**HOWELL TOWNSHIP BOARD SPECIAL MEETING**

**October 3, 2016**

**Howell Township Hall**

**6:30. p.m.**

**MEMBERS PRESENT: MEMBERS ABSENT:**

Mike Coddington Supervisor

Carolyn Eaton Clerk/Zoning Administrator

Jonathan Hohenstein Treasurer

Matthew Counts Trustee

Dar Howard Trustee

Lois Kanniainen Trustee

Michael Tipton Trustee

Clerk/Zoning Administrator Eaton called the meeting to order at 6:30 p.m. The roll was called.

**MOTION** by Hohenstein, seconded by Tipton, **“TO APPOINT CLERK/ZONING ADMINISTRATOR EATON AS CHAIRPERSON FOR THE OCTOBER 3RD SPECIAL MEETING IN THE ABSENCE OF SUPERVISOR CODDINGTON.”** Motion carried.

**MOTION** by Counts, seconded by Howard, **“TO AMEND THE AGENDA TO INCLUDE THE PLEDGE OF ALLEGIANCE.”** Motion carried. All rose for the Pledge of Allegiance.

**CALL TO THE PUBLIC:**

No response.

**LUCY ROAD RESOURCES:** Request to amend the Consent Decree, screening – Attorney Paul Bohn for Lucy Road Resources is requesting to amend the Consent Decree to change the nature of the top 6 feet of screening to allow bunker block in lieu of a wood or vinyl fence. The 1950 foot long wall has been started and is approximately 85 to 95 percent finished. Much discussion followed. Attorney Bohn requested a short break to confer with his client. **MOTION** Counts, seconded by Howard, **“TO TAKE A SHORT BREAK TO ALLOW ATTORNEY BOHN TO CONFER WITH HIS CLIENT VERN BROCKWAY OF LUCY ROAD RESOURCES.”** Motioncarried. Session break at 7:08 p.m. **MOTION** by Kanniainen, seconded by Howard, **“TO COME BACK INTO SESSION AT 7:13 P.M.”** Motion carried. Attorney Bohn and the board discussed deadlines for certain aspects of the Consent Decree that has not been completed. Howell Township Attorney Helen Mills stated that this is not a traditional screening and wanted to know what constitutes a screen. What was approved was a wood or vinyl screening. Attorney Bohn stipulated that it is a much more robust type screening. Mr. Brockway stated that he was concerned because of the length, height and direction of the fence run, a wood or vinyl screen would not be able to handle the wind ~~surface~~^load. The bunker block screening consist of a 16” berm, 8” of concrete footing and 4 two foot blocks, making the screening 10 feet in height. The board conveyed their frustration at how long this process has taken and how many times this has had to go to court. They want affirmation that the consent decree will be completed by any new deadlines. Discussion on vehicles/trucks that are parked in front of the building. **MOTION WITH A FRIENDLY AMENDMENT** by Howard, seconded by Tipton, **“TO EXTEND THE AGREEMENT OF THE CONSENT DECREE TO ALLOW THE COMPLETION AS FOLLOWS: SAMPLE OF PAINTED BLOCK BROUGHT INTO THE OFFICE BEFORE THE OCTOBER 10TH BOARD MEETING, 4 BLOCK HIGH FENCE/WALL COMPLETED AND PAINTED/STAINED BY OCTOBER 31, 2016, SPECIFIED SCRAP/JUNK PILES REMOVED/CLEARED BY NOVEMBER 15, 2016, LANDSCAPING COMPLETED BY DECEMBER 31, 2016, COMPLETION OF ALL NOTABLE REGLULATORY ITEMS RELATED TO PERMITTING AND OTHER AGENCIES..”** Discussion followed. A roll-call vote was taken: Hohenstein – no, Howard – yes, Counts – yes, Kanniainen –yes, Eaton – no, Tipton – yes. Motion carries 4 to 2.

**CLOSED SESSION:**

CONFIDENTIAL LEGAL WRITTEN OPINION AND ACQUISTION OF PROPERTIES DISCUSSION – **MOTION** by Counts, seconded by Howard, **“TO GO INTO CLOSED SESSION AT 7:54 P.M.”** A roll-call vote was taken: Counts – yes, Tipton – yes, Hohenstein – yes, Howard – yes, Kanniainen – yes, Eaton – yes. Motion carried 6 to 0. **MOTION** by Hohenstein, seconded by Howard, **“TO COME BACK INTO SPECAIL MEETING AT 8:12 P.M.”** Motion carried.

**PROPERTY ACQUISTION REGARDING SCAVENGER SALE:**

**MOTION** by Hohenstein, seconded by Counts, **“MOVE TO ACCEPT THE RECOMMEDATION OF THE BOARD IN CLOSED SESSION.”** Motion carried.

**ADJOURNMENT:** **MOTION** by, Howard, seconded by Counts, “**TO ADJOURN.”** Motion carried. The meeting adjourned 8:13 p.m.

Approved: **X**  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Carolyn Eaton

As Presented:  Howell Township Clerk

As Amended: \_\_\_\_\_ \_\_\_\_\_\_ \_\_\_\_

As Corrected:  **X** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Mike Coddington

Dated \_\_\_\_ 10.0.2016 \_\_ Howell Township Supervisor

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

 Debby Johnson

 Recording Secretary