

HOWELL TOWNSHIP BOARD

REGULAR MEETING

3525 Byron Road

Howell, MI 48855

February 10, 2025

6:30 pm

1. Call to Order
2. Roll Call: () Mike Coddington () Matt Counts
 () Sue Daus () Bob Wilson
 () Jonathan Hohenstein () Tim Boal
 () Shane Fagan
3. Pledge of Allegiance
4. Call to the Board
5. Approval of the Minutes:
 - A. Regular Board Meeting January 13, 2025
6. Call to the Public
7. Unfinished Business:
 - A. Howell-Mason LLC v. Howell Township
 - B. Storage Container Ordinance
8. New Business:
 - A. Financial Audit – Gabridge & Company
 - B. Financial update – Deputy Supervisor Kilpela
 - C. Text My Gov – Presentation
 - D. Wellhead Protection Ordinance
 - E. Sidewalk Easement – 1907 Oak Grove Rd.
 - F. Draft Lawn, Landscape, and Snow Contracts
 - G. Township Planner - Contract Renewal
 - H. Township Social Media Policy
 - I. Road Chloride Bid
 - J. Spring and Fall Clean-Up Day Approvals

Call to the Public
10. Reports:
 - A. Supervisor B. Treasurer C. Clerk D. Zoning
 - E. Assessing F. Fire Authority G. MHOG H. Planning Commission
 - I. ZBA J. WWTP K. HAPRA L. Property Committee
 - M. Park & Recreation Committee N. Shiawassee River Committee
11. Disbursements: Regular and Check Register
12. Adjournment

This meeting is open to all members of the public under Michigan's Open Meetings Act.

Persons with disabilities who need accommodations to participate in this meeting should contact the Township Clerk's Office at 517-546-2817 at least two (2) business days prior to the meeting.

5A

Draft

HOWELL TOWNSHIP REGULAR BOARD MEETING MINUTES

3525 Byron Road Howell, MI 48855

January 13, 2025

6:30 P.M.

MEMBERS PRESENT:

Mike Coddington	Supervisor
Sue Daus	Clerk
Jonathan Hohenstein	Treasurer
Matthew Counts	Trustee
Tim Boal	Trustee
Shane Fagan	Trustee
Bob Wilson	Trustee

MEMBERS ABSENT:

Also in Attendance:

9 people were in attendance.

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:

Trustee Fagan requested to add a new business item for Howell Township Zoning Administrator job posting.

Motion by Fagan, **Second** by Wilson, **“To approve the agenda.”** Roll call vote: Hohenstein – no, Counts – yes, Wilson – yes, Boal – no, Daus – no, Coddington – no, Fagan – yes. Motion failed 4-3.

APPROVAL OF THE AGENDA:

January 13, 2025

Motion by Hohenstein, **Second** by Counts, **“To accept the agenda as presented.”** Discussion followed. Roll call vote: Coddington – yes, Boal – yes, Daus – yes, Counts – yes, Fagan – no, Hohenstein – yes, Wilson – No. Motion carried 5-2.

APPROVAL OF BOARD MEETING MINUTES:

December 9, 2024

REGULAR BOARD MEETING MINUTES

Motion by Boal, **Second** by Hohenstein, **“To approve the minutes with the correction of a few typos.”** Discussion followed. Motion carried. 1 dissent.

CLOSED SESSION MEETING MINUTES

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

Motion carried.

CALL TO THE PUBLIC:

None

UNFINISHED BUSINESS:

None

NEW BUSINESS

A. Resolution Brewer Road Drain Petition

Ken Recker spoke on the issues regarding the drainage issues on Brewer Road and the execution of the petition if passed, to move forward with the construction of a new County drain. Discussion followed. Motion by Hohenstein, Second by Boal, **“To accept Resolution 01.25.549 Petition to locate, establish and construct a drain for the Brewer Road Drain as presented.”** Roll call vote: Wilson – yes, Hohenstein – yes, Boal – yes, Fagan – no, Coddington – yes, Daus – yes, Counts – yes. Motion carried 6-1.

B. Resignation from Planning Commission – Paul Pominville

Motion by Hohenstein, **Second** by Fagan, **“To accept the resignation of Paul Pominville from the Planning Commission.”** Motion carried.

C. Appointment of Planning Commission Members

Curt Hamilton gave an introduction and spoke on why he was applying for the open Planning Commission position.

Joe Daus gave an introduction and spoke on why he was applying for the open Planning Commission position.

Aaren Currie gave an introduction and spoke on why he was applying for the open Planning Commission position.

Matt Stanley gave an introduction and spoke on why he was applying for the open Planning Commission position.

Marco Lollo spoke on behalf of Sharon Lollo from a letter that Sharon prepared that gave her introduction and spoke on why she was applying for the open Planning Commission position.

Supervisor Coddington made the recommendation to appoint Matt Stanley for the Planning Commission position. **Motion** by Hohenstein, **Second** by Boal, **“To accept the Supervisor’s recommendation to appoint Matt Stanley to the Howell Township Planning Commission, term ending 12-31-26.”** Motion carried. 2 dissents.

Supervisor Coddington made the recommendation to appoint Sharon Lollo for the Planning Commission position. **Motion** by Fagan, **Second** by Wilson **“To dismiss the applicant.”** Discussion followed. Roll call vote: Boal – no, Fagan – yes, Hohenstein – no, Daus – no, Wilson – yes, Counts – no, Coddington – no. Motion failed 5-2.

Motion by Hohenstein, **Second** by Counts, **“To accept the Supervisor’s recommendation for appointing Sharon Lollo to the Planning Commission, term ending 12-31-26.”** Motion carried. 2 dissents.

D. Board of Review Reappointments

Letter to the Board from Assessor Kilpela requested reappointment for Board of Review members: Bill Graham, Aaren Currie, and Rob Spaulding as well as Jon Dekoninck as alternate. Term starting January 1, 2025 through December 31, 2026. **Motion** by Fagan, **Second** by Wilson, **“To approve the reappointments.”** Motion carried.

E. Storage Container Ordinance

Treasurer Hohenstein gave a brief overview of the storage container ordinance. Discussion followed. **Motion** by Fagan, **Second** by Hohenstein, **“To table the storage container ordinance until February bringing back additional verbiage.”** Motion carried.

F. Resolution of Support

Supervisor Coddington spoke on the Resolution of Support. **Motion** by Boal, **Second** by Counts, **“To support resolution number 01.25.550 support local control and claim of appeal against Michigan Public Service Commission Order.”** Discussion followed. Roll call vote: Hohenstein – yes, Fagan - no, Coddington – yes, Counts – yes, Daus – yes, Wilson – no, Boal – yes. Motion carried 5-2.

G. Fowlerville Schools Collection Agreement

Treasurer Hohenstein discussed the summer tax collection agreement with Fowlerville Schools. **Motion** by Hohenstein, **Second** by Counts, **“To accept the agreement with Fowlerville Community Schools to collect their summer taxes as presented.”** Motion carried.

CALL TO THE PUBLIC:

None

REPORTS:

A. SUPERVISOR:

No report

B. TREASURER: Treasurer Hohenstein requested the Board to approve the cost for the Deputy Treasurer to attend training for MMTA. **Motion** by Hohenstein, **Second** by Fagan, **“To approve the Michigan Municipal Treasurers Association training for the Howell Township Deputy Treasurer as presented.”** Motion carried.

C. CLERK: Clerk Daus is requesting the Board to approve the cost for her to attend the MAMC Institute. **Motion** by Hohenstein, **Second** by Boal, **“To approve the Clerk to attend the Michigan Association of Municipal Clerks Institute class as presented.”** Motion carried.

Clerk Daus discussed the quote of \$445.00 for an additional microphone for the board table. **Motion** by Counts, **Second** by Hohenstein, **“To approve the quote from American Video Transfer for an additional microphone.”** Motion carried.

D. ZONING:

See Zoning Administrator Hohenstein’s report

E. ASSESSING:

See Assessor Kilpela’s report

- F. FIRE AUTHORITY:
Supervisor Coddington reported on Fire Authority
- G. MHOG:
Trustee Counts reported on MHOG
- H. PLANNING COMMISSION:
Trustee Boal reported on Planning Commission. See draft minutes.
- I. ZONING BOARD OF APPEALS (ZBA):
No report
- J. WWTP:
See report
- K. HAPRA:
See report
- L. PROPERTY COMMITTEE:
No report
- M. PARK & RECREATION COMMITTEE: Treasurer Hohenstein discussed the adoption of a Recreation Master Plan when it comes to term. See report.
- N. Shiawassee River Committee:
Curt Hamilton spoke on the Shiawassee River Committee. Awaiting further information from the EPA and EGLE. See report.

DISBURSEMENTS: REGULAR PAYMENTS AND CHECK REGISTER:

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

ADJOURNMENT: **Motion** by Counts, **Second** by Hohenstein, **“To adjourn”** Motion carried. The meeting was adjourned at 8:03 pm.

Sue Daus, Howell Township Clerk

Mike Coddington, Howell Township Supervisor

Tanya Davidson, Recording Secretary

7A

STATE OF MICHIGAN
IN THE 44th CIRCUIT COURT
FOR THE COUNTY OF LIVINGSTON

TRUE COPY
44th Circuit Court
County Clerk's Office

HOWELL-MASON, LLC,
A Michigan Limited Liability Company,

Case No. 24-32242-CZ

Plaintiff,

Hon. Matthew J. McGivney

v.

HOWELL TOWNSHIP,
A Michigan General Law Township,

Defendant.

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**PLAINTIFF, HOWELL-MASON, LLC's
BRIEF IN OPPOSITION TO
DEFENDANT, HOWELL TOWNSHIP'S MOTION FOR SUMMARY DISPOSITION
PURSUANT TO MCR 2.116(C)(7) AND (C)(8)**

I. COUNTERSTATEMENT OF FACTS

Plaintiff, HOWELL-MASON, LLC, is a Michigan Limited Liability Company with a principal place of business in Howell, Livingston County, Michigan. Plaintiff is in the business of developing and operating gasoline service stations with attached restaurants. Defendant, HOWELL TOWNSHIP, is a Michigan General Law Township with offices located at 3525 Byron Road, Howell, Livingston County, Michigan 48855.

Plaintiff owns three contiguous parcels of real property located at and near the corner of Mason Road and Burkart Road in Howell Township. **[Exhibit A]** The Subject Property includes two parcels (Tax ID Nos. 4706-33-300-001 and 4706-33-300-108) that are currently zoned Neighborhood Service Commercial (NSC), in which gasoline service stations are permitted as a special land use. The third parcel is currently zoned residential, master planned commercial and is not at issue in this matter. All three of Plaintiff's parcels are master planned for commercial use and sit within the commercial corridor contemplated by the Defendant's master plan. The immediate vicinity of the Subject Property has been tapped as an area of significant development in the township, with approximately one thousand (1,000) residential homes approved to be built across the street from the commercial corridor in which the Subject Property is located. Plaintiff purchased the Subject Property specifically because of the current and future zoning designations, as well as the significant residential and commercial development in the area.

The subject property is located at the far edge of a large wellhead protection area. The Michigan Department of Environment, Great Lakes, and Energy (EGLE) approves and regulates wellhead protection areas.

Section 16.11(C)(8) of the Howell Township Zoning Ordinance states: "No gasoline service station shall be permitted within three hundred (300) feet of a wellhead protection area"

without any explanation, reasoning, or objective tests for which evidence could be submitted to determine the reasonableness of a proposed service station development on a case-by-case basis.

In or around late 2020, Plaintiff approached Defendant about submitting its application to develop a gasoline service station and drive through restaurant on the Subject Property. The Township advised that Plaintiff had to apply to the Zoning Board of Appeals (ZBA) for a use variance to avoid a general prohibition of gasoline service stations in or near wellhead protection areas in Defendant's zoning ordinance. Plaintiff proceeded as directed. **[Exhibit B]**. Additionally, the Township verbally told Plaintiff that gasoline service would likely work in that location and to first obtain approval of the Marion, Ocala, Genoa Water Authority (MHOG).

As instructed, Plaintiff approached MHOG to discuss the viability of the proposed gasoline service station project in or near the wellhead protection area. On February 1, 2021, MHOG issued a letter to Plaintiff approving the proposed project with conditions. **[Exhibit C]**. On March 16, 2021, the Howell Township ZBA then held a hearing and denied Plaintiff's use variance application. This occurred in spite of the fact that the Howell Township Zoning Ordinance prohibits the ZBA from issuing use variances making this hearing and process wholly unnecessary and inappropriate. Plaintiff then made a request to Defendant that it consider amending §16.11 of its zoning ordinance to allow for gasoline service stations within a wellhead protection area with MHOG's approval.

The Howell Township Board of Trustees then proceeded to hold two (2) public meetings on March 20, 2023, and May 8, 2023, at which Plaintiff's proposed zoning ordinance amendment, Plaintiff's property, and Plaintiff's SLUP application, while not explicitly on the agenda, were nevertheless discussed and voted on at the meeting. Plaintiff was not given notice of these meetings or opportunity to be heard. Audio recordings of those meetings were provided to Plaintiff by the

Defendant via Freedom of Information Act request, which will be made available to Defendant and the Court. Transcripts of the audio recordings are attached as **Exhibit D**. Meeting Agendas are attached as **Exhibit E**. Relevant documents from the Board's packet are attached as **Exhibit F**. Minutes of these meetings are attached as **Exhibit G**. Upon information and belief, at one of the meetings held secret from Plaintiff, the executive director of MHOG stated that it would be most beneficial for Plaintiff's proposed development to be within the wellhead protection area as MHOG could provide an added level of oversight. The director of MHOG also said that MHOG had a large 2,000 gallon above-ground diesel storage tank at its facility which poses substantially more risk than a modern underground tank system, and because it is located in close proximity to the current MHOG wellhead.

The Howell Township Board voted to decline Plaintiff's proposed zoning ordinance amendment, and later voted to send a wellhead protection ordinance drafted by MHOG and adopted by neighboring municipalities to the Planning Commission for consideration with one significant addition – a complete prohibition of gasoline service stations. **[Exhibits F & G]**.

Subsequently, Plaintiff regrouped, applied, and received permits and/or approvals for the project from all necessary parties, sans Defendant, including but not limited to (1) the State of Michigan Department of Licensing and Regulatory Affairs (LARA); (2), EGLE; (3) State of Michigan Fire Marshal; and (4) local fire Marshal.

On or around June 26, 2023, Plaintiff submitted a special land use permit application (SLUP) and site plan to develop a new gasoline service station and drive-through restaurant on land owned by Plaintiff in Howell Township, currently zoned Neighborhood Service Commercial (NSC), in which gasoline service stations are permitted as a special land use. The application was supplemented on or around October 17, 2023. **[Exhibit H]**

In conjunction with Plaintiff's SLUP application and site plan submission, the Township required Plaintiff to sign an agreement to reimburse the Township for "all expenses at actual cost for professional services related to the application required by the Township for the issuance of any permits, approvals, reviews, and attendance at meetings, by the Township's Planner, Landscape Architects, Legal Counsel, Engineering and Administrative Staff, over and above the fees listed in the Howell Township Fee Schedule." **[Exhibit H]**. The Howell Township Zoning Ordinance does not explicitly specify the reimbursement agreement and procedure.

The 2023 SLUP application, as supplemented, included all other permits/approvals received from State, County, and Local authorities, along with expert reports from qualified experts regarding issues including, but not limited to, underground storage tank technology, expert municipal planning considerations, and favorable hydrogeologic conditions of the Subject Property and surrounding area. Based upon data derived directly from the MHOG Wellhead Protection Plan (August 2023), the groundwater is located within a confined aquifer in which the groundwater flow is in a northerly direction, and the current wellhead and potential future wellhead sites are located upgradient generally several thousand feet south of the Subject Property. The natural flow of groundwater travels away from wellfields and toward the Subject Property. Additionally, the MHOG aquifer is confined by thick clay layer and bedrock layers approximately which act as a protective barrier preventing surface water from commingling with the aquifer.

On November 21, 2023, the Howell Township Planning Commission conducted a public hearing on Plaintiff's SLUP application. The meeting was a public free-for-all in which the Commission received inappropriate and incorrect legal advice from its planners, fundamentally misunderstood its role, employed no parliamentary procedure or any cognizable procedure whatsoever, and failed to control members of the public throughout the meeting. The large crowd

vowed to appear at all future meetings of any nature about Plaintiff's proposed gasoline service station. A copy of the meeting minutes is attached as **Exhibit I**. The transcript of the meeting is attached as **Exhibit J**. A video of the meeting will be provided to Defendant and the Court as well.

The Planning Commission took no action on Plaintiff's site plan choosing instead to table its review indefinitely. The Howell Township Planning Commission voted unanimously to recommend denial of the SLUP based on the prohibitive language in §16.11(C)(8) of its Zoning Ordinance. The Planning Commission acknowledged its own lack of authority to grant the application at the outset of the hearing.

