

**HOWELL TOWNSHIP BOARD REGULAR MEETING
MINUTES**

3525 Byron Road
Howell, MI 48855
December 9, 2019
6:30 P.M.

MEMBERS PRESENT:

Mike Coddington	Supervisor
Jean Graham	Clerk
Jonathan Hohenstein	Treasurer
Matthew Counts	Trustee
Harold Melton	Trustee
Evan Rudnicki	Trustee
Jeff Smith	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.

APPROVAL OF THE AGENDA:

DECEMBER 9 2019

MOTION by Hohenstein, seconded by Smith, **“TO APPROVE THE DECEMBER 9, 2019 AGENDA AS AMENDED: ADD AGENDA ITEM 9K; PLANNING COMMISSION RESIGNATION OF WILLIAM HOFSESS AND ITEM 9L; CROSSROADS DISCUSSION, UNDER ITEM 9G3; CORRECT THE LESA RESOLUTION NUMBER TO 12.19.473”** Discussion followed. Motion carried.

OCTOBER 14, 2019 MEETING MINUTES:

A. REGULAR BOARD MEETING MINUTES - **MOTION** by Hohenstein, seconded by Counts, **“TO APPROVE THE OCTOBER 14, 2019 MEETING MINUTES AS CORRECTED: UNDER NEW BUSINESS; ITEM C, CORRECT THE PERMIT EXTENSION DATE TO 11/20/2024.”** Discussion followed. Motion carried. (See October 14, 2019 Regular Meeting Minutes)

OCTOBER 14, 2019 CLOSED SESSION MINUTES:

A. CLOSED SESSION MINUTES – **MOTION** by Hohenstein, seconded by Counts, **“TO APPROVE THE OCTOBER 14, 2019 MEETING MINUTES AS PRESENTED.”** Discussion followed. Motion carried.

CORRESPONDENCE:

No additions.

UNFINISHED BUSINESS:

None.

CALL TO THE PUBLIC:

No response.

NEW BUSINESS:

A. 2019-2020 FINANCIAL REPORT AND BUDGET AMENDMENTS

Deputy Supervisor Kilpela opened up with questions and discussion. With the postponement of November’s Meeting Board Members have had time to study the Revenue and Expenditure Report and the Cash Flow Charts. He would like to propose an amendment to the 2019-2020 Budget with an increase to the General

Fund Local Community Share from \$25,000.00 to \$50,000.00. This is to account for the State of Michigan Treasury Payment Schedule Change. There were no questions or concerns from the Board. **MOTION** by Hohenstein, seconded by Graham, “**MOVE TO ACCEPT THE BUDGET AMENDMENT AS PRESENTED.**” Discussion followed. Motion carried. On the Cash Flow Using Budgeted Revenue; Parks and Rec Fund will be carried forward.

B. OBLIQUE AERIAL IMAGERY PROPOSAL

Deputy Supervisor and Assessor Kilpela stated the need for this software addition to the Assessing Program. The Township has experienced retirements in the Assessing and Zoning. The Field Inspector has moved into the Zoning Administrator position thus leaving a gap in field inspections. More and more residents have concerns with people coming on to their properties looking around especially when there could be young children alone at home. The Oblique Aerial Imagery Program would eliminate the need for this as they would do a fly over and take aerial shots of each parcel that will show all 4 sides of buildings that with the program tools be able to measure height, width and other needed measurements. The current GIS program that is used will not allow you to do this as theirs only shows top or straight down view. The Assessor will be able to view a shot of a resident's property and be able to determine if new buildings have been added or perhaps been removed. The State Tax Commission recognizes this as an acceptable form of field work. There are many cities that are using this for doing their appraisals. This is a cost effective way to meet the needs of the Township. This software can be shared among all departments within the office. Howell Township would be the first for Livingston County. Brent is recommending a 6 year – 3 flight project from Eagleview as they will allow each project to be paid over 2 years.

- **MOTION** by Graham, seconded by Smith, “**TO APPROVE EAGLEVIEW PROPOSAL AS PRESENTED FOR 6 YEARS.**” Discussion followed. It was noted that if the Township did not want to go for the entire 6 years, the Township may pull out without any penalties. Motion carried.
- **MOTION** by Graham, seconded by Rudnicki, “**TO AMEND THE GENERAL FUND COMPUTER SUPPORT EXPENSE TO \$50,000.00.**” Discussion followed. Motion carried.

