

**HOWELL TOWNSHIP REGULAR BOARD  
MEETING MINUTES**

3525 Byron Road Howell, MI 48855

December 11, 2023

6:30 P.M.

**MEMBERS PRESENT:**

Mike Coddington      Supervisor

Jonathan Hohenstein      Treasurer

Jeff Smith      Trustee

Harold Melton      Trustee

Bob Wilson      Trustee

**MEMBERS ABSENT:**

Sue Daus      Clerk

Matthew Counts      Trustee

**Also in Attendance:**

Jacob Witte - Township Attorney

Tom Landa – Township Attorney

Eighteen people were in the audience.

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

**CALL TO THE BOARD:**

No additions

**APPROVAL OF THE AGENDA:**

December 11, 2023

**Motion** by Melton, **Second** by Hohenstein, **“To accept the agenda.”** Motion carried.

**APPROVAL OF BOARD MEETING MINUTES:**

November 13, 2023

REGULAR BOARD MEETING MINUTES

**Motion** by Hohenstein, **Second** by Melton, **“To accept the minutes from November 13<sup>th</sup> as presented.”**

Motion carried.

CLOSED SESSION MEETING MINUTES

**Motion** by Hohenstein, **Second** by Melton, **“To accept the closed session minutes as presented.”** Motion

carried.

**CORRESPONDENCE:**

One addition was placed on the board table. No questions.

**CALL TO THE PUBLIC:**

None

**NEW BUSINESS:**

A. Special Use Permit Request, PC-2023-04

Howell-Mason, LLC. 4706-33-300-001, 4706-33-300-018

Todd Leekander gave an overview of Mugg and Bopps and the proposed site plan. Brent LaVanway from Boss Engineering gave an overview of the site plan. Greg Buchoveckey from Mannakin Smith gave an overview of the geological conditions in the area. Charlie Burns from Oscar W. Larson gave an overview of the proposed 20,000 gallon tank, piping and pumping system. Paul LeBlanc from PLB Planning gave an overview of the previous Planning Commission meeting and the Township's ordinances. Discussion followed. Clarification from Treasurer Hohenstein regarding the Planning Commission's action on the Special Use Permit request for a gas station in the NSC zoning district and that no action was taken by the Planning Commission on the Special Use Permit required for a drive-thru restaurant nor was the site plan itself sent to the Board for a decision.

**Motion** by Hohenstein, **Second** by Smith, **"To accept the Planning Commission's recommendation and deny the application for a special use permit in the NSC zoning district based upon the following:**

**1. Section 16.11 (C-8) of the zoning ordinance prohibits the establishment of a gas service station within 300 feet of a wellhead protection area and the property is located in the MHOG wellhead protection area. 2. The proposed use violates section 16.06 (A) as an establishment of a gas station in the area would not be harmonious with the general objectives, purpose, and intent of the zoning ordinance, as the dispensing of gasoline can create noise, smoke, fumes, and odors – which can negatively impact persons and the general welfare of the surrounding area. 3. The proposed use violates section 16.06 (D) and (F) of the zoning ordinance, as the state has designated the area in which the gas station is located as a wellhead protection area. Because a wellhead protection area constitutes an area which supplies a public water supply as deemed by EGLE, placement of a gas station within that area has the potential to be hazardous to existing or future neighboring uses and have a substantial adverse impact to natural resources in the area, including wells and watersheds. 4. Permitting a gasoline station in the wellhead protection area does not conform to the Master Plan, which seeks to protect existing natural resources and preserve the quality of the Township's water resources. 5. Information contained in the Township Planner's Report. 6. Comments from the Public and, 7. Information provided by the Planning Commission as reflected in their minutes." Roll call vote: Hohenstein – yes, Melton – yes, Coddington – yes, Wilson – yes, Smith – yes. Motion carried 5-0.**

**Motion** by Hohenstein, **Second** by Smith, **"To deviate to agenda item 13. Closed session for Burkhart Road Associates v. Howell Township." Motion carried.**

B. Griffith Realty – Contract Renewal

Treasurer Hohenstein discussed the current contract with Griffith Realty and his opinion of the quality of service being provided by Scott Griffith. **Motion** by Smith, **Second** by Hohenstein, **"To approve the listing extension agreement as presented to extend Griffith Realty as the Howell Township realtor, term ending no later than January 31<sup>st</sup> 2026. Motion carried.**

C. Property Sale – 8.08 Ac. Bowen Rd., 4706-22-300-047

Treasurer Hohenstein discussed the offer for the property. Discussion followed. **Motion** by Hohenstein, **Second** by Smith, "**To accept resolution 12.23.533 for sale of property 4706-22-300-047 as presented.**" Roll call vote: Wilson – yes, Hohenstein – yes, Melton – yes, Smith – yes, Coddington – yes. Motion carried 5-0.