On December 11, 2023, the Howell Township Board of Trustees held a regular meeting at which they voted to deny the SLUP. The Township Board ignored presentations by qualified experts regarding the nature of the local family-owned business by company ownership, the site plan by Boss Engineering, favorable hydrogeological conditions by Mannik & Smith Group, planning issues by PLB Planning Group, and safety of cutting-edge gasoline storage and dispensing technology by Oscar Larson Co. The meeting quickly devolved into anger over the price of gas and the tax code. One Board member explicitly stated that his decision was based solely on his personal aversion to having a gas station near his personal residence in flagrant disregard to the evidence. A copy of the meeting minutes is attached as **Exhibit K**. The transcript of the meeting is attached as **Exhibit L**. A video of the meeting will be provided to Defendant and the Court as well. No members of the public appeared at the December 11, 2023, Board Meeting. Upon information and belief, at least one (1) member of the Howell Township Board interacts with a social media group of citizens opposing Plaintiff's proposed gasoline service station. **[EXHIBIT X]**.

Consistent with MHOG's statements, on February 1, 2021, and again on February 23, 2023, MHOG issued letters approving Plaintiff's proposed gasoline service station with conditions. **[Exhibits C & M]**. Upon information and belief, the Defendant colluded with MHOG, which had previously approved Plaintiff's project with conditions and preferred that Plaintiff's station be located within the wellhead protection area, to retract its approval.

On May 19, 2023, MHOG issued a letter addressed to Defendant retracting its prior approval. Defendant did not disclose the letter to Plaintiff until August 2, 2023. **[Exhibit N]**. The May 19, 2023, MHOG letter, which was hidden from Plaintiff for nearly ninety (90) days, was erroneous in many respects, including but not limited to being based on a review of a previous draft of the site plan rather than the final plan submitted to and considered by the Township. Then, on November 15, 2023, MHOG held a public meeting at which it passed a resolution regarding the inappropriateness of Plaintiff's proposed project, a copy of which was given to Defendant and was part of its packet for the December 11, 2023, Board meeting and vote. A copy of the covert resolution is attached as **Exhibit O**. Plaintiff was not given notice of the MHOG public meeting and was not provided a copy of the resolution by MHOG nor Defendant.

Following the Township Board's denial of Plaintiff's SLUP application, Plaintiff submitted its application to the Zoning Board of Appeals to appeal the Board decision and to request dimensional and use variances.

The Howell Township Zoning Board of Appeals lacks jurisdiction to hear appeals of SLUP decisions. Howell Twp. Zoning Ord. § 22.06(c) ("The ZBA may not change the zoning district classification of any property, may not change any of the terms of the Ordinance, and may not take any actions that result in the making of legislative changes to this Ordinance. The ZBA may not hear an appeal from a Township decision regarding a special land use or PUD."). The Howell

Township Zoning Board of Appeals lacks jurisdiction to grant use variances. Howell Twp. Zoning Ord. § 22.06(F) (“Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of this Ordinance in the zoning district in which the variance is to be located.”).

Nevertheless, on December 16, 2023, Plaintiff submitted a ZBA application with an explanatory letter from its counsel out of an abundance of caution specifically to fulfill the finality requirements as required by *Paragon v. City of Novi*, 452 Mich 568, 550 NW2d 772 (1996). Plaintiff’s initial ZBA application is attached as **Exhibit P**. The Township attorney responded with a letter feigning confusion over the application’s purpose, a copy of which is attached as **Exhibit Q**. Plaintiff then responded with an additional letter further explaining its request and position. **[Exhibit R]**. The Township attorney responded with a letter taking the position that “jurisdiction” and “authority” are separate and distinct terms, and as such the ZBA had “jurisdiction” over the Plaintiff’s appeal and was thus obligated to hold a hearing. However, despite having “jurisdiction,” the ZBA lacked “authority” to grant any relief. **[Exhibit S]**. Plaintiff then responded with a detailed letter objecting to the Township’s position and submitted a revised ZBA application in case the Township required yet another performative hearing with predetermined outcome. **[Exhibit T]**.

Plaintiff filed a circuit court claim appeal of the December 11, 2023, Board denial on January 23, 2024, which was assigned to Judge McGivney as Case No. 24-350-AA. On January 31, 2024, the Howell Township Zoning Administrator issued a letter to Plaintiff confirming Plaintiff’s position that the ZBA lacked jurisdiction to hear Plaintiff’s appeal and variance requests and returned the application and filing fee. **[Exhibit U]**.

II. SUMMARY OF ARGUMENT

Defendant's motion must be denied in its entirety for the following reasons:

1. Defendant did not raise MCR §2.116(C)(7) in its responsive pleading as required by MCR §2.116(D)(2), and thus waived the argument.
2. Both res judicata and collateral estoppel require that a claim or issue be litigated and decided on the merits. The claims Defendant seeks to dismiss have not been litigated to a decision on the merits.
3. Defendant's MCR §2.116(C)(8) arguments cannot succeed as Plaintiff's complaint, which contains 9 enumerated counts, 117 numbered paragraphs, and 332 pages of exhibits cited to specific factual allegations, is sufficient to put Defendant on notice of the claims against it and relief sought considering the low "notice pleading" threshold.
4. The Court lacked authority to make determinations regarding substantive due process, equal protection, nor preemption/conflict with state law, when sitting as an appellate body.

III. LAW & ARGUMENT

A. Standard of Review: MCR §2.116(C)(7).

Defendant's brief adequately recites the standard of review for motions for summary disposition pursuant to MCR §2.116(C)(7). In addition, it should be noted that MCR §2.116(D)(2) specifies that MCR §2.116(C)(7) is in the nature of an affirmative defense that must be raised in a party's responsive pleading, unless a motion for summary disposition is filed in lieu of an answer.

B. Defendant did not raise MCR §2.116(C)(7) as an affirmative defense in its initial responsive pleading.

Defendant's responsive pleading does not raise the grounds provided in MCR §2.116(C)(7) in its answer. As such, any arguments raised by Defendant based on MCR §2.116(C)(7) have been

waived. *See Farmers Ins. Group v. Clear*, 94 Mich App 655, 290 NW 2d 51 (1980) (Defendant's motion for summary judgment under the precursor rule to MCR §2.116(C)(7) was waived since defendant had filed answer prior to filing motion and since defendant did not amend original answer to include claim.).

C. Res judicata and collateral estoppel do not apply when claims or issues are not litigated and decided on the merits.

Assuming *arguendo* that Defendant's MCR §2.116(C)(7) were timely raised, fundamental elements of res judicata and collateral estoppel cannot be met. In 2022 the Michigan Supreme Court issued an opinion in the matter of *Mecosta Cty. Med. Ctr. v. Metro. Grp. Prop. & Cas. Ins. Co.*, 509 Mich. 276, 282-83, 983 N.W.2d 401, 405-06 (2022), that included a succinct primer on res judicata (claim preclusion) and collateral estoppel (issue preclusion):

Res judicata bars a second action on the same claim if '(1) **the prior action was decided on the merits**, (2) both actions involve the same parties or their privies, and (3) the matter in the second case was, or could have been, resolved in the first.'" *Foster v Foster*, 509 Mich [109, 120-121, 983 NW2d 373 (2022)]; *see also Adair v Michigan*, 470 Mich 105, 121; 680 NW2d 386 (2004). Whereas res judicata involves preclusion of entire claims, collateral estoppel focuses on specific issues within an action. See generally *Migra v Warren City Sch Dist Bd of Ed*, 465 US 75, 77 n 1; 104 S Ct 892; 79 L Ed 2d 56 (1984). The elements of collateral estoppel are similar: (1) "a question of fact essential to the judgment **must have been actually litigated** and determined by a valid and final judgment," (2) the parties or privies " 'must have had a full [and fair] opportunity to litigate the issue,' " and (3) " 'there must be mutuality of estoppel.' " *Monat v State Farm Ins Co*, 469 Mich 679, 682-684; 677 NW2d 843 (2004) (alteration in original), quoting *Storey v Meijer, Inc*, 431 Mich 368, 373 n 3; 429 NW2d 169 (1988).

(emphasis added).

Both res judicata and collateral estoppel require that a claim or issue be litigated and decided on the merits. Here, Plaintiff's substantive due process, equal protection, and preemption/conflict claims that challenge the validity of a Howell Township ordinance banning gas stations from wellhead protection areas have not been actually litigated and decided on the

merits. Rather, as discussed below, those claims were inappropriately decided in the context of an appeal from a decision of a municipal board. Given that actual litigation resulting in a decision on the merits is an essential element of both res judicata and collateral estoppel and given that no actual litigation nor decision on the merits has taken place, neither principle is applicable to Plaintiff's substantive due process, equal protection, and preemption/conflict claims. Defendant's arguments in this regard must fail.

D. Standard of Review: MCR §2.116(C)(8).

A motion for summary disposition under MCR §2.116(C)(8) is granted if the claim is so clearly unenforceable as a matter of law that no factual development could possibly justify recovery. A motion of summary disposition is tested on the pleadings alone, and all factual allegations contained in the complaint must be accepted as true." *Simko v. Blake*, 448 Mich. 648, 654, 532 N.W.2d 842, 846 (1995).

1. Notice Pleading

Michigan is a notice pleading state. *Johnson v. QFD, Inc.*, 292 Mich App 359, 368, 807 NW2d 719 (2011). "[T]he primary function of a pleading in Michigan is to give notice of the nature of the claim or defense sufficient to permit the opposite party to take a responsive position." *Stanke v State Farm Mut Auto Ins Co*, 200 Mich App 307, 317; 503 NW2d 758 (1993), citing 1 Martin, Dean & Webster, Michigan Court Rules Practice, p. 186. "[I]t is well settled that we will look beyond mere procedural labels and read the complaint as a whole when ascertaining the exact nature of a plaintiff's claims." *Johnson*, 292 Mich App at 368.

Even "[i]f a court grants summary disposition pursuant to MCR 2.116(C)(8) . . . the court must give the parties an opportunity to amend their pleadings pursuant to MCR 2.118, unless the amendment would be futile." *Weymers v Khera*, 454 Mich 639, 658; 563 NW2d 647, 657 (1997),

citing MCR 2.116(I)(5). "Leave [to amend] shall be freely given when justice so requires." MCR 2.118(A)(2). See also *Michigan Head & Spine Inst, PC v Michigan Assigned Claims Plan*, 331 Mich App 262, 277; 951 NW2d 731, 741 (2019) (it is an abuse of discretion to deny leave to amend where amendment would not be futile and is in the interest of justice).

E. Dismissing Plaintiff's Claims for MZEA violations, OMA violations, regulatory takings, unjust enrichment, and injunctive relief claims is improper under the low "notice pleading" threshold of MCR 2.116(C)(8).

Considering the content of the pleadings in conjunction with relevant law, and rules, Defendant's(C)(8) motion cannot succeed. Plaintiff's complaint contains 9 enumerated counts, 117 numbered paragraphs, and 332 pages of exhibits cited to specific factual allegations. To the extent that a claim may or may not be styled with an incorrect title, the court must look beyond procedural labels and review the content of the complaint as a whole. Plaintiff's comprehensive recitation of facts, which is highlighted by citation to 332 pages of exhibits, along with citations to laws and rules on which claims are based, is certainly sufficient to put Defendant on notice of the claims against it and relief sought. What's more, Plaintiff is in the process of conducting discovery to bolster its already comprehensive complaint, which will include deposition testimony of EGLE and LARA employees similar to the testimony discussed in *Fonda Island & Briggs Lake Joint Water Authority v. Green Oak Township, et al*, 2005 Mich App LEXIS 5; 2005 WL 17768 [EXHIBIT V], investigation of gasoline service stations within wellhead protection areas statewide based on EGLE data [EXHIBIT W],¹ which will also include deposition testimony of the executive director of the MHOG water authority,² and investigation into Defendant's alleged improper and unlawful conduct [EXHIBIT X].

¹ Every gasoline service station in the City of Brighton and the City of Howell appear to be within wellhead protection areas.

² The parties have been communicating via email to coordinate dates for depositions to take place after the hearing on Defendant's Motion for Summary Disposition.

IV. Procedural irregularities: this Court lacked authority to rule on substantive due process, equal protection, and preemption/conflict with state law while sitting as an appellate body.

On pages 7-8 of Defendant's brief Defendant states that the court was required to determine the constitutionality of the ordinance that was applied by the Howell Township Board in the context of an appeal, and that there is no separate cause of action able to sustain an original action. However, that statement is untrue. In fact, the court had no authority to make that decision, which is properly made in the context of an original action (i.e., this case). Defendant's position is not uncommon as the law in this area is quite confusing, though the general concepts appear quite simple.

In Plaintiff's counsel's experience, cases such as this are often procedurally unclear and lead to litigation of everything but the merits of the claims. Furthermore, given the significant value of the case and the varying time limits on which appeals and claims can be made within the context of varying procedures, counsel made a strategic decision to file certain claims in each the appeal and this original action. The purpose of the duplication was to ensure that the client's claims were fully protected regardless of procedural wrangling typical of these matters. Counsel made an assumption that the question of proper procedure would be addressed through status conferences and/or submission of briefs, and that the issues would be heard in reasonable order, as has been counsel's experience in other procedurally complex matters.

In short, an appeal attacks the decision of the municipal board and the procedures employed by the board in reaching that decision, whereas an original action attacks the validity of the ordinance on which the decision was based.

A. The Michigan Constitution, statutes, rules, and case law, clearly indicate that decisions of a municipal board based on the application of an ordinance are the subject of circuit court appeals under the circumstances of this case.

The subject matter of appeals vs. original actions are fundamental principles of American jurisprudence.³ As such, the Constitution of the State of Michigan, statutes, rules, and case law affirms this fundamental principle. However obvious this principle may seem, the body of law governing said principle is anything but crystal clear.

1. Constitution

Article 6, § 28 of the Michigan Constitution of 1963 states that:

All final decisions, findings, rulings and orders of any administrative officer or agency existing under the constitution or by law, which are judicial or quasi-judicial and affect private rights or licenses, **shall be subject to direct review by the courts** as provided by law. This review shall include, as a minimum, the determination whether such final decisions, findings, rulings and orders are authorized by law; and, in cases in which a hearing is required, whether the same are supported by competent, material and substantial evidence on the whole record. (emphasis added).

2. Court rules

MCR §7.102(2), which defines the term “appeal” in the context of an appeal to circuit court, provides in relevant part that an appeal means “judicial review by the circuit court of a judgment, order, or **decision...**”

It follows from the provisions above that MCR §7.122(G)(2), which applies to decisions where, as here, no right to appeal to a zoning board of appeal exists, closely mirrors the constitutional provision above:

In an appeal from a final determination under a zoning ordinance where no right of appeal to a zoning board of appeals exists, **the court shall determine whether the decision** was authorized by law and the findings were supported by competent, material, and substantial evidence on the whole record.

³ Counsel apologizes in advance to the reader. This material is fundamentally important, but butter knife dull.

3. Statute

Even when an appeal to a zoning board of appeals exists, the *decision* of the ZBA is the subject of an appeal to circuit court and beyond. MCL §125.3606 states in relevant part...

- (1) Any party aggrieved by a **decision** of the zoning board of appeals may appeal to the circuit court for the county in which the property is located. The circuit court shall review the **record and decision** to ensure that the **decision** meets all of the following requirements...

- (2) An appeal from a **decision** of a zoning board of appeals shall be filed within whichever of the following deadlines comes first:
 - (a) Thirty days after the zoning board of appeals issues its **decision** in writing signed by the chairperson, if there is a chairperson, or signed by the members of the zoning board of appeals, if there is no chairperson.
 - (b) Twenty-one days after the zoning board of appeals approves the minutes of its **decision**.
- (3) The court may affirm, reverse, or modify the **decision** of the zoning board of appeals. The court may make other orders as justice requires.

4. Case Law

Case law wisely follows the Constitution, states, and rules. For instance, the Michigan Supreme Court has held that “the circuit court’s review [of a ZBA decision] is confined to the **record and decision** of the zoning board of appeals...” *Houdini Props., LLC v. City of Romulus*, 480 Mich 1022, 1023, 743 NW 2d 198, 199 (2008) (referencing MCL §125.585(11), the precursor to MCL §125.3606). The Court of Appeals has held that “[a] party aggrieved by a **decision** in an earlier proceeding may only challenge the **decision** by appeal of the **decision** within the context of that proceeding.” *Zelasko v. Bloomfield*, 2023 Mich App LEXIS 3758 (Ct. App. May 25, 2023); citing *In re Ind. Mich. Power Co.*, 329 Mich. App. 397, 406, 942 NW2d 639 (2019).

B. Claims challenging the legality of the ordinance applied by the municipal board in reaching the decision are properly the subject of an original action, as the appellate body lacks authority to handle them in the context of an appeal.

1. Court rules allow for appeals of decisions of municipal boards to circuit court in conjunction with companion litigation challenging the ordinance on which the decision was based.

MCR §7.122 governs appeals to the circuit court from zoning decisions, and states in relevant part that: “This rule does not restrict the right of a party to bring a complaint for relief relating to a determination under a zoning ordinance.”

MCR §2.605 governs actions for declaratory judgments, and states in relevant part that: “The existence of another adequate remedy does not preclude a judgment for declaratory relief in an appropriate case.”