C. JOHN GRAY APPLICATION WAIVER

Supervisor Coddington stated that this is being brought to the Board due to the fact the Township signed off on Mr. Gray's building permit for a barn. It was discovered later that the barn is in front of his house which is against Township's ordinance. The Township signed the final on the permit but the mistake of where the barn was placed was not found until later. To get the record corrected, Mr. Gray went to the ZBA for a waiver to allow for the placement of the barn. The waiver was approved. Mr. Gray is looking for reduction in the cost of having to acquire the waiver. It is recommended to just ask for the publishing fees for the waiver.

- **MOTION** by Hohenstein, seconded by Melton, “**TO WAIVE FEES FOR JOHN GRAY TO THE AMOUNT OF PUBLICATION.**” Discussion followed. Motion carried.

D. APPROVAL OF MEETING CALENDARS FOR 2020

Clerk Graham submitted the calendar for Township Board Meetings, Planning Commission Meetings, Zoning Board of Appeals and Waste Water Treatment Plant Meetings for the year 2020.

- **MOTION** by Rudnicki, seconded by Counts, “**TO APPROVE THE CALENDARS FOR 2020 AS PRESENTED.**” Discussion followed. Motion carried.

E. ANNUAL SEWER/WATER CONNECTION FEES

Treasurer Hohenstein reminded the Board that the ordinance states if the Board takes no action the fees automatically go up by 5% every January 1st. The Board can approve to keep the fees the same or increase

to an amount that is needed. The current fee of \$4,830.00 was set in 2016. If the 5% increase is allowed, the fee will be \$5071.50. Discussion on setting the fee to an even amount.

- **MOTION** by Graham, seconded by Smith, **“TO SET THE WATER/SEWER CONNECTION FEE AT \$5,000.00 EACH.”** Discussion followed. Motion carried.

F. NON-MOTORIZED PLAN

Trustee Counts explained that in October of this year, the Planning Commission had a Public Hearing regarding an upgrade to the Non-Motorized Plan. The main topic was what should be sidewalks and what should be pathways. The Planning Commission is making a recommendation to the Board for approval. The issue could not be voted on in November as that Township Meeting was postponed due to the weather.

- Supervisor Coddington explained that this is still just a map of the plan. There are many steps and easements that will need to be taken before any of these are put in place.
- **MOTION** by Counts, seconded by Smith, **“TO ADOPT THE PROPOSED UPDATED NON-MOTORIZED PLAN AS PRESENTED.”** Discussion followed. Motion carried.

G. COLLECTION OF SUMMER SCHOOL TAXES

Treasurer Hohenstein explained that this comes up every year. We collect the taxes for the 3 school districts within Howell Township. The Township receives \$3.00 for each parcel that we collect from.

- **MOTION** by Hohenstein, seconded by Melton, **“TO APPROVE RESOLUTION #12.19.471, AGREEMENT TO COLLECT SUMMER SCHOOL PROPERTY TAXES FOR FOWLERVILLE COMMUNITY SCHOOLS.”** Discussion followed. A roll-call vote was taken: Counts – yes, Coddington – yes, Melton – yes, Hohenstein - yes, Smith – yes, Rudnicki – yes, Graham – yes. Motion carries 7 to 0.
- **MOTION** by Hohenstein, seconded by Melton, **“TO APPROVE RESOLUTION #12.19.472, AGREEMENT TO COLLECT SUMMER SCHOOL PROPERTY TAXES FOR HOWELL PUBLIC SCHOOLS.”** Discussion followed. A roll-call vote was taken: Hohenstein – yes, Counts – yes, Rudnicki – yes, Smith – yes, Graham – yes, Coddington – yes, Melton – yes. Motion carries 7 to 0.
- **MOTION** by Hohenstein, seconded by Melton, **“TO APPROVE RESOLUTION #12.19.473, AGREEMENT TO COLLECT SUMMER SCHOOL PROPERTY TAXES FOR LESA”.** Discussion followed. A roll-call vote was taken: Coddington – yes, Smith – yes, Graham – yes, Counts – yes, Melton – yes, Hohenstein – yes, Rudnicki - yes. Motion carries 7 to 0.

H. SET PUBLIC HEARING, IFT- SMART LABEL SOLUTIONS LLC

Clerk Graham stated the next Board Meeting date is January 13, 2020.

