

HOWELL TOWNSHIP BOARD REGULAR MEETING

MINUTES

3525 Byron Road
Howell, MI 48855
December 10, 2018
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:

Also in attendance: Township Attorney, William Fahey

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 DECEMBER 10, 2018 AGENDA AS AMENDED: DELETE ITEM 8C, ADD EXECUTIVE CLOSED SESSION AFTER AGENDA ITEM 8 H."** Motion carried.

APPROVAL OF MINUTES:

A. NOVEMBER 12, 2018 REGULAR MEETING MINUTES

- **MOTION** by Hohenstein, seconded by Melton, **"TO APPROVE THE NOVEMBER 12, 2018 REGULAR SESSION MEETING MINUTES AS PRESENTED."** Motion carried. (See November 12, 2018 Regular Meeting Minutes)

B. NOVEMBER 12, 2018 CLOSED SESSION MEETING

- **MOTION** by Counts, seconded by Hohenstein, **"TO APPROVE THE NOVEMBER 12, 2018 CLOSED SESSION MEETING MINUTES AS PRESENTED."** Motion carried.

CORRESPONDENCE:

No additions.

INTRODUCTION OF NEW BOARD MEMBERS:

- Evan Rudnicki stated serving on the Board will be a new experience for him. Has lived in the Township for 32 years. Loves living here.
- Jeff Smith stated he wants to be involved in the community. He has lived in the Township since the 70's.

CALL TO THE PUBLIC:

- No response.

NEW BUSINESS:

A. TOOLEY ROAD PROPERTY PURCHASE AGREEMENT EXTENSION

- Supervisor Coddington stated this is for an extension to the Purchase Agreement between Howell Township and LACASA on the 1920 Tooley Road property.
- The reason for the extension is contingent on the rezoning of the property.

- Trustee Counts stated that the Planning Commission has recommended approval for the rezoning of the property.
- **MOTION** by Hohenstein, seconded by Graham, **“TO APPROVE THE 30 DAY EXTENSION ON THE PURCHASE AGREEMENT WITH LACASA.”** Discussion followed. Motion carried.

B. LINE ITEM BUDGET AMENDMENT

- Treasurer Hohenstein stated the Township’s Sewer’s System is being audited by the Township Engineer, Spicer, to make sure we know where the large industrial users are and how much they are actually using. The Township approved the audit for \$22,000.00 at the September Meeting. We now need to adjust that amount to the proper account in the budget.
- **MOTION** by Hohenstein, seconded by Graham, **“TO ACCEPT THE LINE ITEM ADJUSTMENT TO THE BUDGET AS PRESENTED.”** Discussion followed. Motion carried.

C. Removed from the agenda.

D. RADON ACTION MONTHS – KITS

- January is Radon Action Month. The Livingston County Health Department would like to provide free Radon Test Kits to our residents.
- **MOTION** by Hohenstein, seconded by Graham, **“TO APPROVE TO BE A DISTRIBUTION LOCATION FOR RADON TEST KITS.”** Discussion followed. Motion carried.

E. ANNUAL SEWER/WATER CONNECTION FEES

- Treasurer Hohenstein explained that the Sewer/Water Connection fees of \$4,830.00 automatically goes up by 5% every year, unless the Board takes action.
- **MOTION** by Hohenstein, seconded by Melton, **“TO KEEP THE SEWER/WATER CONNECTION FEES AT THE CURRENT RATE OF \$4,830.00.”** Discussion followed. Motion carried.