Thus, the court rules are clear that an appeal challenging a decision of a municipal board in conjunction with companion original litigation seeking declaratory relief regarding “relating to a determination [i.e. decision] under a zoning ordinance,” which includes challenges to the constitutionality of the ordinance on which a decision was based.

2. *Krohn v. Saginaw*, 175 Mich App 193 (1988) and its progeny: original actions challenging decisions are improper collateral attacks.

In *Krohn*, the plaintiffs were owners of properties adjacent to property that was approved for development of an auto parts store and gas station. Instead of filing an appeal, plaintiffs filed an original action in circuit court. However, the lawsuit was dismissed for lack of subject matter jurisdiction. The court reasoned the lawsuit sought to challenge the zoning decision, which constituted an untimely appeal disguised as a separate lawsuit. The twenty-one (21) day appeal period in which to file a claim of appeal is jurisdictional. As plaintiffs failed to file their appeal within the statutory appeal period, the court lacked subject matter jurisdiction to hear it. In the court’s own words:

[W]e believe [plaintiff's] claims raise issues relative to the decision of the planning commission and the procedures employed by the planning commission in reaching that decision. Thus, they do not establish separate causes of action, but merely address alleged defects in the methods employed by the planning commission or the result reached by the commission. Accordingly, those are issues to be raised in an appeal from the decision of the planning commission.

Krohn v. Saginaw, 175 Mich App 193, 198, 437 NW 2d 260, 263 (1988).

The unpublished case of *Zelasko v. Bloomfield*, 2023 Mich. App. LEXIS 3758, follows the same fact pattern as *Krohn* and relies on *Krohn* to dismiss the lawsuit for lack of subject matter jurisdiction as merely an untimely appeal styled as an original action. However, *Zelasko* provides deeper analysis of the principles discussed in *Krohn*. The court reasoned:

Plaintiffs contend...that their complaint is distinct from an appeal because they seek declaratory, injunctive, and mandamus relief and have alleged violations of due process. It is true that the right to appeal a zoning decision does not restrict the right of a party to bring a separate complaint for relief relating to a zoning determination under certain circumstances. However, when determining the nature of a party's claim a court is not bound by the labels given to the claims by a party but is instead obligated to look beyond the labels and determine the exact nature of the claim. The gravamen of the complaint is determined by reading the complaint as a whole and looking beyond mere procedural labels.

The circuit court correctly concluded that the gravamen of plaintiffs' original action, which is clear on the face of the...complaint, is to overturn the Board's decision...i.e., a de facto appeal of the Board's decision.

Because plaintiff's original action in the circuit court was simply a challenge to the Board's decision outside the appellate process, plaintiffs' complaint was an impermissible collateral attack of the Board's decision. A party aggrieved by a decision in an earlier proceeding may only challenge the decision by appeal of the decision within the context of that proceeding.

Zelasko at 21-22. See also *Stafa v. City of Troy*, 2023 Mich App. LEXIS 2594 (Ct. App. Apr. 13, 2023).

IN SUMMARY, *Krohn* and its progeny stand for the simple proposition that the circuit court lacks subject matter jurisdiction over an original action that simply challenges the decision

of the municipal board. In other words, an original action cannot be an appeal of a decision in disguise.

What *Krohn* clearly does not stand for is Defendant's argument that a circuit court appeal is the appropriate forum to challenge the legality of an ordinance on which a decision of a municipal board is based. Defendant's assertion is simply contrary to the entire body of law governing circuit court appeals. In fact, the Michigan Supreme Court has held that a circuit court sitting as an appellate body does not have jurisdiction to decide substantive due process and takings claims, and thus those issues were not properly before the court in an appeal. *See Houdini Props, LLC v. Romulus*, 480 Mich 1022, 1022, 743 NW2d 198 (2008). What's more, Defendant's assertion is directly contrary to the definition of an appeal from a municipal decision, which is defined in relevant part as "judicial review by the circuit court of a judgment, order, or decision..." It follows that equal protection claims and preemption/conflict with state law claims are outside the scope of a circuit court appeal.

3. Claims challenging validity of an ordinance that merely implicate a decision are properly brought in a companion original action.

Accordingly, and contrary to Defendant's faulty argument re: *Krohn*, claims that challenge the validity of an ordinance itself are properly brought in a separate original action. For instance, in the matter of *Sun Communities v. Leroy Twp.*, 241 Mich App 665, 617 NW2d 42 (2000), the plaintiff aggrieved by the decision of a municipal board. Rather than filing an appeal, plaintiff filed a complaint alleging takings, equal protection violations, substantive due process violations, other constitutional rights, as well as civil rights and fair housing issues. The circuit court dismissed the suit as an improper collateral attack that should have been filed as an appeal. The Court of Appeals reversed, holding that:

Krohn is factually distinguishable from the present case. Here, plaintiff's lawsuit does not involve a challenge to the administrative activities of a municipal body acting in the capacity of a zoning board of appeals. Instead, it involves numerous constitutional challenges to the legislative actions of the township board.... Neither a city council's decision to rezone land nor a zoning board of appeal's decision to grant a variance is relevant to the constitutionality of an ordinance...

Sun Communities, 241 Mich App at 672; quoting *Paragon Props. Co. v. City of Novi*, 452 Mich, 568, 580, n 15 (1996).

Recently, the Court of Appeals issued an unpublished opinion in the matter of *KI Props. Holdings, LLC v. Ann Arbor Charter Township*, 2020 Mich App LEXIS 865 (Ct. App. Feb 4, 2020). In *KI Props*, the aggrieved party filed a circuit court appeal of a municipal decision which also included a complaint seeking damages and other relief. The Court of Appeals followed the rationale of *Sun Communities*, in holding that both the appeal and companion original action were appropriate.⁴ In fact, the court noted that the procedure chosen by Plaintiff in this case (i.e. filing a claim of appeal and a separate original action) was best practice. The court reasoned as follows:

Because KI Properties...pleaded...claims as independent causes of action in a complaint...and sought relief beyond 'judicial review by the circuit court of a judgment, order, or decision' by the [Municipal board]. See MCR 7.102(2) (defining appeal for purposes of appeals to the circuit court.), the circuit court could not resolve those claims in the appeal. Although the better practice might be to file the complaint and the appeal in separate proceedings, the right to appeal a determination under a zoning ordinance does not restrict the right of a party to bring a complaint for relief related to that determination. See MCR 7.122(A)(2).

Although KI Properties...alleged facts that implicate the [municipality's] decision, the claims also asked for damages and relief other than that which could be granted in an appeal. That is, the claims are not solely a collateral attack on an administrative decision, as in *Krohn*. As such, KI Properties...were not required to raise those claims in a timely appeal. See, e.g., *Sun Communities v Leroy Twp*, 241 Mich App 665, 671-672; 617 NW2d 42 (2000) (distinguishing *Krohn* because the claims did not involve a challenge to administrative activities of a zoning board). Indeed, our Supreme Court has since held that a circuit court sitting on appeal of a

⁴ In fact, the court noted that the procedure chosen by Plaintiff in this case (i.e., filing a claim of appeal and a separate original action) was best practice.

decision from a zoning board does not have the authority to decide claims involving substantive due process or takings, *see Houdini Props, LLC v Romulus*, 480 Mich 1022, 1022; 743 NW2d 198 (2008), and the court rules similarly provide that the rule governing zoning appeals does not restrict the right to bring a separate complaint for relief relating to a zoning determination, MCR 7.122(A)(2).

KI Props. Holdings, LLC v. Ann Arbor Charter Twp., Nos. 348010, 348167, 2020 Mich. App. LEXIS 865, at *45-46, 51-52 (Ct. App. Feb. 4, 2020).

C. IN SUMMARY

The court lacked authority to rule on Plaintiff's substantive due process, equal protection, and preemption/conflict claims in the context of an appeal. The subject matter of an appeal is the decision of the municipal board and the procedures employed by the board in reaching that decision. Claims challenging the validity of the ordinance applied by the municipal board in reaching the decision are outside the scope of an appeal and thus are properly the subject matter of an original action. The court of appeals in *KI Properties* noted that the best practice is to file a claim of appeal and separate lawsuit, as Plaintiff did in this case.

V. CONCLUSION

Defendant's motion must be denied in its entirety for the following reasons:

1. Defendant did not raise MCR §2.116(C)(7) in its responsive pleading as required by MCR §2.116(D)(2), and thus waived the argument.
2. Both res judicata and collateral estoppel require that a claim or issue be litigated and decided on the merits. The claims Defendant seeks to dismiss have not been litigated to a decision on the merits.
3. Defendant's MCR §2.116(C)(8) arguments cannot succeed as Plaintiff's complaint, which contains 9 enumerated counts, 117 numbered paragraphs, and 332 pages of exhibits

cited to specific factual allegations, is sufficient to put Defendant on notice of the claims against it and relief sought considering the low “notice pleading” threshold.

4. The Court lacked authority to make determinations regarding substantive due process, equal protection, nor preemption/conflict with state law, when sitting as an appellate body.

Respectfully submitted,


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**STATE OF MICHIGAN
IN THE 44TH CIRCUIT COURT FOR THE COUNTY OF LIVINGSTON**

HOWELL-MASON, LLC,
a Michigan Limited Liability Company,

Plaintiff,

Case No. 24-32242-CZ

HON. MATTHEW J. McGIVNEY

v

HOWELL TOWNSHIP,
a Michigan General Law Township,

Defendant.

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**DEFENDANT’S MOTION FOR LEAVE TO FILE FIRST AMENDED AFFIRMATIVE
DEFENSES PURSUANT TO MCR 2.118(A)(2)**

Defendant Howell Township (the “Township”), by and through its attorneys, Fahey Schultz Burzych Rhodes, PLC, for its Motion for Leave to File First Amended Affirmative Defenses, states as follows:

1. On January 26, 2024, Plaintiff Howell-Mason, LLC, (“Howell-Mason”), filed an appeal by right to this Court from the Howell Township Board’s decision to deny it a special land use permit, challenging the decision on grounds including substantive due process, procedural due process, equal protection, and preemption. *See* Case No. 2024-350-AA.
2. Howell-Mason then filed this lawsuit on March 19, 2024, presenting many of the same arguments that appeared in its appeal, but has raised them here as original causes of action.
3. On June 7, 2024, the Township answered this lawsuit and asserted various affirmative defenses that were known and supported at that time.
4. On September 16, 2024, this Court issued a thorough and well-reasoned 15-page written opinion addressing and disposing of all claims Howell-Mason raised through its appeal. *Howell-Mason v Howell Township*, Livingston County Circuit Court, 2024-350-AA.
5. On November 12, 2024, the Township moved for summary disposition under multiple subrules of MCR 2.116(C), including MCR 2.116(C)(7) which provides dispositive relief in instances where there is a prior judgment.
6. MCR 2.116(C)(7) serves as a dispositive basis for many of Howell-Mason’s claims because of res judicata, in particular Counts I, II, III, and IX.¹
7. On January 9, 2025, Howell-Mason filed a response to the Township’s dispositive motion arguing that it had waived any right to argue for dismissal on the basis of res judicata pursuant to MCR 2.116(C)(7) because it was not raised as an affirmative defense by the Township.
8. On January 16, 2025, this Court will hear arguments on the Township’s dispositive motion.

¹ All of these claims are also appropriately dismissed pursuant to MCR 2.116(C)(8) for the reasons explain in the Township’s pending dispositive motion.

9. The Township now moves pursuant to MCR 2.118(A)(2) before this Court in advance of that hearing for leave to amend its affirmative defenses to remedy any potential issue of waiver.
10. MCR 2.118(A)(2) provides that “a party may amend a pleading only by leave of the court” and that “[l]eave shall be freely given when justice so requires.” *See Titan Ins Co v N Pointe Ins Co*, 270 Mich App 339, 346 (2006) (“A motion to amend ‘ordinarily should be granted...’”) (citations omitted).
11. Justice requires leave be granted here for the Township to include as an affirmative defense MCR 2.116(C)(7) because of this Court’s decision in Case No. 2024-350-AA, which was correctly decided and conclusive of the issues Howell-Mason now raises through this action. The Township also raised the affirmative defense as soon as possible after this Court issued its decision in Case No. 2024-350-AA, and good cause exists now to allow the Township to assert the affirmative defense.
12. Howell-Mason is unable to claim prejudice in response to this request because it was on notice of the defense from at the latest September 16, 2024, and the defense was adequately raised and briefed through the Township’s dispositive motion.
13. Leave to amend would cure any potential issue of waiver as the amended affirmative defenses would relate “back to the date of the original pleading[.]” MCR 2.118(D). *See also Farmers Ins Group v Clear*, 94 Mich App 655, 661-662 (1980) (explaining that the defendant should have moved to amend to preserve any issues of waiver).
14. The Township respectfully requests this Court grant its Motion for Leave to File First Amended Affirmative Defenses (attached as **Exhibit A** are the affirmative defenses which the Township seeks to file).

Respectfully submitted,

Fahey Schultz Burzych Rhodes PLC
Attorneys for Defendant

A handwritten signature in black ink, appearing to read 'E. P. Conn', written over a horizontal line.

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Dated: January 9, 2025

EXHIBIT A

**STATE OF MICHIGAN
IN THE 44TH CIRCUIT COURT FOR THE COUNTY OF LIVINGSTON**

HOWELL-MASON, LLC,
a Michigan Limited Liability Company,

Plaintiff,

v

HOWELL TOWNSHIP,
a Michigan General Law Township,

Defendant.

Case No. 24-32242-CZ

HON. MATTHEW J. McGIVNEY

**HOWELL TOWNSHIP'S FIRST
AMENDED AFFIRMATIVE
DEFENSES**

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HOWELL TOWNSHIP'S FIRST AMENDED AFFIRMATIVE DEFENSES

Defendant Howell Township (the “Township”), by and through its attorneys, states the following amended Affirmative Defenses to Plaintiff Howell-Mason, LLC’s First Amended Complaint:

- A. Plaintiff has failed to state a claim upon which relief can be granted. Defendant incorporates Paragraphs 1-117 of its Answer to the Complaint and Affirmative Defenses B-CC. For the reasons previously stated in the Answer to the Complaint and in the following Affirmative Defenses, Plaintiff’s Complaint fails to state a claim on which relief may be granted.
- B. Plaintiff’s claims are barred in whole or in part as a result of the expiration of the applicable statute of limitations. A request for a variance by the ZBA was denied on March 16, 2021, and the Plaintiff failed to file a claim of appeal.
- C. Plaintiff has failed, neglected and/or refused to properly and adequately mitigate the damages it claims to have suffered. Over two years lapsed between the ZBA denial in March 2021 and when the Plaintiff submitted a special land use permit application and site plan on or around June 26, 2023, with full knowledge gas stations were not permitted on the Plaintiff’s site under current Zoning Ordinance requirements. Further, Plaintiff never formally submitted an application requesting a text amendment to the Zoning Ordinance.
- D. Some or all of Plaintiff’s claims are barred because of its failure to exhaust administrative or other remedies or to satisfy jurisdictional requirements. Plaintiff did not exhaust all administrative remedies by failure to formally apply for and request a zoning text amendment.
- E. Some or all of Plaintiff’s claims are preempted by applicable state or federal law.
- F. Plaintiff failed to identify any Michigan law in which zoning ordinance provisions were invalidated for restrictions placed on wellhead protection areas.

- G. Plaintiff has prayed for damages that are not awardable under controlling law.
- H. Plaintiff has failed to follow the statutorily prescribed process for amending a zoning ordinance under the Michigan Zoning Enabling Act.
- I. Plaintiff does not have a strong likelihood of success on the merits of their claims such that injunctive relief is improper. Defendant incorporates Paragraphs 1-117 of its Answer to the Complaint and Affirmative Defenses A-CC. For the reasons previously stated in the Answer to the Complaint and in the following Affirmative Defenses, Plaintiff is unlikely to prevail on the merits.
- J. Plaintiff has failed to identify irreparable injury such that their claim for injunctive relief is improper. Defendant incorporates Paragraphs 1-117 of its Answer to the Complaint and Affirmative Defenses A-CC. For the reasons previously stated in the Answer to the Complaint and in the following Affirmative Defenses, Plaintiff is unable to demonstrate irreparable harm.
- K. Granting injunctive relief as sought by Plaintiff would cause immediate irreparable harm to neighbors who live near the proposed gas station, convenience store and drive-through. Defendant incorporates Paragraphs 1-117 of its Answer to the Complaint and Affirmative Defenses A-CC. For the reasons previously stated in the Answer to the Complaint and in the following Affirmative Defenses, Plaintiff is unable to demonstrate irreparable harm.
- L. Granting injunctive relief as sought by Plaintiff would cause substantial harm to the public interest, and Township residents within the vicinity of the wellhead protection area. Defendant incorporates Paragraphs 1-117 of its Answer to the Complaint and Affirmative Defenses A-CC. For the reasons previously stated in the Answer to the Complaint and in the following Affirmative Defenses, Plaintiff's proposed use would cause substantial harm.