- **MOTION** by Graham, seconded by Rudnicki, **“TO SET THE PUBLIC HEARING, FOR AN IFT FOR SMART LABEL SOLUTIONS LLC, FOR THE JANUARY 13, 2020 MEETING.”** Discussion followed. Motion carried.

I. ZBA RESIGNATION – KIM BABCOCK

The current ZBA Chairperson has submitted her resignation from the Zoning Board of Appeals to take effect December 31, 2019. She has stated that she would be an alternate to the ZBA Board if needed. It was noted from the Zoning Board of Appeals, that Kim was an asset to the ZBA.

- **MOTION** by Rudnicki, seconded by Counts, **“TO ACCEPT KIM BABCOCK’S RESIGNATION FROM THE ZBA AS PRESENTED.”** Discussion followed. Motion carried. The opened position will be posted on the website and placed in the Livingston County Daily Paper.

J. CODE ENFORCER OFFICER

Supervisor Coddington stated that the Township only uses the ticket system approximately every 8 years. At this time the Township does not have anyone to issue these citations. Legal Council is suggesting appointing Joe Daus who is the Zoning Administrator, as the Code Enforcer and for Civil Infractions. Supervisor Coddington stated he has issues with appointing Joe to handle the Civil Infractions issues due to the fact that the Sheriff Department has trained law-enforcement people who have a better experience on handling these types of issues when going into court. The ordinance needs to be clarified on handling these issues. Discussion on appointing Joe Daus just as the Code Enforcer.

- **MOTION** by Rudnicki, seconded by Hohenstein, **“TO APPOINT JOE DAUS AS THE CODE ENFORCER.”** Discussion followed that with clarification in the ordinance, the Code Enforcer, could be stated as done by the Zoning Administrator and not a particular person. Motion carried.

K. PLANNING RESIGNATION – WILLIAM HOFSESS

Commissioner Hofsess submitted his resignation from the Planning Commission due to the fact that his class load at U of M has changed and also is planning to move out of Howell Township. The Planning Commission stated that Mr. Hofsess was an asset to the Planning Commission the short time he was here.

- **MOTION** by Graham, seconded by Counts, **“TO ACCEPT WILLIAM HOFSESS RESIGNATION FROM THE PLANNING COMMISSION AS PRESENTED.”** Discussion followed. Motion carried. The opened position will be posted on the website and placed in the Livingston County Daily Paper.

L. CROSSROADS DISCUSSION

Treasurer Hohenstein stated in regards to the lawsuit with Crossroads; the Township Board accepted the agreement. The agreement gave Crossroads 90 days to get their site plan to the Township. Crossroads is stating that is not enough time. Crossroads will agree upon the original 90 days but they want the flexibility to come back and request an additional 90 days if needed. The first 90 days does not begin until the agreement is signed.

- **MOTION** by Rudnicki, seconded by Smith, **“TO APPROVE THE 90 PLUS 90 LANGUAGE IN THE DEAL WITH CROSSROADS OUTDOOR LLC.”** Discussion followed. A roll-call vote was taken: Rudnicki – yes, Hohenstein – no, Smith – yes, Melton – yes, Coddington – yes, Graham – yes, Counts – yes. Motion carried 6 to 1.

REPORTS:

A. SUPERVISOR:

(Supervisor Coddington reported on the following items)

- Dealing with a lot of real estate and legal emails.
- Dealing with many trespassing issues on Township owned properties, due to the hunting season.

B. TREASURER:

(Treasurer Hohenstein reported on the following items)

- The Summer Tax collection is at 97.7% and the Winter Tax collection is at 35.5%.
- Showed the G 2 G report which shows the amount of activity the residents are using the Counter Credit Card machine. We are almost at the 1 year mark.
- Attended a MDOT Meeting. There have been complaints about speeding on Fisher Road. A speed study, zoning in on the first ½ mile from Oak Grove Road, will be conducted. Discussed the non-traditional method of speed study that might be performed.

- The credit card company that the Township uses for online payments is no longer being supported by our software. A new vendor called, Point & Pay has been implemented. Several other townships use this vendor and are happy with it. The switch of vendors will happen within the next month.
- Update on the Oakland Tactical case.

C. CLERK:

(Clerk Graham reported on the following items)

- 3 new laptops have been purchased and received that will be used in the upcoming elections. All election laptops will require Windows 10 to be able to work with QVF (Qualified Voter File) from the State. The current laptops are not able to convert.
- Over 400 new applicants have applied so far to be placed on the Township's Permanent Absent Voter Application List bringing the total listing to almost 1300 voters.