F. COLLECTION OF SUMMER SCHOOL TAXES

- Treasurer Hohenstein stated we have the agreements for the 3 school districts to collect the taxes at \$3.00 per parcel.
- **MOTION** by Hohenstein, seconded by Melton, **“TO ACCEPT RESOLUTION #12.18.455, AGREEMENT FOR COLLECTION OF SUMMER SCHOOL TAXES FOR HOWELL PUBLIC SCHOOLS AS PRESENTED.”** Discussion followed. A roll-call vote was taken: Hohenstein – yes, Counts – yes, Rudnicki – yes, Smith – yes, Graham – yes, Coddington – yes, Melton – yes. Motion carried 7 to 0.
- **MOTION** by Hohenstein, seconded by Melton, **“TO ACCEPT RESOLUTION #12.18.456, AGREEMENT FOR COLLECTION OF SUMMER SCHOOL TAXES FOR FOWLerville PUBLIC SCHOOLS AS PRESENTED.”** Discussion followed. A roll-call vote was taken: Rudnicki – yes, Hohenstein – yes, Smith – yes, Melton – yes, Coddington – yes, Graham – yes, Counts – yes. Motion carried 7 to 0.
- **MOTION** by Hohenstein, seconded by Melton, **“TO ACCEPT RESOLUTION #12.18.457, AGREEMENT FOR COLLECTION OF SUMMER SCHOOL TAXES FOR LESA. AS PRESENTED.”** Discussion followed. A roll-call vote was taken: Coddington – yes, Smith – yes, Graham – yes, Counts – yes, Melton – yes, Hohenstein – yes, Rudnicki – yes. Motion carried 7 to 0.

G. APPOINTMENTS TO THE BOARD OF REVIEW

- Supervisor Coddington gave Assessor Kilpela’s recommendation of reappointing Bill Graham and Sue Daus and new member Aaren Currie for appointments to the Board of Review.

- **MOTION** by Graham, seconded by Hohenstein, **“TO ACCEPT THE LIST OF RECOMMENDATIONS FOR APPOINTMENTS TO THE BOARD OF REVIEW AS PRESENTED AND TO ALLOW ASSESSOR KILPELA TO APPOINT AN ALTERNATE MEMBER AS NEEDED, TERM ENDING 2020.”** Discussion followed. Motion carried.

H. COMMITTEE APOINTMENTS

1) PLANNING COMMISSION

- a) Mark Freude
- b) Wayne Williams
- c) Carolyn Henry

- **MOTION** by Counts, seconded by Hohenstein, **“TO ACCEPT MARK FREUDE, WAYNE WILLIAMS AND CAROLYN HENRY TO THE PLANNING COMMISSION, TERM 2019-2021.”** Discussion followed. Motion carried.

2) BOARD REP ALTERNATE TO PLANNING COMMISSION

- **MOTION** by Counts, seconded by Graham, **“TO ACCEPT JEFF SMITH AS BOARD ALTERNATE TO THE PLANNING COMMISSION, TERM ENDING 2020.”** Discussion followed. Motion carried.

3) APPOINTMENT TO ZBA

- a) Kim Babcock
- b) Open Seat

- **MOTION** by Hohenstein, seconded by Graham, **“TO ACCEPT KIM BABCOCK TO THE ZONING BOARD OF APPEALS, TERM 2019-2021.”** Discussion followed. Motion carried.

- The “ZBA” Zoning Board of Appeals still has one open seat.

4) BOARD REPRESENTATIVE TO ZBA

- **MOTION** by Counts, seconded by Smith, **“TO APPOINT EVAN RUDNICKI AS BOARD REPRESENTATIVE TO THE ZBA. TERM ENDING 2020.”** Discussion followed. Motion carried.

5) BOARD REPRESENTATIVE ALTERNATE TO ZBA

- **MOTION** by Counts, seconded by Hohenstein, **“TO APPOINT JEFF SMITH AS BOARD REPRESENTATIVE ALTERNATE TO THE ZBA, TERM ENDING 2020.”** Discussion followed. Motion carried.

6) BOARD REPRESENTATIVE TO MHOG

- **MOTION** by Smith, seconded by Rudnicki, **“TO APPOINT MATTHEW COUNTS AS THE BOARD REPRESENTATIVE TO MHOG AND JONATHAN HOHENSTEIN AS BOARD REPRESENTATIVE ALTERNATE TO MHOG, TERM ENDING 2020.”** Discussion followed. Motion carried.

