AND CHECK REGISTER AS PRESENTED, ALSO ANY CUSTOMARY AND NORMAL PAYMENTS FOR THE MONTH.”** Motion carried unanimously

**ADJOURNMENT:** **MOTION** by, Kanninen, seconded by Howard **“TO ADJOURN.”** Motion carried. The meeting adjourned 8:57 p.m.

Approved:       X      

\_\_\_\_\_  
Carolyn Eaton  
Howell Township Clerk

As Presented: \_\_\_\_\_

As Amended:       X      

As Corrected: \_\_\_\_\_

\_\_\_\_\_  
Mike Coddington  
Howell Township Supervisor

Dated   04.11.2016  

Signed: \_\_\_\_\_

Debby Johnson  
Recording Secretary