**PUBLIC HEARING:**

Park and Recreation Master Plan

**Motion** by Hohenstein, **Second** by Smith, "**To open the public hearing for the Park and Recreation Master Plan.**" Roll call vote: Coddington – yes, Melton – yes, Smith – yes, Hohenstein – yes, Wilson – yes. Motion carried 5-0.

Treasurer Hohenstein discussed the Recreation Master Plan prepared by Carlisle and Wortman. Park and Recreation Committee member Martha Haglund discussed the survey results.

**Motion** by Hohenstein, **Second** by Melton, "**To close the public hearing.**" Motion carried.

**Motion** by Hohenstein, **Second** by Smith, "**To approve the Township Park and Recreation Master Plan as presented.**" Motion carried.

**UNFINISHED BUSINESS:**

A. Guardian Alarm

Treasurer Hohenstein discussed the revised quote from Guardian Alarm. Discussion followed. It was the consensus of the Board to take no action at this time.

**CALL TO THE PUBLIC:**

None

**REPORTS:**

A. SUPERVISOR:

B. TREASURER:

Reported on Tribar's delinquent taxes and past due water payments. Treasurer Hohenstein reported on Tribar's delinquent IFT bills and that he is moving forward with sending a demand letter for payment of the IFT, which if not paid within 60 days the IFT will automatically terminate on December 31<sup>st</sup>, 2024. It was the consensus of the Board to send the IFT demand letter, stay on top of Tribar's water bills, and use the water shut-off process as necessary.

C. CLERK:

Treasurer Hohenstein reported on Sue's request for education for the Clerk and Deputy Clerk. **Motion** by Hohenstein, **Second** by Smith, "**To approve the Clerk and Deputy Clerk to attend the MAMC Institute in March of 2024 plus accommodations as presented.**" Discussion followed. Motion was amended "**To approve the Clerk and Deputy Clerk to attend the MAMC Institute in March of 2024 plus accommodations not to exceed \$3,600.00 as presented.**" Motion carried.

Treasurer Hohenstein discussed the changes to the voting precincts allowed due to the change in state voting laws and that Resolution 12.23.534 was approved by the Election Commission reducing Howell Township from 3 voting precincts to 2 voting precincts.

D. ZONING:

No zoning report was included from Zoning Administrator Joe Daus. Treasurer Hohenstein discussed education opportunities for the Planning Commission and ZBA. **Motion** by Hohenstein, **Second** by Melton, **"To approve Planning Commission members and ZBA members to attend the class, The Roles and Responsibilities of a Planning Commission, put on by Michigan State University Extension as presented."** Motion carried.

E. ASSESSING:

See Assessor Kilpela's report

F. FIRE AUTHORITY:

Supervisor Coddington reported on the Fire Authority

G. MHOG:

Supervisor Coddington reported on MHOG

H. PLANNING COMMISSION:

Supervisor Coddington reported on the Planning Commission

I. ZONING BOARD OF APPEALS (ZBA):

No meeting to report

J. WWTP:

See Treasurer Hohenstein's report

K. HAPRA:

See Clerk Daus's report

L. PROPERTY COMMITTEE:

Treasurer Hohenstein reported on the Property Committee. **Motion** by Hohenstein, **Second** by Melton, **"To accept the recommendation from the Property Committee and deny the request for an extension of the investigation period."** Motion carried.

M. PARK & RECREATION COMMITTEE:

No report

**CLOSED SESSION:**

**Motion** by Hohenstein, **Second** by Melton, **"To go into closed session to discuss Burkhart Road Associates v. Howell Township."** Roll call vote: Melton – yes, Wilson – yes, Smith – yes, Coddington – yes, Hohenstein – yes. Motion carried 5-0.

**Motion** by Hohenstein, **Second** by Melton, **"To enter back into regular session."** Motion carried.

**Motion** by Hohenstein, **Second** by Melton, **"To approve the non-binding term sheet as presented in closed session for the Burkhart Road Associates v. Howell Township litigation and authorize counsel to finalize the settlement agreement."** Motion carried.


**DISBURSEMENTS: REGULAR PAYMENTS AND CHECK REGISTER:**

**Motion** by Hohenstein, **Second** by Melton, **"To accept the disbursements as presented and any normal and customary payments for the month."** Motion carried.

**ADJOURNMENT:** **Motion** by Melton, **Second** by Smith, **"To adjourn."** Motion carried. The meeting was adjourned at 9:01pm.



\_\_\_\_\_  
Sue Daus, Howell Township Clerk



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



\_\_\_\_\_  
Tanya Davidson, Recording Secretary