- M. Plaintiff has received adequate due process with respect to the claims made in this matter. Howell Township followed all procedures consistent with the MZEA and its Zoning Ordinance and Open Meetings Act.
- N. Plaintiff failed to identify any provision of the Howell Township Zoning Ordinance that precluded them from separately submitting a request to approve the drive-through establishment and convenience store listed on the SLUP application or building a gas station at another location within the same zoning district classification.
- O. The Howell Township Zoning Ordinance wellhead protection provisions advance strong and legitimate local interests.
- P. The Howell Township Zoning Ordinance has not resulted in any regulatory taking as to the Plaintiff.
- Q. The Michigan Wellhead Protection Program does not expressly preempt via the field or via conflict preemption that local governments may adopt standards regulating local wellhead protection areas, and in fact encourages the development and implementation of source water protection resolutions or ordinances such as provided by the Howell Township Zoning Ordinance.
- R. The Howell Township Zoning Ordinance requiring a setback from wellhead protection areas is not preempted and/or in direct conflict with the State of Michigan or EGLE authority to establish wellhead protection areas or issue permits for underground storage tanks.
- S. Plaintiff unreasonably failed to take advantage of preventative and corrective opportunities such as a timely resubmittal of their initial variance request in 2021, as authorized by the Howell Township Zoning Ordinance, with new material evidence for wellhead protection.

- T. Plaintiff's claims may be barred by the doctrine of laches based on the time it took to seek relief.
- U. Plaintiff waived its ability to challenge the denial of the Special Use Permit by not resubmitting a request for a zoning variance with new material information prior to requesting a SUP.
- V. Plaintiff's claims are unripe to the extent it has failed to apply separately for a drive through restaurant or convenience store SUP, site plan review, variances, and/or zoning permits for the other permitted land uses they seek to undertake or pursue through their Complaint.
- W. Plaintiff's claims are barred by res judicata, collateral estoppel, or claim preclusion because they unreasonably delayed, failed, refused, and/or neglected to challenge or contest the validity of the zoning provisions for years after their variance denial in 2021 and long after they knew or should have known about any actual or threatened injury, resulting in prejudice to Howell Township and surrounding residents.
- X. Plaintiff's own actions, by failing to bring timely challenges to the very zoning provisions they challenge in this case have prejudiced Howell Township and its residents to rely on the zoning provisions and invest in accordance with them.
- Y. All or some of Plaintiff's claims are barred by equitable estoppel, waiver, and/or failure to exhaust administrative and/or judicial remedies in a timely manner required by law.
- Z. Plaintiff's intended engagement in commercial activity in a zoning district intended for less intense uses near the homes of residents without the limitations established by the challenged zoning provisions would be injurious to Howell Township and its residents, and therefore would constitute private nuisances.

- AA. The MZEA is not a separate claim, gas stations are not a constitutionally protected class and subject to only rational review.
- BB. Howell Township has all powers fairly implied under Article 7, Sec. 34, and Injunction is not a separate cause of action and there is no basis for such remedial relief as the status quo is no gas station and protection of the wellhead.
- CC. Plaintiff's claims are barred in whole or in part pursuant to MCR 2.116(C)(7) because of this Court's decision in *Howell-Mason v Howell Township*, Livingston County Circuit Court, 2024-350-AA.
- DD. Howell Township reserves the right to file further affirmative defenses and to amend its affirmative defenses upon the completion of discovery.

Respectfully submitted,

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Dated: January 9, 2025

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**DEFENDANT'S BRIEF IN SUPPORT OF ITS MOTION FOR LEAVE TO FILE FIRST
AMENDED AFFIRMATIVE DEFENSES PURSUANT TO MCR 2.118(A)(2)**

For the reasons set forth in the attached motion, and in reliance on the Michigan Court Rules including MCR 2.118 and the case law that interprets it, Defendant Howell Township respectfully requests that this Honorable Court grant its motion for leave to amend its affirmative defenses.

Respectfully submitted,

Fahey Schultz Burzych Rhodes PLC
Attorneys for Defendant

A handwritten signature in black ink, appearing to read 'E. P. Conn', written over a horizontal line.

Eric P. Conn (P64500)
Christopher S. Patterson (P74350)
Wayne R. Beyea (P73961)
David Szymanski, Jr. (P86525)
4151 Okemos Road
Okemos, MI 48864
(517) 381-0100

Dated: January 9, 2025

7-B



Livingston County Department of Planning

December 19, 2024

Scott Barb
AICP, PEM
Director

Robert A. Stanford
AICP
Principal Planner

Martha Haglund
Principal Planner

Howell Township Board of Trustees
c/o Sue Daus, Clerk
3525 Byron Road
Howell, MI 48855

Re: Planning Commission Review of Ordinance Amendments Z-47-24.

Dear Board Members:

The Livingston County Planning Commission met on Wednesday, December 18, 2024, and reviewed the ordinance amendments referenced above. The County Planning Commissioners made the following recommendation:

Z-47-24 Approval with Conditions. Items noted in this review should be corrected prior to any final approval of the proposed amendments.

Copies of the staff review and Livingston County Planning Commission meeting minutes are enclosed. Please do not hesitate to contact our office should you have any questions regarding county action.

Sincerely,

Scott Barb

Scott Barb

sb

Enclosures

c: Wayne Williams, Vice Chair, Planning Commission
Jonathan Hohenstein, Township Zoning Administrator

Meeting minutes and agendas are available at:
<http://www.livgov.com/plan/agendas.aspx>

Department Information

Administration Building
304 E. Grand River Avenue
Suite 206
Howell, MI 48843-2323

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(517) 546-7555
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<http://www.livgov.com>

DRAFT
LIVINGSTON COUNTY PLANNING COMMISSION
MEETING MINUTES
DECEMBER 18, 2024
6:30 p.m.
Hybrid In-Person and Virtual Zoom Meeting

Zoom Virtual Meeting Room Meeting ID: 399-700-0062 / Password: LCBOC
<https://zoom.us/j/3997000062?pwd=SUdLYVFFcmozWnFxbm0vcHRiWkVIZz09>

PLANNING COMMISSION	
COMMISSIONERS PRESENT:	<div style="display: flex; justify-content: space-between;"> Bill Anderson Margaret Burkholder </div> Dennis Bowdoin Bill Call
COMMISSIONERS ABSENT:	Matt Ikle Paul Funk Kevin Galbraith
STAFF PRESENT:	Scott Barb Rob Stanford Martha Haglund
OTHERS PRESENT:	Bruce Powelson, Marion Township; Brent Lavanway, Genoa Township; Debbie Marshal, Genoa Township; Jill Bianco, Genoa Township ONLINE: Abby Carrigan, Ken C.

1. **CALL TO ORDER:** Meeting was called to order by Planning Commissioner Anderson at 6:30 PM.
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **ROLL AND INTRODUCTION OF GUESTS:** None.
4. **APPROVAL OF AGENDA:**

Commissioner Action: IT WAS MOVED BY COMMISSIONER ANDERSON TO APPROVE THE AMENDED AGENDA (Move Case Z-54-24 up to Item B. due to applicant in the audience), DATED DECEMBER 18, 2024, SECONDED BY COMMISSIONER BOWDOIN.

All in favor, motion passed 4-0.

5. **APPROVAL OF PLANNING COMMISSION MEETING MINUTES**

Commissioner Action: IT WAS MOVED BY COMMISSIONER CALL TO APPROVE THE MINUTES, DATED NOVEMBER 20, 2024, SECONDED BY COMMISSIONER BURKHOLDER.

All in favor, motion passed 4-0.

6. **CALL TO THE PUBLIC:** None.

7. ZONING REVIEWS:

A. **Z-45-24: GENOA TOWNSHIP, REZONING:
PUBLIC RECREATION FACILITIES (PRF) TO SUBURBAN RESIDENTIAL (SR) IN SECTION 3.**

Current Zoning: PRF Public Recreation Facilities

Proposed Zoning: NSC Neighborhood Service Commercial (28,000 sq. ft./12,000 sq. ft. with sanitary sewer)

Section: Section 3

Township Master Plan: Genoa Township's Master Plan designate the subject area described below:

Small Lot Single Family Residential: This designation refers to two distinct groups of single-family residential uses: the older homes around Lake Chemung and the Tri- Lakes area and newer, small lot, single family subdivisions located within the more urbanized area of the Township. These areas will generally be, or are planned to be, served by public water and sanitary sewer. Single family residential uses located within these areas will typically be located on lots ranging from 14,520 square feet to 21,780 square feet in size or 2 to 3 units per acre.

Township Planning Commission Recommendation: Approval. The Genoa Township Planning Commission recommended approval at their November 12, 2024, meeting. There were no public comments.

Staff Recommendation: Approval. The proposed rezoning from Public Recreation Facilities (PRF) to Suburban Residential (SR) is consistent with the Township Master Plan and the Livingston County Master Plan.

Commission Discussion: Commissioner Burkholder asked applicant if any of the square footage of the lots extend into the water or if they had plans to split the property.

Public Comment: Brent Lavanway from Boss Engineering spoke on the project and offered to answer any questions on the development.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER CALL TO RECOMMEND APPROVAL, SECONDED BY COMMISSIONER BURKHOLDER.

Motion passed: 4-0.

B. **Z-54-24: GENOA TOWNSHIP, AMENDMENTS TO ZONING ORDINANCE ARTICLES –
ARTICLE 11 GENERAL PROVISIONS: 11.05.01 & 11.05.04 UTILITY-SCALE WIND ENERGY
CONVERSION SYSTEMS, 11.06.01 & 11.06.07 UTILITY-SCALE SOLAR ENERGY SYSTEMS
AND 11.07.01 & 11.07.02 UTILITY-SCALE BATTERY STORAGE UNDER PA 233.**

Genoa Township is proposing to amend their Wind Energy Conversion Systems, Utility Scale Solar Energy System Ordinances as well as add new language for Utility-Scale Battery Storage. Utility-scale renewable energy projects in Genoa Township would remain a permitted, special use in the Industrial and Planned Industrial Districts.

The intent is to meet the requirements of PA 233 and be no more stringent than section 226 (8); effectively creating a Compatible Renewable Energy Ordinance (CREO). As of November 29, 2024, Public Act 233 is in effect and renewable energy providers could begin the application process with local communities. Genoa Township along with 70+ communities in Michigan filed a class action lawsuit November 8, 2024, challenging PA 233. The proposed amendments add qualifying language, in the case PA 233 is either repealed, enjoined or otherwise not in effect, Genoa Township's existing renewable energy ordinances would take precedence.

Township Recommendation: Approval. Genoa Township Planning Commission recommended approval of the proposed amendments at their December 4, 2024, Planning Commission Meeting. There were no public comments.

Staff Recommendation: Approval With Conditions. The conditions being the Township proofread for grammatical errors and verified correct sections of PA 233 are referenced.

Although there is pending litigation that Genoa Township is involved in, adopting language that aligns with PA 233 will help the township maintain local siting control of utility-scale renewable energy projects. Further, the trigger language helps maintain the existing ordinance in the event PA 233 is no longer in effect.

Commission Discussion: Commissioner Bowdoin asked if there is an overlay district in Genoa Township.

Public Comment: None.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER BOWDOIN TO RECOMMEND APPROVAL WITH CONDITIONS, SECONDED BY COMMISSIONER CALL.

Motion passed:4-0.

C. Z-46-24: DEERFIELD TOWNSHIP, AMENDMENTS TO ZONING ORDINANCE ARTICLES – TABLE 10-2; TABLE 10-3; SECTION 17.27 COMMERCIAL WIND ENERGY FACILITIES; SECTION 17.30 SOLAR ENERGY SYSTEMS; ARTICLE 11 COMPATIBLE RENEWABLE ENERGY ORDINANCE (CREO).

The Deerfield Township Planning Commission is proposing to amend several sections of the Township Zoning Ordinance for compliance with PA 233 of 2023 and create a new Article 11 that will implement a Compatible Renewable Energy Ordinance (CREO) in the Township.

Township Recommendation: Approval. The Deerfield Township Planning Commission recommended approval of the proposed amendments at their November 21, 2024, public hearing.

Staff Recommendation: Approval. The proposed amendments are generally consistent with CREO requirements, but we encourage a cautious approach as the current MPSC order is being legally challenged and could result in changes to local ordinances.

Commission Discussion: None.

Public Comment: None

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER BOWDOIN TO RECOMMEND APPROVAL, SECONDED BY COMMISSIONER BURKHOLDER.

Motion passed: 4-0.

D. Z-47-24: HOWELL TOWNSHIP, AMENDMENTS TO ZONING ORDINANCE ARTICLES – VARIOUS SECTIONS, STORAGE AND CARGO CONTAINER AMENDMENTS.

The Howell Township Planning Commission is proposing to amend several sections of the Township Ordinance to include portable storage and cargo containers within the Township.

Township Recommendation: Approval. The Howell Township Planning Commission recommended approval of the proposed amendments at their November 19, 2024, public hearing.

Staff Recommendation: Approval With Conditions. Items noted in this review should be corrected prior to any final approval of the proposed amendments.

Commission Discussion: None

Public Comment: None.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER CALL TO RECOMMEND APPROVAL WITH CONDITONS, SECONDED BY COMMISSIONER BURKHOLDER.

Motion passed: 4-0.

E. Z-48-24: OCEOLA TOWNSHIP, AMENDMENTS TO ZONING ORDINANCE ARTICLES – DEMOLITION OF A BUILDING, ARTICLE 5: STANDARDS FOR USE, SECTION 5.02.E TIMING OF ACCESSORY BUILDING CONSTRUCTION.

The Oceola Township Planning Commission proposes an amendment to Article 5: Standards for Use, Section 5.02(E) Timing of Accessory Building Construction of the Oceola Township Zoning Ordinance, related to the demolition of a principal building on a property and timing of construction.

Township Recommendation: Approval. The Oceola Township Planning Commission recommended Approval of this zoning amendment at its November 19, 2024, public hearing. According to the meeting minutes supplied for this case, there were no public comments or Planning Commission comments regarding this case.

Staff Recommendation: Approval With Conditions. Conditions being that the township consider making these provisions district-specific and/or excluding from these provisions, parcels located in agriculturally-zoned districts within the township as well as excluding all accessory structures associated with bona fide farming operations in the township. Conditions also being that the township consult with township legal counsel as to compliance of these provisions with Michigan Right to Farm Act regulations.

Commission Discussion: Commissioner Bowdoin agrees the amendment is overreaching with respect to fully removing all structures on a parcel of land.

Public Comment: None.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER BOWDOIN TO RECOMMEND APPROVAL WITH CONDITIONS, SECONDED BY COMMISSIONER CALL.

Motion passed: 4-0.

F. Z-49-24: OCEOLA TOWNSHIP, AMENDMENTS TO ZONING ORDINANCE ARTICLES – ARTICLE 5: STANDARDS FOR USE, SECTION 5.02.4(F) ACCESSORY DWELLING UNITS.

The Oceola Township Planning Commission proposes new amendments to Article 5, Section 5.02.4(F) the Oceola Township Zoning Ordinance related to Accessory Dwelling Units (ADUs).

Township Recommendation: Approval. The Oceola Township Planning Commission recommended Approval of this zoning amendment at its November 19, 2024, public hearing. According to the meeting minutes supplied for this case, there were no public comments or Planning Commission comments regarding the definitions as proposed.

Staff Recommendation: Approval With Conditions. Conditions for Approval being that the Township consult its legal counsel regarding the proposed amendments to ensure compliance with any State and Federal housing laws, especially the Federal Fair Housing Act, before Township final approval is given.

Commission Discussion: Commissioner Burkholder asked if site condos are included in the amendments.

Public Comment: None.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER CALL TO RECOMMEND APPROVAL WITH CONDITIONS, SECONDED BY COMMISSIONER BOWDOIN.

Motion passed: 4-0.

G. Z-50-24: OCEOLA TOWNSHIP, AMENDMENTS TO ZONING ORDINANCE ARTICLES – ARTICLE 12: GENERAL PROVISIONS, SECTION 12.19.8 (A-C) NOISE, AND SECTION 12.19.9. VIBRATION.

The Oceola Township Planning Commission proposes an amendment to Article 12: General Provisions, Section 12.19.8(A-C), and 12.19.9 of the Oceola Township Zoning Ordinance, related to noise and permitted vibration level in the M-1 district.

Township Recommendation: Approval. The Oceola Township Planning Commission recommended Approval of this zoning amendment at its November 19, 2024, public hearing. According to the meeting minutes supplied for this case, there were no public comments or Planning Commission comments regarding this case.

Staff Recommendation: Approval. The proposed amendments related to noise and vibration levels in the M-1 zoning district in Oceola Township appear to be suitable and reasonable.

Commission Discussion: None

Public Comment: None.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER BURKHOLDER TO RECOMMEND APPROVAL, SECONDED BY COMMISSIONER CALL.

Motion passed: 4-0.

H. Z-51-24: OCEOLA TOWNSHIP, AMENDMENTS TO ZONING ORDINANCE ARTICLES – ARTICLE 12: GENERAL PROVISIONS, SECTION 12.29 VENDOR TRUCKS.

The Oceola Township Planning Commission proposes a new section, Section 12.29 amendments to the Oceola Township Zoning Ordinance related to the allowance and regulation of vendor trucks.