D. ZONING:

(See Zoning Administrator Daus' prepared written report)

E. ASSESSING:

(See Assessor Kilpela's prepared written report)

F. FIRE AUTHORITY:

(Supervisor Coddington reported on the following items)

- Audit was completed.
- Renewed the attorney contract.
- An update on the new firetruck – they are a little behind, hopefully it will arrive within the next couple of months.

G. MHOG:

(Trustee Counts reported on the following items)

- Between October and November work on the contract continued.
- The work on the new building is still in progress.
- The Marion Township's water tower is completed.
- Hydrant flushing is completed.
- Greg and Alex, from MHOG, went to the AWWA (American Water Works Association) Meeting in Mt. Pleasant did a presentation on how the entire system can be managed by smartphones and tablets.
- The MHOG truck in the Lights parade was the Grinch.

H. PLANNING COMMISSION:

(Trustee Counts reported on the following items)

- See October and November Synopses.
- Bedrock Ventures received final site plan approval.
- Open discussion on the Innovation Zone.

I. ZONING BOARD OF APPEALS (ZBA):

(Trustee Rudnicki reported on the following items)

- There were 2 meetings in October and 1 in November; see synopses.

J. WWTP:

(Treasurer Hohenstein reported on the following items)

- Generators on all pump stations have been looked at.
- Cummins Sales and Service has submitted a quote for work on generators. **MOTION** by Hohenstein, seconded by Counts, **“TO APPROVE QUOTE FROM CUMMINS FOR GENERATOR MAINTENANCE ITEMS NOT TO EXCEED \$1,600.00 AS PRESENTED.”** Discussion followed. Motion carried.
- The Committee approved to fix the Trans West generator which is a critical pump station. **MOTION** Hohenstein, seconded by Melton, **“TO APPROVE QUOTE FROM CUMMINS FOR GENERATOR MAINTENANCE ITEMS NOT TO EXCEED \$1,300.00 AS PRESENTED.”** Discussion followed. Motion carried.

K. HAPRA:

(Trustee Rudnicki reported on the following items)

- October Meeting – there was an update of the Sleepy Howell Event; good turn out even though the event had to take place on the side streets instead of on Grand River due to the road repair going on at the time.
- An update on the new building going in at Oceola Township.

(Clerk Graham reported on the following items)

- November Meeting – Still going over the ideas for the new building.
- May be purchasing a vehicle for HAPRA.

L. PROPERTY COMMITTEE:

(Treasurer Hohenstein reported on the following items)

- The Pine View Property offer has fallen through. The Homeowners Association did not want Allen Edwin to split the property, did not want new section to be all renters.
- Contract with realtor is up in January. Two candidates were considered from the 2018 candidate interviews; Chestnut Development and Griffith Realty. The Property Committee is recommending to go with Griffith Realty. **MOTION** by Hohenstein, seconded by Melton, **“TO AWARD THE CONTRACT TO GRIFFITH REALTY FOR A TWO YEAR TERM, ENDING JANUARY 2022.”** Discussion followed. Motion carried.

CALL TO PUBLIC:

- Bob Howe, 2852 Amberwood Trail – is opposing the non-motorized path that shows it will go right through the middle of his property. He purchased the property because of its privacy. (This is something that is several years down the road. It takes a long time to get something like this through. The Township will try and receive grants to help with the cost and that takes years.)
- Jason Howe, 5937 Fisher Road – stated the bike path will get the bikers and walkers off the main roads.

DISBURSEMENTS: REGULAR AND CHECK REGISTER:

MOTION by Counts, seconded by Smith, **“TO APPROVE THE REGULAR DISBURSEMENTS THROUGH NOVEMBER 6, 2019 & DECEMBER 3, 2019 AND CHECK REGISTER AS PRESENTED, ALSO ANY CUSTOMARY AND NORMAL PAYMENTS FOR THE MONTH.”** Discussion followed. Motion carries.

ADJOURNMENT: **MOTION** by Melton, seconded by Hohenstein, **“TO ADJOURN.”** Motion carried. The meeting adjourned 7:42 p.m.

As Presented: X

As Amended:

As Corrected:

Dated: 01.13.2020

Howell Township Clerk
Jean Graham

Mike Coddington
Howell Township Supervisor

Debby Johnson, Recording Secretary