CLOSED SESSION:

- **MOTION** by Hohenstein, seconded by Counts, **“TO ENTER INTO CLOSED SESSION FOR THE PURPOSE OF: 1) TO DISCUSS A CONFIDENTIAL WRITTEN LEGAL OPINION INVOLVING THE POTENTIAL SALE OF PROPERTY ON OAK GROVE RD. 2) TO DISCUSS TRIAL OR SETTLEMENT STRATEGY IN THE OAKLAND TACTICAL CASE AT 6:55 P.M.”** Discussion followed. A roll-call vote was taken: Smith – yes, Melton – yes, Hohenstein – yes, Graham – yes, Rudnicki – yes, Counts – yes, Coddington – yes. Motion carried 7 to 0.
- **MOTION** by Melton, seconded by Smith, **“TO ENTER BACK INTO REGULAR SESSION AT 7:25 P.M.”** Motion carried.

OLD BUSINESS:

None.

OTHER BUSINESS:

None.

REPORTS:

A. SUPERVISOR:

(Supervisor Coddington reported on the following items)

- Talking with attorneys, realtors and taking regular phone calls.

B. TREASURER:

(Treasurer Hohenstein reported on the following items)

- The last new person we hired for the Treasurer's Assistance left because she was offered a fulltime position at her old job. A new person has been hired. The new person has a degree in Planning and Zoning so when she isn't posting payments she can work with the Zoning Administrator.
- The tax bills went out stating they are due February 28. A letter was also included with the bills stating that taxes are due February 14th. Taxes are due by the 14th by State Statute.. The Township will accept tax payments through the 28th without any penalty.
- The estimated cost for repaving of Owosso Road is \$490,000.00 from Marr Road to Allen Road. Handy Township would like to cost share this project. The Livingston County Road Commission is responsible for Owosso Road from Grand River to Marr Road. The Livingston County Supervisor is recommending to continue work on Allen Road. We need to pick road projects. Now is a good time for the Owosso Road project as Handy Township is willing to cost share 50/50 with us. We need to have an answer on the Owosso Road project tonight. The other projects can be decided next month.
- Discussion on other roads.
- **MOTION** by Hohenstein, seconded by Counts, "**TO PROCEED WITH THE OWOSSO ROAD PROJECT AS PRESENTED.**" Discussion followed. Motion carries 6 to 1.

C. CLERK:

(Clerk Graham reported on the following items)

- There are 3 employees that have vacation time and/or personal time to carry over above what is allowed by Human Resource Manual. In the past, we have allowed employees to carry over the extra hours. My recommendation is to pay out these employees on any hours they have occurred over what the Human Resource Manual stipulates. **MOTION** by Counts, seconded by Hohenstein, "**TO CASH OUT ANYTHING ABOVE WHAT IS ALLOWED TO BE CARRIED OVER.**" Discussion followed. Motion carried.
- Discussion to have the Human Resource Committee update the Human Resource Manual to state any time that is over what is allowed, the employee will be cashed out for those extra hours.

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)

- Renewed contract with attorney.
- Update on the new Fire Reporting system.
- LUCAS fundraising for the automatic compression device. Ten year old has a plan for raising funds to purchase these automatic compression devices.

G. MHOG:

(Supervisor Coddington reported on the following items)

- Planning to fix the problem on Eager Road with Styrofoam where they are moving the intersection and the issue with the water pipe.
- Hydrant flushing is complete.
- They would like Howell Township to start working on a Well Head Protection Ordinance.
- Went over the year-end financial accounts.

H. PLANNING COMMISSION:

(Trustee Counts reported on the following items)

- Approved the LACASA's rezoning.
- Closed session discussion on the litigations with Crossroads.
- Discussion on pathways.

I. ZONING BOARD OF APPEALS (ZBA):

(No meeting to report on.)

J. WWTP:

(Treasurer Hohenstein reported on the following items)