Township Recommendation: Approval. The Oceola Township Planning Commission recommended Approval of this zoning amendment at its November 19, 2024, public hearing. There were no public comments regarding the definitions as proposed.

Staff Recommendation: Approval With Conditions. Conditions being that the township revise proposed Section 12.29 (E) and Section 12.29 (G) per Staff's clarification recommendation.

Commission Discussion: None

Public Comment: None.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER BOWDOIN TO RECOMMEND APPROVAL WITH CONDITIONS, SECONDED BY COMMISSIONER BURKHOLDER

Motion passed: 4-0.

I. Z-52-24: OCEOLA TOWNSHIP, AMENDMENTS TO ZONING ORDINANCE ARTICLES – ARTICLE 18: ADMINISTRATION AND ENFORCEMENT, SECTION 18.07 PERFORMANCE GUARANTEE AND SECTION 18.08 FINAL INSPECTION.

The Ocoola Township Planning Commission proposes new ordinance language pertaining to **Section 18.07 Performance Guarantee and Section 18.08 Final Inspection** of the Ocoola Township Zoning Ordinance. Concurrently with this new set of proposed amendments for Section 18.07 and 18.08, the current Section 16.09: Performance Guarantees of the township Zoning Ordinance is proposed to be repealed as well.

Township Recommendation: Approval. The Ocoola Township Planning Commission recommended Approval of this zoning amendment at its November 19, 2024, public hearing. According to the meeting minutes supplied for this case, there were no public comments or Planning Commission comments regarding this case.

Staff Recommendation: Approval. The proposed amendments related to performance guarantees and final inspection provisions in Ocoola Township appear to be reasonable.

Commission Discussion: Commissioner Burkholder asked if landscaping is typically a condition of getting a Certificate of Occupancy.

Public Comment: None.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER BURKHOLDER TO RECOMMEND APPROVAL, SECONDED BY COMMISSIONER CALL.

Motion passed: 4-0.

J. Z-53-24: OCEOLA TOWNSHIP, AMENDMENTS TO ZONING ORDINANCE ARTICLES – ARTICLE 19: DEFINITIONS.

The Ocoola Township Planning Commission proposes new and revised definitions to the Ocoola Township Zoning Ordinance.

Township Recommendation: Approval. The Ocoola Township Planning Commission recommended Approval of this zoning amendment at its November 19, 2024, public hearing. According to the meeting minutes supplied for this case, there were no public comments or Planning Commission comments regarding the definitions as proposed.

Staff Recommendation: Approval. The proposed new and revised definitions appear to be suitable and reasonable.

Commission Discussion: None

Public Comment: None.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER CALL TO RECOMMEND APPROVAL, SECONDED BY COMMISSIONER BURKHOLDER.

Motion passed: 4-0.

8. OLD BUSINESS: None.

9. NEW BUSINESS: None.

10. REPORTS: Possible presentation on the 2025 Livingston County Sustainable Agriculture, Food Systems, & Rural Environment Plan at the January 2025 planning commission meeting. A Citizen Planner class is planned for March 2025 in partnership with the MSU-Extension.

11. COMMISSIONERS HEARD AND CALL TO THE PUBLIC: Commissioner Bowdoin briefly discussed and informed the planning commission on the current housing bills that are in State legislation and their potentially detrimental effects. Bruce Powelson, Genoa Township, spoke about Marion Township Planning Commission working on Renewable Energy Systems Ordinance.

12. ADJOURNMENT:

Commissioner Action: IT WAS MOVED BY COMMISSIONER CALL TO ADJOURN THE MEETING AT 7:42 PM, SECONDED BY COMMISSIONER BOWDOIN.

Motion passed: 4-0.

DRAFT



Livingston County Department of Planning

MEMORANDUM

TO: Livingston County Planning Commission and the Howell Township Board of Trustees

FROM: Scott Barb

DATE: December 10, 2024

SUBJECT: Z-47-24 Amendments to the Zoning Ordinance: Various Sections, Storage and Cargo Container Amendments.

Scott Barb
AICP, PEM
Director

Robert A. Stanford
AICP
Principal Planner

Martha Haglund
AICP Candidate
Principal Planner

The Howell Township Planning Commission is proposing to amend several sections of the Township Ordinance to include portable storage and cargo containers within the Township. Staff has reviewed the proposed amendments for accuracy and compatibility with the existing ordinance language and offers the following summary for your review. Staff comments are written in *italic and underlined* with additions and changes to the Ordinance written in red.

Article 2, Section 2.02 Definitions

The following definitions will be added to the subsection:

Portable Storage Containers: Portable, weather-resistant receptacle designed and used for the temporary storage and/or shipment of household goods or building materials (i.e. PODS or MODS), which are typically leased on a short-term basis.

Cargo Containers: A primarily metal weather-resistant container designed to store or ship goods or materials. Such containers include reusable steel boxes, freight and bulk shipping containers, and those with similar qualities which are intended for use as an accessory building or structure.

Article 4, Section 4.04 AR Permitted Uses

Subsection 4.04 will be modified to include **cargo containers** as permitted accessory uses within the Agricultural Residential District.

Article 5, Section 5.04 RT Permitted Uses

Subsection 5.04 will be modified to include **cargo containers** as permitted accessory uses within the Research Technology District.

Article 8, Section 8.04 OS Permitted Uses

Subsection 8.04 will be modified to include **cargo containers** as permitted accessory uses in the Office Service District.

Article 10, Section 10.04 RSC Permitted Uses

Subsection 10.04 will be modified to include **cargo containers** as permitted accessory uses in the Regional Service Commercial District.

Department Information

Administration Building
304 E. Grand River Avenue
Suite 206
Howell, MI 48843-2323

•
(517) 546-7555
Fax (517) 552-2347

•
Web Site
milivcounty.gov

Article 11, Section 11.04 HSC Permitted Uses

Subsection 11.04 will be modified to include **cargo containers** as permitted accessory uses in the Highway Service Commercial District.

Article 12, Section 12.04 IF Permitted Uses

Subsection 12.04 will be modified to include **cargo containers** as permitted accessory uses in the Industrial Flex Zone District.

Article 13, Section 13.04 Industrial Permitted Uses

Subsection 13.04 will be modified to include **cargo containers** as permitted accessory uses in the Industrial District.

Staff comments: The above amendments are adding cargo containers to the list of permitted accessory uses in each of the stated zoning districts.

Article 14, Section 14.07 Accessory Building Provisions

The following subsections in Section 14.07 will be amended as follows:

- A. **Residential accessory building or** structures having two-hundred (200) square feet or less of internal floor area, which is used for any purpose other than the housing of humans, but is primarily to be use for the housing of non-human purpose such as pets, yard equipment, yard maintenance supplies, tools, toys, including motorized or non-motorized bicycles and types of household equipment, and which -structures do not have to meet the requirements of the Livingston County Construction Code and will not be built on a structural foundation as required in the Construction Code for other types of buildings, shall **still adhere to the requirements of this section including the need** for zoning permits and payment of fees required under other provisions of this Ordinance **including** the requirements in subsection B. below.

Staff comments: Subsection I (7) prohibit pets or livestock in cargo containers. The above subsection A states that structures 200 feet or less can be used for pets. This discrepancy should be corrected prior to final approval of the amendments.

- B. Detached accessory buildings and structures shall be located entirely in the rear yard outside of the side and rear setback **with the following exceptions:**

1. **Said building or structure is being constructed pursuant to a Special Use Permit, and in that case, the Township Board after receiving the recommendation of the Planning Commission may authorize the location of the accessory building in any required yard.**
2. **For accessory buildings or structures to a residential use, if the primary residence is situated in the rear portion of a parcel over 2 acres, an accessory buildings or structure may be in the front yard if it:**
 - a. **Is setback at least 100 feet from the edge of the road right-of-way.**
 - b. **Meets the required side yard setback.**
 - c. **Is designed to be architecturally compatible with the principal building or structure, or screening that provides 80% opacity is provided between the buildings or structure and immediately adjacent neighboring properties and the road.**
 - d. **Has a roof overhang or eave of not less than twelve (12) inches on all sides, or alternatively with windowsills or roof drainage systems concentrating roof drainage at collection points along the sides of the building or structure.**

- e. In no instance shall an accessory building or structure be located within a dedicated easement right-of-way.

C. Accessory buildings located on lots and parcels in all Zoning Districts shall be subject to the following regulations:

LOT OR PARCEL AREA REGULATION	REGULATION	MAXIMUM SQUARE FOOTAGE*
12,000 sq. ft. to 0.9 acre	4% of lot area	800 sq. ft.
1 acre to 1.9 acres	4% of lot area	2000 sq. ft.
2 acres to under 19.9 acres	4% of lot area, except that commercial agricultural farm operations shall be excluded from this regulation	3000 sq ft.
20 acres and above	Subject to Max lot coverage	No limit

- D. No detached accessory buildings or structures – shall be located closer than ten (10) feet to any main building.
- E. No detached accessory building or structure in AR, SFR, MFR, NSC, OS Districts shall exceed one (1) story or twenty (20) feet in height. Accessory buildings or structures in all other districts may be constructed to equal the permitted maximum height in said districts. Height shall be measured in accordance with Article II Definition 24.
- F. When accessory buildings or structures are located on a corner lot, they shall not be located in any front yard or side yard, unless it is determined by the Zoning Administrator that there is insufficient rear yard in which to locate them, **in which case they may be permitted** in the side yard so long as the following criteria are met:
 1. **Insufficient rear yard shall mean there are natural features such as steep slopes, wetlands or that the location of a well or septic field would preclude the placement of such accessory building or structure.**
 2. **Front Yard:** The accessory building or structure shall not encroach into the front yard
 3. **Side Yard Setback:** The accessory building or structure shall not encroach into the required side yard setback.
 4. **Height Limitation:** The height of the building or structure must not exceed 15 feet when located in the front or side yard.
 5. **Sight Lines at Intersections:** The accessory building or structure must not fall within a 15-foot visibility triangle at the corner of the lot.
- G. In no instance shall an accessory building or structure be allowed until there is a principal building or structure located on the lot or parcel of land.
- H. No accessory building or structure shall be used as a dwelling, lodging or sleeping quarters for human beings, except as otherwise permitted in this Ordinance.

I. Additional standards for Cargo Containers to be used as an accessory building or structure to a residential use.

1. Containers shall not be stacked above the height of a single container.
2. The exterior appearance of all cargo containers shall be maintained in a clean and structurally sound condition, free from any visible rust, corrosion, holes, or other signs of deterioration that could compromise the container's appearance or structural integrity.
3. No writing, advertising, or graphics are permitted on the exterior of the container.
4. Cargo containers shall be completely screened from view of abutting properties and/or rights-of-ways by a fence or vegetative screening that meets the requirements of Section 14.26 Fences and 28.03 Specific Landscaping Requirements for Zoning Districts.
5. Cargo containers shall be subject to the requirements for Intermodal Shipping Containers in the International Building Code.
6. No plumbing or electricity may be connected to a cargo container.
7. No livestock or pets may be housed in a cargo container.
9. Cargo containers shall not be used to store hazardous materials, as defined by the Michigan Fire Prevention Code, 1941 PA 107, MCL 29.1 *et seq.*
10. A cargo container shall not be permitted in the front yard of a residential parcel.
11. No more than one cargo container is permitted per acre, with a maximum of two containers per parcel. This limit does not apply to containers located in the Agricultural Residential Zoning District when they are used in a manner consistent with Generally Accepted Management Practices under the Michigan Right to Farm Act.

Article 14, Section 14.20 Temporary Buildings and Structures

Subsection 14.20 will be amended with the following addition to include portable storage container provisions:

A. Portable Storage Container may be permitted as a temporary building or structure subject to the following conditions:

1. No portable storage container may be stacked on top of another or any other object.
2. No electricity or plumbing may be connected to a portable storage container.
3. Portable storage containers must be placed on a driveway, gravel or paved area.
4. No portable storage container shall be used for living quarters.
5. No livestock or pets may be stored in a portable storage container.
6. Portable storage containers may be placed on a vacant lot only if that lot is associated with an approved building construction project.
7. Portable storage containers shall not be used to store hazardous materials, as defined by the Michigan Fire Prevention Code, 1941 PA 107, MCL 29.1 *et seq.*
8. No portion of a portable storage container shall be placed in a location which may cause hazardous conditions or constitute a threat to public safety.

9. Portable storage containers in non-residential districts or which are associated with a non-residential use shall not occupy required off-street parking, loading or landscaping areas.

Staff comments: The proposed amendments for storage containers are reasonable. The Township may want to add a regulation regarding how long storage containers are allowed on a property to avoid such structures from becoming permanent. Additionally, subsections (A) and I (7) contradict each other as noted in the review. These items should be considered prior to final approval of the draft amendments.

TOWNSHIP PLANNING COMMISSION RECOMMENDATION: APPROVAL. The Howell Township Planning Commission recommended approval of the proposed amendments at their November 19, 2024, public hearing.

RECOMMENDATION: APPROVAL WITH CONDITIONS. Items noted in this review should be corrected prior to any final approval of the proposed amendments.

Dr. Sandy Surch –Owner of Livingston Veterinary Clinic 4622 W. Grand River Ave. commented on: the loud trucks, slamming tailgates, intent to use the old driveway, her clients using her property to walk their dogs near this new development, anything to startle the dogs.

Motion by Spaulding, **Second** by Newstead, **“To close the public hearing.”** Motion carried.

Discussion followed regarding: outside storage not being allowed in the NSC zoning district, applicants conditions on the property continue with the property. The Commission reviewed the applicants proposed conditions to the rezoning and the recommendations in Planner Montagno’s report. **Motion** by Counts, **Second** by Boal, **“To make a recommendation to the Board to approve the rezoning request for file PC2024-04, parcel 4706-20-100-027, request to rezone property from NSC to IFZ with conditions based on the findings noted in the Planner’s report dated April 18th 2024 subject to the conditions placed on the property by the applicant listed in exhibit B in the packet.”** Motion carried.

OTHER MATTERS TO BE REVIEWED BY THE PLANNING COMMISSION:

None

OLD BUSINESS:

A. Michigan Storage Barns, PC2023-06, 675 E. Highland Rd. Parcel # 4706-25-200-011. Major Changes to Site Plan.

Applicant’s engineer Tim Zimmer from Livingston Engineering presented the changes to the site plan including the changes to the building and changes to the storm water detention basin. Township Planner Montagno presented his report on the changes. Discussion followed. **Motion** by Newstead, **Second** by Counts, **“To recommend approval for the site plan changes to Michigan Storage Barns file PC2023-06, 675 E. Highland Rd. Howell, MI 48855, parcel 4706-25-200-011.”** Motion carried.

NEW BUSINESS:

A. Wrangler Saloon, File # PC2024-05, 4020 W. Grand River Ave. Parcel # 4706-20-400-004. Preliminary Site Plan Review.

Township Planner Montagno presented his report on the preliminary site plan. Applicant’s engineer Patrick Cleary from Boss Engineering presented on the site plan. Architect Josh Hendershot from Lindhout presented on the design and layout of the building. Discussion from the Commissioners included: height of the building, storm water drainage and its easement, tractor hanging from the rafters of the entrance, outdoor seating, outdoor activities, and the ice cream parlor. **Motion** by Boal, **Second** by Spaulding, **“To approve the preliminary site plan for the Wrangler’s Saloon, PC2024-05, 4020 W. Grand River Rd., parcel 4706-20-400-004.”** Motion carried.

B. Storage Containers Ordinance – Discussion

Planner Montagno discussed his report on a possible storage container ordinance and the possible provisions that could be considered. Discussion from the Commissioners included: stacking of containers, number of containers allowed in residential districts, painting and condition of containers, foundation considerations, screening, acreage requirements, and lot coverage. It was the consensus of the Commission to incorporate storage container regulations with the existing ordinance on accessory structures.

CALL TO THE PUBLIC:

Jeff Damaske 3180 Warner Rd.: spoke about storage containers.

Michael Dietz 3870 Byron Rd.: spoke about storage containers.

DRAFT

**HOWELL TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
3525 Byron Road Howell, MI 48855
May 28, 2024
6:30 P.M.**

MEMBERS PRESENT:

Wayne Williams Chair
Robert Spaulding Vice Chair
Mike Newstead Secretary
Bob Wilson Board Rep. Alt.

Tim Boal Commissioner
Chuck Frantjeskos Commissioner

MEMBERS ABSENT:

Paul Pominville Commissioner

Also in Attendance:

Zoning Administrator Jonathan Hohenstein

Chairman Williams called the meeting to order at 6:30 pm. The roll was called. Chairman Williams requested members rise for the Pledge of Allegiance.

APPROVAL OF THE AGENDA:

Motion by Spaulding, **Second** by Newstead, **“To approve the agenda.”** Motion carried.

APPROVAL OF THE MEETING MINUTES:

April 23, 2023

Motion by Boal, **Second** by Spaulding, **“To approve the minutes as presented.”** Motion carried.

ZONING BOARD OF APPEALS REPORT:

Chairman Williams reported on the actions before the Zoning Board of Appeals.

TOWNSHIP BOARD REPORT:

Board Representative Alternate Wilson presented the draft Board minutes, presented his opinions on the taking of the Board minutes, and the Pioneer Cemetery project.

