

## HOWELL TOWNSHIP BOARD REGULAR MEETING

### MINUTES

Howell Township Hall

January 8, 2018

6:30. p.m.

#### **MEMBERS PRESENT:**

Mike Coddington      Supervisor  
Jonathan Hohenstein      Treasurer  
Matthew Counts      Trustee  
Harold Melton      Trustee  
Sally Newstead      Trustee

#### **MEMBERS ABSENT:**

Jean Graham      Clerk  
Dar Howard      Trustee

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: MOTION** by Hohenstein, seconded by Melton, “**TO APPROVE THE JANUARY 8, 2018 AGENDA AS AMENDED: ADD ITEM 9B, TOWNSHIP ORDINANCE, ‘CONNECTIONS’.**” Motion carried.

#### **APPROVAL OF MINUTES:**

**MOTION** by Hohenstein, seconded by Newstead, “**TO APPROVE THE DECEMBER 11, 2017 REGULAR MEETING MINUTES AS PRESENTED.**” Motion carried. (See December 11, 2017 Meeting Minutes)

**MOTION** by Counts, seconded Hohenstein, “**TO APPROVE THE CLOSED SESSION MINUTES FROM THE DECEMBER 11, 2017 MEETING AS PRESENTED.**” Motion carried.

#### **CORRESPONDENCE:**

See list.

#### **CALL TO THE PUBLIC:**

- George Hillman, 3730 Bowen Rd. – Stated he doesn’t think it is fair that he has to pay the \$50.10 Sewer Debit Fee when he is not connected to the system. He feels he is already paying for it through an assessment on his taxes. (Treasurer Hohenstein stated he had talked with Mr. Hillman’s attorney and explained that the ordinance is very clear on this matter.) Mr. Hillman would like a copy of the ordinance. (He can come into the office during business hours and receive a copy.)

#### **AUDIT FINANCIAL REPORT, YEAR ENDED JUNE 30. 2017**

Neil Hammerbacher from Gabridge & Company went over the audit they conducted for the year ending June 30, 2017. The results disclosed no instances of noncompliance or other matters that are required to be reported under “Government Auditing Standards”. Mr. Hammerbacher gave Brent Kilpela who resides over the Township’s financial statements kudos for doing a thorough job. Mr. Hammerbacher took questions from the Board members. (Public may come into the office to review the full audit. It is also posted on the Township website.)

#### **UNFINISHED BUSINESS:**

##### **A. COMMERCIAL REALTORS, STAFF RECOMMENDATION**

Treasurer Hohenstein explained that the staff committee interviewed 4 candidates that submitted letters to be considered for the Howell Township Commercial Realtor. The committee made their top two choices. They are Chestnut Real Estate and Griffith Realty. Each realtor was given an opportunity to speak.

- Scott Griffith from Griffith Realty – Stated his company has been in the area for many years and knows the properties well and believes his company has a good aggressive marketing campaign.
- Christian Bugeja and Steve Gronow from Chestnut Real Estate – Stated they will use commercial websites and social media to get the properties out there. They want to do a study on each property and get the specifics to get a development plan for each property. {To be on record: the Township is currently in purchase agreements with Mr. Gronow with the potential of there being more.} Mr. Gronow stated that if the Township chooses his Real Estate Co. to represent the Township and Chestnut decides to purchase any of the properties, Chestnut would not take a commission on the sale.
- Both candidates were asked if they have previously sold any property in Howell Township. Both candidates answered yes.
- **MOTION** by Hohenstein, seconded by Melton, **“TO ACCEPT THE RECOMMENDATION FROM THE EMPLOYEES WHO DID THE INTEVIEWING FOR A COMMERCIAL REALTOR. THEIR RECOMMENDATION IS CHESTNUT REAL ESTATE FOR A TWO YEAR CONTRACT, PENDING A CONTRACT REVIEW FROM THE TOWNSHIP ATTORNEY.”** Discussion followed. Motion carries.

## B. TOWNSHIP CONNECTIONS

Treasurer Hohenstein reminded the Board that this was briefly discussed at the last meeting. There are 3 ordinances that concern the sewer/water connections. The oldest is Ordinance 169 and then 181 and 238. Section 6 and Exhibit A in Ordinance 238 does not seem to be compatible with the other two ordinances. It is Treasurer Hohenstein recommendation to remove that section. Discussion followed. **MOTION** by Counts, seconded by Newstead, **“TO APPROVE TO GET THE TOWNSHIP ATTORNERYS OPINION ON THESE ORDINANCES BEFORE DECIDING TO MAKE ANY CHANGES.”** Discussion followed. Motion carried.