- Building maintenance; have a quote to fix the facia and siding issues on the buildings at the WWTP. **MOTION** by Hohenstein, seconded by Graham, **"TO ACCEPT BID FROM PAULSON CONSTRUCTION NOT TO EXCEED \$2,000.00 TO FIX THE FACIA AND SIDING ISSUES."** Discussion followed. Motion carried.
- There are many exterior lights that are out. It is being recommended to update the heads on the exterior lighting with LED lamps. **MOTION** by Hohenstein, seconded by Smith, **"TO APPROVE BID FROM CRAMPTON ELECTRIC FOR LED EXTERIOR LAMPS NOT TO EXCEED \$1,650.00 AS PRESENTED."** Discussion followed. Motion carried.
- The recycle tank is running dry. It is recommended to get a pressure transducer to help solve this issue. **MOTION** by Hohenstein, seconded by Melton, **"TO APPROVE TO PURCHASE AND INSTALL PRESSURE TRANSDUCER NOT TO EXCEED \$2,000.00 AS PRESENTED."** Discussion followed. Motion carried.
- Part of the new State Permit is mercury testing. Our test came back as "less than detectable" which is great. Part of this State Permit is having a Mercury Pollutant Minimization Program. **MOTION** by Hohenstein, seconded by Melton, **"TO APPROVE MERCURY POLLUTANT MINIMIZATION PROGRAM AS PRESENTED."** Discussion followed. Motion carried.
- Gave clarification on a bill from Kennedy Industries. Last year we re-did our Trans West pump station using the Plus 1 Program so you can split the cost of the pumps over several years and they will maintain the pumps and then at the end of the program allow you to swap out a new pump.
- Discussion on previous list of needs.

K. HAPRA

(Clerk Graham reported on the following items)

- They are still in need of lifeguards.
- Starting next week there will be a new Aquatic Manager.
- Should have a new contract with the schools soon.
- Signed to have the audit done.
- There are some activities coming up. Holiday in the Park, Santa's Workshop, Bad Santa's Trivia Night.

CALL TO PUBLIC:

- Richard Saltzmann from LACASA wasn't clear if the re-zoning was approved for sure for the Tooley Road property. They have not seen anything showing this was approved. (It should have been brought to the Board for final approval.) - Planning Commission Chairperson Sloan stated that indeed the Planning Commission recommended approval for the re-zoning of the Tooley Road property and gave a brief synopsis of the Planning Commission's discussion on the subject. Questions from the Board to Planning Commission Chairperson Sloan and the representatives from LACASA. **MOTION** by Graham, seconded by Melton, **"TO ACCEPT THE RECOMMENDATION FROM THE PLANNING COMMISSION, FROM THE MEETING OF NOVEMBER 27, 2018, ON PARCEL #4706-27-100-003, TO REZONE FROM "SFR" TO "RSC", SIGHTING THE PLANNER'S REPORT DATED NOVEMBER 20, 2018."** Discussion followed. Motion carried.
- John Mills, 1750 Oak Grove Rd. – had comments on allowing hunting on Township properties. He also stated what some other townships allow on their properties. Would like to know how the disallowance of hunting on Township properties came about. (Because many of the Township properties are agriculturally leased and it was legal recommendation not to allow hunting as it would be a conflict to lease for both reasons. Also, the Township does not want the liability.) He would like to have a way to allow the previous owners to be allowed to hunt on their previously owned properties.
- A J Sloan, 5770 Crandall Rd. – 1) Had question if the 3rd application of chloride was not applied to roads does the Township still have to pay for it? (No the Township only pays for what is actually used.) 2) Had questions about the legal litigations on the issue that was discussed in the Closed Session of the November Planning Commission Meeting. 3) What is the Township's plan or opinion on recreational marijuana? (The Township has a year to make a decision. The Board will recommend to the Planning Commission to make the issue an agenda item and find what the residents really want.)
- Supervisor Coddington asked the Board if there is any interest in entering into any type of agreement of allowing hunting on Township properties. (The consensus was to at least discuss the issue.) The Board also asked Mr. Mills to come up with some type of outline for his proposal on allowing hunting on Township properties. Mr. Mills agreed.

DISBURSEMENTS: REGULAR AND CHECK REGISTER:

MOTION by Hohenstein, seconded by Milton, **"TO APPROVE THE REGULAR DISBURSEMENTS THROUGH DECEMBER 5, 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 8:35 p.m.

APPROVED:

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|--|---|
| As Presented: <u> X </u> | _____ |
| | Jean Graham Howell Township Clerk |
| As Amended: _____ | _____ |
| As Corrected: _____ | Mike Coddington Howell Township Supervisor |
| Dated: <u> 01.14.2019 </u> | _____ |
| | Debby Johnson Recording Secretary |