SCHEDULED PUBLIC HEARINGS:

None.

OTHER MATTERS TO BE REVIEWED BY THE PLANNING COMMISSION:

A. Education – Discussion

Zoning Administrator Hohenstein summarized the Board’s discussion on education for the Planning Commission and the ZBA and sought input into options for the Commissioners. Discussion followed. It was the consensus of the Commission to use the new books with the ability to take the online MSU Extension class in the next year with the possibility to have an expert come in and teach a class.

OLD BUSINESS:

A. Storage Container Ordinance - Discussion

Commissioner’s discussed the draft storage container ordinance from Planner Montagno, including:

- Clarification on section 14.07-A, especially, "shall be excluded from the requirements of this section"
- Will they be allowed in all zoning districts or should they be excluded from some districts
- Should storage containers be dealt with in an ordinance separate from Accessory Structures
- Clarity to the screening requirements including the height restrictions on fences
- Painting requirements for storage containers
- Concern on 14.07-F, "Zoning Administrator shall determine the most appropriate location"
- Limit the number of containers allowed per property

B. ADU Ordinance – Discussion

Commissioner's discussed the draft ADU ordinance from Planner Montagno, including:

- Concern with allowing additional residence on single family zoned parcels, changing the feel of the neighborhood, turning it into multi-family
- Section 14.33 already allows for multiple dwellings on a single parcel
- Would section 14.25, temporary use, address the need instead of adopting an ADU ordinance
- Include square foot size requirements in 14.10-E
- Clarification on detached units sharing a 15-foot wall
- Ability to limit the people using the ADU to "family"
- What happens should the primary unit not be owner occupied
- Running all utilities from the primary dwelling would limit the size of the ADU
- Including garbage service with an ADU
- Will an ADU increase the number of cars allowed under the ordinance
- Possibility of allowing attached ADUs and putting a process in place on a case-by-case basis for approval of detached ADUs

NEW BUSINESS:

None.

CALL TO THE PUBLIC:

Shane Fagan, 30 Santa Rosa Dr.: spoke about the draft storage container ordinance provisions, property owner's expectations regarding views across neighbor's property, complaint-based enforcement, desire to eliminate several ordinances, how the zoning of property is changed.

ADJOURNMENT:

Motion by Newstead, **Second** by Boal, "**To adjourn.**" Motion carried. The meeting was adjourned at 8:55 pm.

Date

Mike Newstead
Planning Commission Secretary

B. Chestnut Self-Storage – Final Site Plan Review

Planner Montagno gave an overview of the request for a self-storage facility in the Industrial Flex Zone and summarized his report. MEGA Engineer Mark Melchi and Applicant spoke about the project including: bathrooms in each unit, parking for employees, current tree locations, light fixtures on site, trash enclosure details, County Road Commission comments, County Drain Commission comments, proposed using two moveable loading docks, moveable demising walls between units to adjust size of each unit. Discussion followed including: restrooms in each unit, development schedule, portable docks, 50' setbacks for structures on County primary roads, fencing.

Motion by Counts, Second by Pominville, “For preliminary site plan approval for Chestnut Development LLC, Chestnut Self-Storage, contingent upon all the comments listed in the Planner’s report dated June 19, 2024.” Discussion followed. Motion carried 4-1.

OTHER MATTERS TO BE REVIEWED BY THE PLANNING COMMISSION:

A. Michigan Supreme Court Decision Concerning Permissive Zoning Ordinances

Commissioner Boal presented an article from Township Attorney Chris Patterson regarding a recent Michigan Supreme Court decision concerning permissive zoning ordinances. Planner Montagno highlighted how the decision would affect the Township. Discussion followed.

OLD BUSINESS:

A. Storage Container Ordinance - Discussion

Planner Montagno discussed the changes made to the draft ordinance. Discussion followed, including:

- Units under 200 square feet
- Criteria to allow a structure in the front yard
- Circumstances surrounding previously granted variances for structures in the front yard
- Screening requirements
- Painting / Allowing lettering on containers

It was the consensus of the Commission for Planner Montagno to update the draft ordinance on some of the issues discussed.

B. ADU Ordinance – Discussion

Planner Montagno discussed the changes made to the draft ordinance. Discussion followed, including:

- Locational requirements
- Utility sharing and repercussions
- Detached versus attached
- Low-cost approach to increase housing for various needs
- Changing the feel of single-family housing
- Garages for ADUs

It was the consensus of the Commission for Planner Montagno to update the draft ordinance on some of the issues discussed.

CALL TO THE PUBLIC:

Curt Hamilton, 1367 Crestwood Ln.: spoke about the draft storage container ordinance provisions, homeowner’s associations, low-cost rentals, ADU ordinance provisions, affordable housing, he is running for Howell Township Trustee.

ADJOURMENT:

Burkhart Road, landscape buffer, REU calculation from Spicer Engineering, and reviewing agencies comments. Vice Chair Spaulding spoke about REU calculation, Drain Commissioners comments and concerns for the proposed development, railroad easement, neighbors south of the railroad and obtaining easements from southern property owners for stormwater, all of the outstanding items from the reviewing agencies. Mark Melchi and Steve Gronow spoke about the railroad easement and the increase in stormwater detention on site and reducing the exit flow rate. Commissioner Counts spoke about the railroad easement, stormwater retention, stormwater issues at Chestnut Crossing, and centralized bathrooms.

Motion by Williams, **Second** by Boal, **"To approve final site plan review for Chestnut Self Storage, PC2024-11, Parcel # 4706-29-200-029, pending approval of the Drain Commission, Road Commission, engineering reports, Fire Marshal, and MHOG."** Discussion followed. Motion carried.

- B. Wrangler's Saloon Restaurant, PC2024-10, 4020 W. Grand River Ave. Howell, MI 48855, Parcel # 4706-20-201-018. Final Site Plan Review.

Planner Montagno gave an overview of the site plan from Wrangler's Saloon. Patrick Cleary, Boss Engineering, spoke about the site plan. Commissioner Boal spoke about the patio in the setback. Vice Chair Spaulding spoke about the need to record the drainage easements and grease trap review.

Motion by Spaulding, **Second** by Counts, **"Approval for final site plan approval for Wrangler's Saloon Restaurant, PC2024-10, 4020 W. Grand River, parcels 4706-20-400-004, parcel 4706-20-201-017, parcel 4706-20-201-018 contingent upon approval of the letters from Spicer, the Livingston County Drain Commissioner's Office, Fire Marshal, and the Township Planner, and the Road Commission, and MHOG."** Motion carried.

- C. **Storage Container Ordinance – Discussion**

Planner Montagno provided a brief overview of the updates requested during the last Planning Commission meeting including allowing residents to have storage containers with some guidelines and allow residents to use PODS for moving or other short-term needs. Commissioner Boal asked about allowing accessory structures in front of the residence, a limit for how far off the road accessory structures would be allowed, lot coverage percentage, and number of storage containers allowed per property. Vice Chair Spaulding brought up categorizing shipping containers the same as accessory structures and the differences between the two, limiting the number of storage containers based on acreage, subjective portions of the revisions including the foundation requirements, and screening requirements. Planner Montagno discussed that storage containers are considered outdoor storage and are currently only allowed in the Industrial Zoning District and why the Planning Commission is trying to pass an ordinance to allow them in other zoning districts. Commissioner Boals and Counts discussed separating storage containers from accessory structures in the ordinance. Chairman Williams discussed screening requirements. Commissioner Boal discussed the limit on the number of containers per property using acreage. Planner Montagno will incorporate the requested changes and bring this draft ordinance back to the Planning Commission.

- D. ADU Ordinance - Discussion

Chairman Williams discussed number of access points, and attached versus detached units. Commissioner Boal discussed the zoning implications of adding an ADU to a property in the Single Family Residential zoning district. Commissioner Counts discussed requiring the splitting of property versus keeping the unit close to the primary dwelling. Vice Chair Spaulding discussed the one-thousand square foot limit and instead restrictions using a percentage of the primary dwelling and Principal Resident Exemption and assessment implications. Commissioner Counts discussed the provision over

Public hearing was closed by Chair Spaulding at 8:41 p.m.. and opened to discussion by the Planning Commission. Planner Montagno clarified how multiple family units are not allowed in a single house. Commissioner Boal addressed the rental of ADUs attached or detached. Commissioner Counts along with other commissioners would like to allow detached ADUs as part of the ordinance. Assessor Kilpela spoke to taxable value and the homestead exemption for ADUs. **Motion** by Counts, **Second** by Pominville, **"To table the accessory dwelling units, and Paul, I would ask that you bring it back with the detached ADU included."** Discussion followed regarding size of the ADU and to take acreage into consideration. Motion carried.

C. **Storage Container Ordinance**

Vice Chair Spaulding opened the public hearing at 8:56 p.m.. Planner Montagno provided a summary of the changes made to the draft Storage Container Ordinance. Vice Chair Spaulding took comments from the public:

Joe Harvey, 5301 Preston Rd.: Confused if the Ordinance is to allow or not allow storage containers. Wants to allow storage containers due to cost of units versus building traditional storage. Spoke on the rural character of the Township.

Shane Fagan, 30 Santa Rosa Dr.: Ordinance will allow 2 20-foot containers but not 1 40-foot container. Stop worrying about what your neighbor does, if you don't like it pursue your happiness elsewhere.

Andrew Hamm, 14 Santa Rosa Dr.: Restrict the number of containers based on acreage. Spoke to the Ordinance and restrictions for accessory structures based on acreage and setbacks.

Mr. Denure, Ocoala Township: Against storage containers. Keep aesthetics in place to preserve the neighborhood.

Cade Wilson, 1598 Woodhaven: Spoke on the issue between himself and his neighbor. Spoke on his shipping containers.

Joe Harvey, 5301 Preston Rd.: Spoke on passing ordinances for aesthetics.

Mr. Denure, Ocoala Township: Questioned if there was an approved use for shipping containers. Can they be used for housing?

Cade Wilson, 1598 Woodhaven: Spoke on aesthetics.

Bob Wilson, 2945 Brewer Rd.: Spoke on limits to farmers. Would rather not see stuff around people's yard, would rather everything be nice and neat and tucked away.

Michael Dietz, 3870 Byron Rd.: Spoke on issues with his neighbor, vermin getting under his neighbor's storage containers, position of his neighbor's storage containers.

Andrew Hamm, 14 Santa Rosa Dr.: Wants public hearing comments limited to Howell Township residents.

Sharon Lollo, 2650 Fisher Rd.: Spoke on the language in the draft ordinance regarding the looks of shipping containers. Spoke on being neighborly and keeping the Township looking nice.

Cade Wilson, 1598 Woodhaven: Spoke on his shipping containers, enforcement of Township Ordinances.

Shane Fagan, 30 Santa Rosa Dr.: Spoke on permissive zoning, enforcement of Ordinances, weaponization of Ordinances.

Jamie Body, 2015 Bowen Rd.: Agrees on painting containers or shrubby, standards should be based on acreage. Spoke on Ordinance enforcement being complaint based.

Vice Chair Spaulding closed the public hearing at 9:31 p.m.. Commissioner Pominville spoke about stipulations based on acreage and questioned how the ordinance came to the Planning Commission. Zoning Administrator Hohenstein spoke about all the complaints brought to the Township regarding storage containers being the reason the topic went before the Board and why the Board sent a request to the Planning Commission to draft an ordinance. Discussion followed. Planner Montagno spoke on the International Building Code addressing foundations for shipping containers and the Right to Farm Act protecting farmers for agricultural use. Attorney Beyea spoke on addressing standards in the ordinance. Commissioner Boal spoke about the limit of units per acre. Vice Chair Spaulding inquired about the distinction between accessory structure versus accessory building. **Motion** by Counts, **Second** by Newstead, **"To table the ordinance on portable storage containers and discuss at a later date pending feedback that was provided to the Planner."** Motion carried.

D. Wellhead Protection Ordinance

Vice Chair Spaulding opened the public hearing at 9:53 p.m.. Planner Montagno provided a summary of the draft Wellhead Protection Ordinance. Attorney Beyea spoke on how an overlay Zoning District works and that the more restrictive overlay district would control in the event of a conflict between ordinance language. Vice Chair Spaulding took comments from the public:

Curt Hamilton, 1367 Crestwood Ln.: Spoke in support of the wellhead overlay district, on the Mugg & Bopps lawsuit, on issues with another Mugg & Bopps gas station.

Frank Munsell, 6679 Mason Rd.: Questions on farmer's rights in relation to the wellhead protection area.

Vice Chair Spaulding closed the public hearing. Commissioner Counts spoke about the prohibited uses in the overlay district. Planner Montagno spoke about farmer protections. Vice Chair Spaulding spoke about prohibited uses that are potentially harmful to the wellhead. Commissioner Frantjeskos inquired about the Enbridge pipeline. **Motion** by Boal, **Second** by Counts, **"To forward this to the Board with our recommendation for approval."** Attorney Beyea spoke about the regulated substances portion of the ordinance may need more clarification before the Board can approve the ordinance. Commissioner Boal rescinded his motion. Discussion followed. **Motion** by Counts, **Second** by Newstead, **"To table discussion on wellhead protection area until such time as language can be drafted around regulated substances and how it applies to either permitted principle use versus prohibited use."** Motion carried.

ORDINANCE VIOLATION REPORT:

Report is included in the packet. No questions.

SCHEDULED PUBLIC HEARINGS:

None

BUSINESS ITEMS:

A. Old Business

1. Heritage Square, PC2024-15, Parcel #4706-32-400-013. Final Site Plan Review for PUD, Phase 1- Single Family Residential. The Board has approved the site plan with conditions, but they are still ironing out details of the development agreement. Engineering report is in the packet for review. Chairman Williams questioned if traffic studies have been completed by the County Road Commission. Heritage Square engineer Kevin McDevitt gave an update on the project. David Straub from MI Homes gave an update on time frames of development for phase one and phase two. Phase one will be 48 home sites starting in Spring 2025 and Phase two would be the second development starting in Spring 2026. Planner Montagno gave his update on the project. Commissioner Boal questioned PUD agreement/type, single family vs multi-family entities, setbacks from Burkhard Road and IRU's. Discussion followed. **Motion** by Spaulding, **Second** by Newstead, **"Approval for the final site plan review for Heritage Square PC2024-15, Parcel #4706-32-400-013 contingent upon the Planner's conditions of and this is for phase one, that the applicant must update their open space calculations that demonstrates the amount of open space that is being provided part of the proposed phase one. The draft plan should be finalized by a licensed/ registered Engineer or Architect. Number three, consider modifications to landscaping plan to improve better suited plantings surrounding detention basins and that a PUD agreement shall be completed and executed between the applicant and the Township and for the applicant to provide sheet C-11.0 also subject to the engineer letter dated November 12, 2024, the Howell Area Fire Departments review dated October 2, 2024, the Livingston County Drain Commissioners review on an email dated September 27, 2024, and finally the Road Commission review comments in their letter dated November 6, 2024."** Motion carried.
2. **Storage Container Ordinance-** Planner Montagno reported on the changes of the amendment to the accessory structure portion of the ordinance to allow for storage/cargo containers to be considered an accessory structure. Commissioner Counts questioned cargo container setbacks, placement, and permit requirements. Chairman Williams questioned roof overhangs regarding cargo containers. Commissioner Newstead questioned if permits for cargo containers will be required from the Building Department and cargo container limitations. Discussion followed. **Motion** by Boal, **Second** by Counts, **"Recommend approval of the draft language presented for the storage container accessory buildings with corrections added to the draft."** Motion carried.
3. ADU Ordinance- Planner Montagno reported on the changes to the ADU ordinance. Commissioner Boal discussed concerns on how the Township would regulate detached rentals in single family residential backyards that would not be intended for family. Commissioner Newstead discussed concerns with ADUs that are detached. Commissioner Counts questioned if deed restrictions are in place then the ordinance is changed. Planner Montagno discussed other possible options for the ADU ordinance. Discussion followed. It was the consensus of the Commissioners to work on a family oriented ADU ordinance. **Motion** by Spaulding, **Second** by Newstead, **"To postpone action on ADU ordinance discussion."** Motion carried.

Howell Township Inspector

From: barbara kramarczyk [REDACTED] >
Sent: Monday, October 7, 2024 3:25 PM
To: Howell Township Inspector
Subject: Meeting regarding portable storage containers.

I am against portable storage containers in residential neighborhoods. Depending on what is stored, there could be animals living in them. I live in Oakdale Estates and we have had a few and still do. They are not too pleasant to look at and makes the neighborhood look bad.

I have complained to the township but nothing was ever done.

Thank you for your time.

Barbara and Anthony Kramarczyk

Sent from my iPhone

MODIFY SECTION 2.02 TO INCLUDE PORTABLE STORAGE CONTAINERS AND CARGO CONTAINERS IN DEFINITIONS

Portable Storage Containers. Portable, weather-resistant receptacle designed and used for the temporary storage and/or shipment of household goods or building materials (i.e. PODS or MODS), which are typically leased on a short-term basis.