## **NEW BUSINESS:**

### A. DENISE POLLICELLA FROM THE CANNABIS ATTORNEYS

Ms. Pollicella from Pollicella & Associates, PLLC gave an overview of the Michigan’s State-Licensed Medical Marihuana Industry. She stated that since the inception of Public Act 281 of 2016 which went into effect December 2016 they are not seeing much interest from Livingston County in regulating this industry. Her discussion was on Medical Marihuana Facilities Licensing Act (MMFLA) is to fix many of issues of the Michigan Medical Marijuana Association (MMMA). There are 5 types of commercial medical marihuana businesses/licenses:

1. Growers,
2. Processors,
3. Provisioning Centers
4. Transporters
5. Safety Compliance Centers

She discussed the ‘Role of Municipalities’. Michigan began accepting applications for state licenses on December 15, 2017. Before a facility can purse a state license, it must obtain municipal approval. They have the option to permit only what they want to allow. She also discussed things to consider; Responsible Businesses, Public Safety, Compassion and Revenue. Additional fact; Michigan spells marihuana with an “h” instead of a “j” out of deference to its spelling in our state constitution from its original Mexican Spanish spelling and its first appearance in US law in the Marihuana Tax Act of 1937. She thanked the Township Board for letting her come to the Board Meeting. Her goal is to get more municipalities to opt in. At this time more than 60 Michigan communities have formally opted in to the MMFLA program or have drafted ordinances for the program. Questions were taken from the Board. It will take a resolution from the Board to opt-in. The Board took no further action. Her full report is available at the Township Hall.

**B. DEFICIT ELIMINATION PLAN**

Supervisor Coddington explained the Howell Township Board Sewer fund Deficit Elimination Plan as follows: To dissolve the Sewer Fund 590 and Water Fund 591 into Sewer/Water Fund 592. All assets, liabilities and fund balance from Sewer Fund 590 and Water Fund 591 are to be transferred into Sewer/Water Fund 592 to be completed by 2017-2018 Fiscal Year. **MOTION** by Counts, seconded by Hohenstein, **“TO APPROVE RESOLUTION 01.18.437 TO ELIMINATE 590 SEWER DEFICIT AS PRESENTED.”** Discussion followed. A roll-call vote was taken: Counts – yes, Coddington – yes, Melton – yes, Hohenstein – yes, Newstead – yes. Motion carries 5 to 0.

**C. APPOINTMENT TO THE ZBA**

Supervisor Coddington explained that former member Tom Knight whose term ended December 31, 2017 does not wish to be reappointed. Mr. Knight gave many years to the ZBA and his experience will be missed. Two applicants have submitted letters, Edwin Bishopp and Alex Hansen. Discussion followed. **MOTION** by Hohenstein, seconded by Counts, **“TO APPOINT ALEX HANSEN TO ZONING BOARD OF APPEALS (ZBA) TERM ENDING DECEMBER 31, 2020.”** Discussion followed. Motion carries.

**D. ALTERNATE FOR BOARD OF REVIEW**

Supervisor Coddington stipulated that this is a recommendation and not an advertised position. Michael Tipton has expressed interest in being on the Board of Review. It was recommended by the Assessor to appoint Mr. Tipton as the alternate to the Board of Review. **MOTION** by Hohenstein, seconded by Counts, **“TO APPROVE TO TAKE THE ASSESSOR’S RECOMMENDATION TO APPOINT MICHAEL TIPTON AS THE BOARD OF REVIEW ALTERNATE.”** Discussion followed. Motion carries.

**E. TLS CONSTRUCTION, PROPOSAL**

Treasurer Hohenstein stated that Consultant to the WWTP, Greg Tatara, received a bid from TLS Construction to install manhole and fix/replace a 10” sludge. **MOTION** by Counts, seconded by Melton, **“TO APPROVE TO ACCEPT THE BID FROM TLS CONSTRUCTION IN THE AMOUNT OF \$31,000.00 BUT NOT TO EXCEED \$35,500.00.”** Discussion followed. Motion carries.