Cargo Containers. A primarily metal weather-resistant container designed to store or ship goods or building materials. Such containers include reusable steel boxes, freight and bulk shipping containers, and those with similar qualities which are intended for use as an accessory building or structure.

MODIFY SECTION 14.07 TO INCLUDE CARGO CONTAINER PROVISIONS

Section 14.07 ACCESSORY BUILDING PROVISIONS.

Accessory buildings, except as otherwise permitted in this Ordinance, shall be subject to the following regulations:

A. Residential accessory building or structures having two-hundred (200) square feet or less of internal floor area, which is used for any purpose other than the housing of humans, but is primarily to be used for the housing of non-human purpose such as pets, yard equipment, yard maintenance supplies, tools, toys, including motorized or non-motorized bicycles and types of household equipment, and which -structures do not have to meet the requirements of the Livingston County Construction Code and will not be built on a structural foundation as required in the Construction Code for other types of buildings, shall still adhere to the requirements of this section including the need for zoning permits and payment of fees required under other provisions of this Ordinance including the requirements in subsection B. below.

B. Detached accessory buildings and structures shall be located entirely in the rear yard outside of the side and rear setback with the following exceptions:

1. Said building or structure is being constructed pursuant to a Special Use Permit, and in that case, the Township Board after receiving the recommendation of the Planning Commission may authorize the location of the accessory building in any required yard.
2. For accessory buildings or structures to a residential use, if the primary residence is situated in the rear portion of a parcel over 2 acres, an accessory building or structure may be in the front yard if it:
 - a. Is setback at least 100 feet from the edge of the road right-of-way.
 - b. Meets the required side yard setback.

- c. Is designed to be architecturally compatible with the principal building or structure, or screening that provides 80% opacity is provided between the buildings or structure and immediately adjacent neighboring properties and the road.
- d. Has a roof overhang or eave of not less than twelve (12) inches on all sides, or alternatively with windowsills or roof drainage systems concentrating roof drainage at collection points along the sides of the building or structure.
- e. In no instance shall an accessory building or structure be located within a dedicated easement right-of-way.

C. Accessory buildings located on lots and parcels in all Zoning Districts shall be subject to the following regulations:

LOT OR PARCEL AREA REGULATION	REGULATION	MAXIMUM SQUARE FOOTAGE*
12,000 sq. ft. to 0.9 acre	4% of lot area	800 sq. ft.
1 acre to 1.9 acres	4% of lot area	2000 sq. ft.
2 acres to under 19.9 acres	4% of lot area, except that commercial agricultural farm operations shall be excluded from this regulation	3000 sq ft.
20 acres and above	Subject to Max lot coverage	No limit

D. No detached accessory buildings or structures – shall be located closer than ten (10) feet to any main building.

E. No detached accessory building or structure in AR, SFR, MFR, NSC, OS Districts shall exceed one (1) story or twenty (20) feet in height. Accessory buildings or structures in all other districts may be constructed to equal the permitted maximum height in said districts. Height shall be measured in accordance with Article II Definition 24.

F. When accessory buildings or structures are located on a corner lot, they shall not be located in any front yard or side yard, unless it is determined by the Zoning Administrator that there is insufficient rear yard in which to locate them, in which case they may be permitted in the side yard so long as the following criteria are met:

1. Insufficient rear yard shall mean there are natural features such as steep slopes, wetlands or that the location of a well or septic field would preclude the placement of such accessory building or structure.
2. **Front Yard:** The accessory building or structure shall not encroach into the front yard
3. **Side Yard Setback:** The accessory building or structure shall not encroach into the required side yard setback.

4. **Height Limitation:** The height of the building or structure must not exceed 15 feet when located in the front or side yard.

5. **Sight Lines at Intersections:** The accessory building or structure must not fall within a 15-foot visibility triangle at the corner of the lot.

G. In no instance shall an accessory building or structure be allowed until there is a principal building or structure located on the lot or parcel of land.

H. No accessory building or structure shall be used as a dwelling, lodging or sleeping quarters for human beings, except as otherwise permitted in this Ordinance.

I. Additional standards for Cargo Containers to be used as an accessory building or structure to a residential use.

1. Containers shall not be stacked above the height of a single container.
2. The exterior appearance of all cargo containers shall be maintained in a clean and structurally sound condition, free from any visible rust, corrosion, holes, or other signs of deterioration that could compromise the container's appearance or structural integrity.
3. No writing, advertising, or graphics are permitted on the exterior of the container.
4. Cargo containers shall be completely screened from view of abutting properties and/or rights-of-ways by a fence or vegetative screening that meets the requirements of Section 14.26 Fences and 28.03 Specific Landscaping Requirements for Zoning Districts.
5. Cargo containers shall be subject to the requirements for Intermodal Shipping Containers in the International Building Code.
6. No plumbing or electricity may be connected to a cargo container.
7. No livestock or pets may be housed in a cargo container.
9. Cargo containers shall not be used to store hazardous materials, as defined by the Michigan Fire Prevention Code, 1941 PA 107, MCL 29.1 *et seq.*
10. A cargo container shall not be permitted in the front yard of a residential parcel.
11. No more than one cargo container is permitted per acre, with a maximum of two containers per parcel. This limit does not apply to containers located in the Agricultural Residential Zoning District when they are used in a manner consistent with Generally Accepted Management Practices under the Michigan Right to Farm Act.

MODIFY SECTION 14.20 TO INCLUDE PORTABLE STORAGE CONTAINER PROVISIONS

Temporary buildings and structures are permitted during the period of construction, and sales involving change of ownership or rental occupancy. Such buildings and structures shall be removed upon completion or abandonment of construction, sale or rental activities and prior to occupancy and use of the building or structure for permitted uses.

Also refer to Sections 14.28 and 16.09 for permits to park or use mobile homes on a temporary basis.

A. Portable Storage Container may be permitted as a temporary building or structure subject to the following conditions:

1. No portable storage container may be stacked on top of another or any other object.
2. No electricity or plumbing may be connected to a portable storage container.
3. Portable storage containers must be placed on a driveway, gravel or paved area.
4. No portable storage container shall be used for living quarters.
5. No livestock or pets may be stored in a portable storage container.
6. Portable storage containers may be placed on a vacant lot only if that lot is associated with an approved building construction project.
7. Portable storage containers shall not be used to store hazardous materials, as defined by the Michigan Fire Prevention Code, 1941 PA 107, MCL 29.1 *et seq.*
8. No portion of a portable storage container shall be placed in a location which may cause hazardous conditions or constitute a threat to public safety.
9. Portable storage containers in non-residential districts or which are associated with a non-residential use shall not occupy required off-street parking, loading or landscaping areas.

MODIFY SECTION 4.04 TO INCLUDE CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITHIN THE AGRICULTURAL RESIDENTIAL DISTRICT

SECTION 4.04 PERMITTED ACCESSORY USES.

- A. Buildings and structures customarily incidental to the operation of an agricultural enterprise.
- B. Accessory buildings and structures customarily incidental to single family residential.
- C. Signs related to the permitted agricultural enterprise, provided that all such signs shall conform to the requirements of this Ordinance.
- D. House Hold Pets
- E. Cargo Containers, subject to Section 14.07

MODIFY SECTION 5.04 TO INCLUDE CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITHIN THE RESEARCH AND TECHNOLOGY DISTRICT

Section 5.04 PERMITTED ACCESSORY USES

- A. Normal accessory is uses to all permitted uses in Sections 5.02 and 5.03 above.
- B. Cargo Containers, see Section 14.07

MODIFY SECTION 8.04 TO INCLUDE CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITHIN THE OFFICE SERVICE DISTRICT

Section 8.04 PERMITTED ACCESSORY USES.

- A. Normal accessory uses to “Permitted Principal Uses.”
- B. Normal accessory uses to approved “Permitted Principal Special Uses.”
- C. Incidental commercial services that serve only the occupants of the offices and have access only from inside the building in which the occupants are located.
- D. See Section 14.34.
- E. Cargo Containers, subject to Section 14.07

MODIFY SECTION 10.04 TO INCLUDE CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITHIN THE REGIONAL SERVICE COMMERCIAL DISTRICT

Section 10.04 PERMITTED ACCESSORY USES.

- A. Normal accessory uses to all “Permitted Principal Uses.”
- B. Normal accessory uses to all “Permitted Principal Special Uses.” See Section 14.34. 14.
- C. Cargo Containers, subject to Section 14.07

MODIFY SECTION 11.04 TO INCLUDE CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITHIN THE HIGHWAY SERVICE COMMERCIAL DISTRICT

Section 11.04 PERMITTED ACCESSORY USES.

- A. Normal accessory uses to all “Permitted Principal Uses.”
- B. Normal accessory uses to all “Permitted Principal Special Uses.”
- C. Cargo Containers, subject to Section 14.07

MODIFY SECTION 12.04 TO INCLUDE CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITHIN THE INDUSTRIAL FLEX ZONE

Section 12.04 PERMITTED ACCESSORY USES.

A. All normal accessory uses to all “Permitted Principal Uses” and “Permitted Principal Special Uses” including:

1. Restaurants.
2. Cafeterias.
3. Medical and health care facilities.
4. Office facilities.
5. Warehouse and storage facilities.
6. Physical fitness facilities.
7. Work clothing sales and service facilities.
8. Banking facilities.
9. Education, library and training facilities.
10. Research and experimentation facilities.
11. Truck or other vehicular and equipment service maintenance, repair and storage facilities conducted completely within a building or structure.
12. Indoor sales display areas.
13. See Section 14.34.
14. Cargo Containers, subject to Section 14.07

MODIFY SECTION 13.04 TO INCLUDE CARGO CONTAINERS AS PERMITTED ACCESSORY USES WITHIN THE INDUSTRIAL DISTRICT

Section 13.04 PERMITTED ACCESSORY USES.

- A. Normal accessory uses to all Permitted Principal Uses.
- B. Normal accessory uses to all Permitted Principal Special Uses.
- C. See Section 14.34
- D. Cargo Containers, see Section 14.07

Portable Storage Containers – Draft Temporary Language:

An initial permit would be good for three months, with up to three renewals of three months each for a period not to exceed one year.

The Zoning Administrator may allow a portable storage container to be located on a parcel for up to a three-month period, not more than three times per year.

A temporary permit for a portable storage container may be issued for a 3-month period. A 30-day extension can be requested up to 3 times in a calendar year.

Portable storage container permits are good for 3 months. No more than 3 c permits may be issued to an owner per year.

The Zoning Administrator may issue a temporary permit for a Portable Storage Container for a period not to exceed 3-months in a single calendar year. A 1-month extension can be requested up to 3 times upon demonstration of need.

8A



**TOWNSHIP OF HOWELL
LIVINGSTON COUNTY, MICHIGAN
ANNUAL FINANCIAL REPORT
YEAR ENDED JUNE 30, 2024**

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INDEPENDENT AUDITOR'S REPORT

To the Management and the Board of Trustees
Township of Howell
Howell, Michigan

Report on the Audit of the Financial Statements***Opinions***

We have audited the accompanying financial statements of the governmental activities, business-type activities, each major fund, and the aggregate remaining fund information of the Township of Howell (the "Township") as of and for the year ended June 30, 2024, and the related notes to the financial statements, which collectively comprise the Township's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, business-type activities, each major fund, and the aggregate remaining fund information of the Township, as of June 30, 2024, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Township and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Township's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Township's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Township's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information, as listed in the table of contents, be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational,

economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

A handwritten signature in cursive script that reads "Gabridge & Company". The signature is written in dark ink and is positioned above the printed name of the firm.

Gabridge & Company, PLC
Grand Rapids, MI
December 31, 2024

Management's Discussion and Analysis

Township of Howell
Management's Discussion and Analysis
June 30, 2024

As the Township Board of Trustees of Howell Township, Livingston County, Michigan, (the "Township" or "government") we offer readers of the Township's financial statements this narrative overview and analysis as an explanation of the financial activities of the Township for the fiscal year ended June 30, 2024. We encourage readers to consider the information presented here in conjunction with the financial statements as a whole.

Financial Highlights

- The assets of the Township exceeded its liabilities and deferred inflows of resources at the close of the most recent fiscal year by \$45,304,660 (net position for all activities). Of this amount, \$21,527,496 (unrestricted net position for all activities) may be used to meet the government's ongoing obligations to citizens and creditors. The Township's total net position increased by \$2,361,734 in 2024.
- At the close of the current fiscal year, the Township's governmental funds reported combined ending fund balances of \$8,034,878, which is an increase of \$271,657. Approximately 86.6%, or \$6,960,842, of fund balance is unassigned. These funds are available for spending at the Township's discretion.
- At the end of the current fiscal year, unassigned fund balance for the general fund was \$6,960,842 or 492.9% of the general fund's annualized expenditures.

Overview of the Financial Statements

This discussion and analysis is intended to serve as an introduction to the Township's basic financial statements. The Township's basic financial statements are comprised of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains required supplementary information in addition to the basic financial statements themselves.

Government-wide Financial Statements. The government-wide financial statements are designed to provide readers with a broad overview of the Township's finances, in a manner similar to a private-sector business.

The *Statement of Net Position* presents information on all of the Township's assets and liabilities, with the difference being reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the Township is improving or deteriorating.

The *Statement of Activities* presents information showing how the government's net position changed during the most recent fiscal year. All changes in net assets are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows.

Thus, revenues and expenses are reported in this statement for some items that will result in cash flows in future fiscal periods (e.g., earned but unused vacation leave and long-term debt).

Both of the government-wide financial statements distinguish functions of the Township that are principally supported by taxes and intergovernmental revenues (governmental activities) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (business-type activities). The governmental activities of the Township include general government, public works, community and economic development, and recreation and culture. The business-type activities of the Township include sewer and water operations.

Focus on Funds

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The Township, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance related legal requirements. There are three basic types of funds: governmental funds, proprietary funds, and fiduciary funds.

Governmental Funds. Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long term impact of the government's near term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

The Township has three major governmental funds, the general fund, road fund, and ARPA fund. Information is presented separately in the governmental fund balance sheet and in the governmental fund statement of revenues, expenditures, and changes in fund balances for these three major funds.

The Township adopts an annual appropriated budget for its general and special revenue funds. Budgetary comparison statements have been provided herein to demonstrate compliance with those budgets.

Proprietary Funds. Enterprise funds, the only proprietary fund type used by the Township, are used to report the same functions presented as business-type activities in the government-wide financial statements. The Township uses the enterprise funds to account for its sewer and water operations.

Proprietary funds provide the same type of information as the government-wide financial statements, only in more detail. The basic proprietary fund financial statements provide information for the sewer, water and water/sewer systems, which are considered to be major funds of the Township. Proprietary funds are where the user fees collected on behalf of the Township are held for specific purposes. For example, sewer and water use bills, special assessments, and special fees are used to pay for the system operations, debt payments, and the developments for which they are collected.

Fiduciary Funds. Fiduciary funds are used to account for resources held for the benefit of parties outside the government. Fiduciary funds are not reflected in the government-wide financial statements because the resources of those funds are not available to support the Township's own programs. The accounting used for fiduciary funds is much like that used for proprietary funds. Fiduciary funds are all the monies collected by the Township meant for another agency (e.g., school taxes, county taxes, library taxes and escrow accounts). The Township has two custodial funds; a general trust and agency fund and a tax collection fund

Notes to the Financial Statements

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements.

Other Information

In addition to the basic financial statements and accompanying notes, this report further presents required supplementary information (RSI) that explains the information presented in the financial statements.

Government-wide Financial Analysis

As noted earlier, net position may serve over time as a useful indicator of a government's financial position. In the case of the Township, assets for all activities exceeded liabilities and deferred inflows of resources by \$45,304,660 at the close of the most recent fiscal year. The table below illustrates the results of the governmental activities and business-type activities that combine to capture the township's total net position.