**F. LESA, COLLECTION OF SUMMER SCHOOL TAXES**

Last month we passed the resolutions to collect the Summer School Taxes for Fowlerville and Howell Schools. LESA now has their agreement. **MOTION** by Hohenstein, seconded by Counts, **“APPROVE TO ACCEPT RESOLUTION 01.18.438 FOR SUMMER SCHOOL TAX COLLECTION FOR LESA AT \$3.00 PER PARCEL.”** Discussion followed. A roll-call vote was taken: Hohenstein – yes, Counts – yes, Newstead – yes, Coddington – yes, Melton – yes. Motion carried.

A five minute break was taken.

**REPORTS:**

**A. SUPERVISOR:**

(Coddington reported on the following items)

- That he is handling the normal phone calls and follow-ups.
- Looked into a noise ordinance complaint dealing with a salt storage bin at a commercial building.
- A possible proposed natural gas power plant in Handy Township that borders Howell Township that will effect more of our residents than Handy’s. This is still in the research phase.

**B. TREASURER:**

(Hohenstein reported on the following items)

- We have collected 49% Winter Taxes.
- Working with the Township Bank and signed up for a program called CDARS. It allows us to be fully protected in all of our deposited money. Our bank is very good, they are always willing to help us, our money is safe and they wave ^waive^ a lot of fees.
- Rainbow Construction Law Suite is continuing.
- Letter to Pine View from Attorney Fahey was just received. Supervisor Coddington and Treasurer Hohenstein are reviewing and editing the letter.

C. CLERK:

(Deputy Clerk Johnson reported on the following items)

- Looking into the machine that prints out and folds tax bills, utility bills etc. There is a breakdown of what some of the cost is to send out to have a company do this procedure to compare cost. Will bring back more information at next meeting.
- There is a parcel of land next to the Pioneer Cemetery that the Marr Bible Church is looking into selling. I have talked with their Pastor about the parcel. This spring he will submit more information about the drainage. Discussion followed about having an excavator look into the drainage on this parcel. Will it be possible/feasible to have a cemetery there or perhaps use the parcel as a drain off for current cemetery? More information to come.
- Business Licenses are still coming in. They were due December 31<sup>st</sup>. We have about 30 that have not yet submitted for 2018. Late notices and their accrued late fees will go out next week.

D. ZONING:

(Prepared by Daus)

- See report.

E. ASSESSING:

(Prepared by Assessor Kilpela)

- See report.

F. FIRE AUTHORITY:

(Supervisor Coddington reported on the following items)

- Ladder truck is being rebuilt.
- A new phone system is being installed into all the fire stations which will result in a huge savings.
- Received refund from insurance company, Mid-Michigan Risk Association.

G. MHOG:

(Supervisor Coddington reported on the following item)

- Still working towards easement for the Trans Line to go between the towers.
- Shepherds of the Lakes, church/school, is asking to connect to MHOG for fire suppression and for drinking water. Their current water is not drinkable. Because they are not within the MHOG boundaries, it has to be a unanimous vote from all MHOG entities. Further information to come.

H. PLANNING COMMISSION:

(Counts reported on the following items)

- Welcomed new member Martha Haglund.
- Accepted 2018 Calendar
- Approved Site Plan for a parking lot expansion for Packard Drive Properties.

- There is still concern from the public about the Open Air Ordinance. They were happy that the Board took no further action on this item.

I. ZONING BOARD OF APPEALS (ZBA):

- There was no meeting.

J. WEBSITE:

(Counts reported on the following item)

- Nothing new to report.

K. WWTP:

(Hohenstein reported on the following item)

- Received a notice from the State that they exceeded a bacterial load limit in the discharge. This time of year is the hardest time to kill bacteria because of the cold. Bulbs were replaced so the number has been brought back within the normal range.

L. HAPRA:

- No report.

**CALL TO PUBLIC:**

- No response.

**DISBURSEMENTS: REGULAR AND CHECK REGISTER:**

**MOTION** by Hohenstein, seconded by Melton, **“TO APPROVE THE REGULAR DISBURSEMENTS THROUGH JANUARY 3, 2018 AND CHECK REGISTER AS PRESENTED, ALSO ANY CUSTOMARY AND NORMAL PAYMENTS FOR THE MONTH.”** Discussion followed. Motion carried.

**ADJOURNMENT: MOTION** by Melton, seconded by Hohenstein, **“TO ADJOURN.”** Motion carried. The meeting adjourned 8:25 p.m.

**APPROVED:**

As Presented: _____	_____ Jean Graham Howell Township Clerk
As Amended: _____	_____ Mike Coddington Howell Township Supervisor
As Corrected: <u>  X  </u> _____	
Dated <u>  02.12.2018  </u> _____	_____ Debby Johnson Recording Secretary