Township of Howell's Net Position

	Governmental Activities		Business-type Activities		Total	
	2024	2023	2024	2023	2024	2023
ASSETS						
<i>Current Assets</i>						
Cash and Cash Equivalents	\$ 5,430,640	\$ 4,056,304	\$ 2,129,261	\$ 953,166	\$ 7,559,901	\$ 5,009,470
Accounts Receivable	15,802	19,538	338,753	462,012	354,555	481,550
Special Assessments Receivable - Short-term	-	-	268,880	300,857	268,880	300,857
Due from State	130,978	137,769	-	-	130,978	137,769
Prepaid Items	25,988	25,715	62,458	19,775	88,446	45,490
Leases Receivable	-	-	14,327	23,554	14,327	23,554
Total Current Assets	5,603,408	4,239,326	2,813,679	1,759,364	8,417,087	5,998,690
<i>Noncurrent Assets</i>						
Investment in Joint Ventures	2,835,365	2,361,885	11,475,065	10,906,147	14,310,430	13,268,032
Special Assessments Receivable - Long-term, net	-	-	155,233	431,223	155,233	431,223
Capital Assets not being Depreciated	265,392	265,392	19,831	332,418	285,223	597,810
Capital Assets being Depreciated, net	294,090	333,389	22,527,447	23,100,648	22,821,537	23,434,037
Long-term Leases Receivable	-	-	-	24,065	-	24,065
Total Assets	8,998,255	7,199,992	36,991,255	36,553,865	45,989,510	43,753,857
LIABILITIES						
<i>Current Liabilities</i>						
Accounts Payable	269,917	109,978	287,255	264,398	557,172	374,376
Accrued Payroll and Related Liabilities	14,502	35,778	-	-	14,502	35,778
Escrow Payable	44,825	35,271	-	-	44,825	35,271
Unearned Revenue	37,726	306,306	-	-	37,726	306,306
Internal Balances	(2,798,440)	(4,011,228)	2,798,440	4,011,228	-	-
Total Current Liabilities	(2,431,470)	(3,523,895)	3,085,695	4,275,626	654,225	751,731
<i>Noncurrent Liabilities</i>						
Compensated Absences	16,450	16,797	-	-	16,450	16,797
Total Liabilities	(2,415,020)	(3,507,098)	3,085,695	4,275,626	670,675	768,528
DEFERRED INFLOWS OF RESOURCES						
Deferred Lease Revenue	-	-	14,175	42,403	14,175	42,403
Total Deferred Inflows of Resources	-	-	14,175	42,403	14,175	42,403
NET POSITION						
Net Investment in Capital Assets	559,482	598,781	22,547,278	23,433,066	23,106,760	24,031,847
Restricted	670,404	695,610	-	-	670,404	695,610
Unrestricted	10,183,389	9,412,699	11,344,107	8,802,770	21,527,496	18,215,469
Total Net Position	\$ 11,413,275	\$ 10,707,090	\$ 33,891,385	\$ 32,235,836	\$ 45,304,660	\$ 42,942,926

Of the Township's net position, \$23,106,760 (51.0%) reflects its investment in capital assets (e.g. land, buildings, equipment, and vehicles); less any related debt used to acquire those assets that is still outstanding. The Township uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the Township's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

An additional portion of the Township's net position, \$670,404 (1.5%) represents resources that are subject to external restrictions on how they may be used. The remaining balance of \$21,527,496

(47.5%) is unrestricted and may be used to meet the government's ongoing obligations to its citizens and creditors.

Governmental activities. Cash and cash equivalents increased by \$1,374,336 due to the payback of interfund balances. The investments in joint ventures increased during the year as a result of the net position of the ventures themselves increasing. Accounts payable increased during the year due to a difference year over year in the timing of payment of invoices at year end. Unearned revenue decreased by \$268,580 as ARPA funds were used for capital purchases.

Business-type activities. Cash and cash equivalents increased by \$1,176,095 due to the sale of land payment of receivables. Accounts receivable also decreased during the year due to an increase in collection rates compared to the previous year. Internal balances represent amounts owed by the sewer/water to the general fund. This amount decreased during the year by \$1,212,788. The investments in joint ventures increased during the year as a result of the net position of the ventures themselves increasing.

The following table illustrates and summarizes the results of the changes in the net position for the Township. The condensed information was derived from the government-wide statement of activities.

Township of Howell's Changes in Net Position

	Governmental Activities		Business-type Activities		Total	
	2024	2023	2024	2023	2024	2023
Revenues						
Program Revenues						
Charges for Services	\$ 121,595	\$ 113,048	\$ 3,018,510	\$ 2,672,905	\$ 3,140,105	\$ 2,785,953
Operating Grants and Contributions	119,794	266,878	-	-	119,794	266,878
Capital Grants and Contributions	163,581	-	-	-	163,581	-
Total Program Revenues	<u>404,970</u>	<u>379,926</u>	<u>3,018,510</u>	<u>2,672,905</u>	<u>3,423,480</u>	<u>3,052,831</u>
General Revenues						
Taxes	1,012,786	946,990	-	-	1,012,786	946,990
Unrestricted State Aid	942,748	963,944	-	-	942,748	963,944
Interest Income	51,422	21,539	31,846	64,084	83,268	85,623
Change in Joint Venture	473,480	200,918	568,918	-	1,042,398	200,918
Gain on Sale of Fixed Assets	-	-	44,336	205,141	44,336	205,141
Total General Revenues	<u>2,480,436</u>	<u>2,133,391</u>	<u>645,100</u>	<u>269,225</u>	<u>3,125,536</u>	<u>2,402,616</u>
Total Revenues	<u>2,885,406</u>	<u>2,513,317</u>	<u>3,663,610</u>	<u>2,942,130</u>	<u>6,549,016</u>	<u>5,455,447</u>
Expenses						
General Government	1,265,243	961,841	-	-	1,265,243	961,841
Public Works	524,419	756,892	2,171,642	2,232,231	2,696,061	2,989,123
Recreation and Culture	127,855	118,507	-	-	127,855	118,507
Community and Economic Development	98,123	125,156	-	-	98,123	125,156
Total Expenses	<u>2,015,640</u>	<u>1,962,396</u>	<u>2,171,642</u>	<u>2,232,231</u>	<u>4,187,282</u>	<u>4,194,627</u>
Change in Net Position before Transfers	<u>869,766</u>	<u>550,921</u>	<u>1,491,968</u>	<u>709,899</u>	<u>2,361,734</u>	<u>1,260,820</u>
Transfers In (Out)	<u>(163,581)</u>	<u>-</u>	<u>163,581</u>	<u>-</u>	<u>-</u>	<u>-</u>
Change in Net Position	<u>706,185</u>	<u>550,921</u>	<u>1,655,549</u>	<u>709,899</u>	<u>2,361,734</u>	<u>1,260,820</u>
<i>Net Position at Beginning of Period</i>	<u>10,707,090</u>	<u>10,156,169</u>	<u>32,235,836</u>	<u>31,525,937</u>	<u>42,942,926</u>	<u>41,682,106</u>
Net Position at End of Period	<u>\$ 11,413,275</u>	<u>\$ 10,707,090</u>	<u>\$ 33,891,385</u>	<u>\$ 32,235,836</u>	<u>\$ 45,304,660</u>	<u>\$ 42,942,926</u>

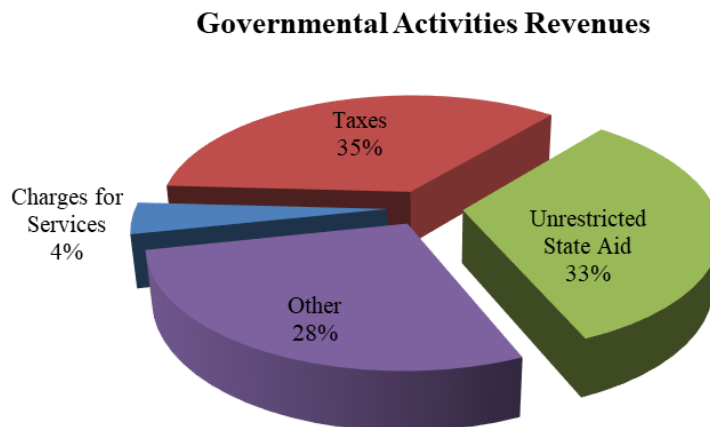
Governmental activities. Governmental activities increased the Township's net position by \$706,185 during fiscal year 2024. The total increase was the result of total revenues of \$2,885,406 less total expenses of \$2,015,640. Taxes increased \$65,796 due to an increase in taxable value. Operating grants and contributions decreased by \$147,084 whereas capital grants and contributions increased by \$163,581 as the ARPA funds that were earned in the current fiscal year

were more capital-related than operating-related. The investments in joint ventures increased by \$272,562 during the year as a result of the net position of the ventures themselves increasing. General government expenses increased by \$303,402 largely related to the broadband project and public works expenses decreased by \$232,473 due to a decrease in road projects during the fiscal year.

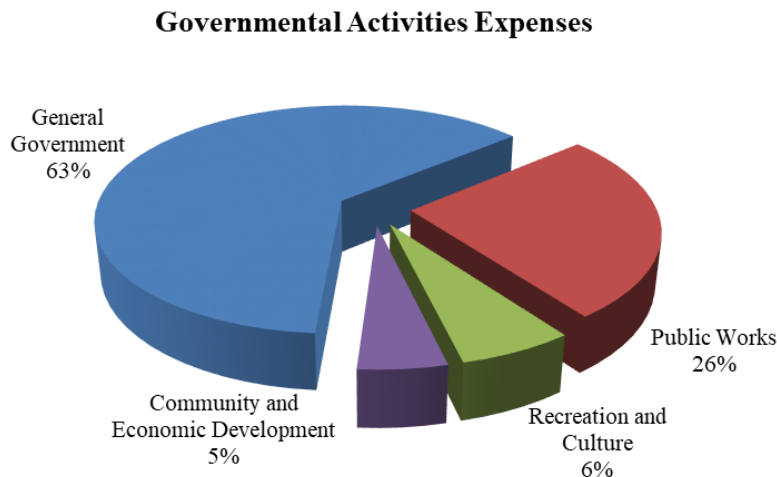
Business-type activities. Business-type activities increased the Township’s net position by \$1,655,549. Charges for services decreased by \$345,605, mostly due to connection fees increasing. The investments in joint ventures increased by \$568,918 during the year as a result of the net position of the ventures themselves increasing.

Governmental Activities

The following chart summarizes the revenue sources for the governmental activities of the Township for the most recent fiscal year-end:



The following chart summarizes the expenses for the governmental activities of the Township for the most recent fiscal year-end:



Financial Analysis of the Government's Funds

As noted earlier, the Township uses fund accounting to ensure and demonstrate compliance with finance related legal requirements.

Governmental Activities. At the completion of the Township's fiscal year, its governmental funds reported fund balances of \$8,034,878. Of this amount, \$6,960,842 or 86.6%, is unassigned.

General Fund. The general fund is the main operating fund of the Township. The balance of the general fund increased in the fiscal year by \$296,863, bringing the balance to \$7,364,474.

Road Fund. The road fund is used to construct, pave, and repave roads within the Township. The balance of the road fund decreased during the year by \$27,981, bringing the balance to \$663,850.

ARPA Fund. The ARPA fund had an increase in net position of \$2,775 during the year bringing the balance to \$6,554.

Changes in the governmental funds are described in an earlier section of this report.

Business-type Activities

The Township's propriety funds provide the same type of information in the government-wide financial statements, but in more detail.

Unrestricted net position of the sewer/water fund at the end of the year amounted to \$11,344,107 with a total increase in net position of \$1,655,549. The reason for the increase in net position is explained in an earlier section of this report.

General Fund Budgetary Highlights

During the year, the Township did not have significant amendments to its original budget to account for the changing environment of expenditures. A schedule showing the Township's general fund, road fund, and ARPA fund original budget, final budget and the actual results are included as required supplementary information in the financial section of the audit report.

The Township had no expenditures in excess of the amount appropriated during the year ended June 30, 2024.

Capital Asset and Debt Administration

Capital Assets. The Township's investment in capital assets for its governmental and business-type activities as of June 30, 2024, amounted to \$23,106,760 (net of accumulated depreciation). This investment in capital assets includes land, buildings and improvements, water and sewer systems, and furniture and equipment.

More information on the Township's capital assets is available in the Notes to the Financial Statements.

Long-term Debt. At the end of the current fiscal year, the Township had no outstanding long-term debt.

More information on the Township's retirements of its long-term debt is available in the Notes to the Financial Statements section of this document.

Economic Factors and Next Year's Budgets and Rates

Management estimates a similar amount of revenues to be available for appropriation in the general fund in the upcoming fiscal year. Expenditures are expected to change by small amounts compared to 2024. The Township continues to review all budget line items for opportunities to reduce expenditures when possible. The budget will be monitored during the year to identify any necessary amendments. In 2025, the Township plans again to use current revenues to provide essential services and to maintain the Township's financial reserves at similar levels.

Requests for Information

This financial report is designed to provide a general overview of the Township's finances for all those with an interest in the government's finances. Questions concerning any of the information provided in this report, or requests for additional financial information are welcomed, and should be directed to:

Township of Howell
Township Clerk
3525 Bryon Road
Howell, MI 48855

Basic Financial Statements

Township of Howell
Statement of Net Position
June 30, 2024

	Governmental Activities	Business-type Activities	Total
ASSETS			
<i>Current Assets</i>			
Cash and Cash Equivalents	\$ 5,430,640	\$ 2,129,261	\$ 7,559,901
Due from State	130,978	--	130,978
Special Assessments Receivable - Current Portion	--	268,880	268,880
Accounts Receivable	15,802	338,753	354,555
Prepaid Items	25,988	62,458	88,446
Leases Receivable	--	14,327	14,327
Total Current Assets	5,603,408	2,813,679	8,417,087
<i>Noncurrent Assets</i>			
Capital Assets not being Depreciated	265,392	19,831	285,223
Capital Assets being Depreciated, net	294,090	22,527,447	22,821,537
Equity in MHOG	--	11,475,065	11,475,065
Equity in Howell Area Fire Authority	2,835,365	--	2,835,365
Special Assessment Receivable - Long-term, net	--	155,233	155,233
Total Assets	8,998,255	36,991,255	45,989,510
LIABILITIES			
<i>Current Liabilities</i>			
Accounts Payable	269,917	287,255	557,172
Accrued Payroll and Related Liabilities	14,502	--	14,502
Escrow Payable	44,825	--	44,825
Unearned Revenue	37,726	--	37,726
Internal Balances	(2,798,440)	2,798,440	--
Total Current Liabilities	(2,431,470)	3,085,695	654,225
<i>Noncurrent Liabilities</i>			
Compensated Absences	16,450	--	16,450
Total Liabilities	(2,415,020)	3,085,695	670,675
DEFERRED INFLOWS OF RESOURCES			
Deferred Lease Revenue	--	14,175	14,175
Total Deferred Inflows of Resources	--	14,175	14,175
NET POSITION			
Investment in Capital Assets	559,482	22,547,278	23,106,760
<i>Restricted for:</i>			
Roads	663,850	--	663,850
ARPA	6,554	--	6,554
<i>Unrestricted</i>	10,183,389	11,344,107	21,527,496
Total Net Position	\$ 11,413,275	\$ 33,891,385	\$ 45,304,660

The Notes to the Financial Statements are an integral part of these Financial Statements

**Township of Howell
Balance Sheet
Governmental Funds
June 30, 2024**

	<u>Special Revenue</u>			<u>Total Governmental Funds</u>
	<u>General</u>	<u>Road Fund</u>	<u>ARPA</u>	
ASSETS				
Cash and Cash Equivalents	\$ 4,592,391	\$ 688,969	\$ 149,280	\$ 5,430,640
Due from State	130,978	--	--	130,978
Accounts Receivable	15,802	--	--	15,802
Prepaid Items	25,988	--	--	25,988
Due from Other Funds	2,798,440	--	--	2,798,440
<i>Total Assets</i>	<u>\$ 7,563,599</u>	<u>\$ 688,969</u>	<u>\$ 149,280</u>	<u>\$ 8,401,848</u>
LIABILITIES				
Accounts Payable	\$ 139,798	\$ 25,119	\$ 105,000	\$ 269,917
Accrued Payroll and Related Liabilities	14,502	--	--	14,502
Escrow Payable	44,825	--	--	44,825
Unearned Revenue	--	--	37,726	37,726
<i>Total Liabilities</i>	<u>199,125</u>	<u>25,119</u>	<u>142,726</u>	<u>366,970</u>
FUND BALANCE				
Nonspendable for:				
Prepaid Items	25,988	--	--	25,988
Restricted for:				
Roads	--	663,850	--	663,850
ARPA	--	--	6,554	6,554
Assigned for:				
Recreation	359,344	--	--	359,344
Capital Improvements	18,300	--	--	18,300
Unassigned	6,960,842	--	--	6,960,842
<i>Total Fund Balance</i>	<u>7,364,474</u>	<u>663,850</u>	<u>6,554</u>	<u>8,034,878</u>
<i>Total Liabilities and Fund Balance</i>	<u>\$ 7,563,599</u>	<u>\$ 688,969</u>	<u>\$ 149,280</u>	<u>\$ 8,401,848</u>

The Notes to the Financial Statements are an integral part of these Financial Statements

Township of Howell
Reconciliation of Governmental Funds Balance Sheet to the Statement of Net Position
June 30, 2024

Total Fund Balance - Governmental Funds	\$ 8,034,878
General government capital assets of \$1,458,380, net of accumulated depreciation of \$898,898, are not financial resources and, accordingly, are not reported in the funds.	559,482
Joint venture assets reported in governmental activities are not financial resources and, therefore, are not reported in the funds.	2,835,365
Compensated absences are not due in and payable in the current period and, therefore, are not reported in the funds.	(16,450)
Total Net Position - Governmental Activities	\$ <u>11,413,275</u>

The Notes to the Financial Statements are an integral part of these Financial Statements

Township of Howell
Statement of Revenues, Expenditures, and Changes in Fund Balance
Governmental Funds
For the Year Ended June 30, 2024

	<u>Special Revenue</u>			Total Governmental Funds
	<u>General</u>	<u>Road Fund</u>	<u>ARPA</u>	
Revenues				
Taxes	\$ 587,747	\$ 425,039	\$ --	\$ 1,012,786
Intergovernmental - State	942,748	--	--	942,748
Intergovernmental - Federal	--	--	268,581	268,581
Licenses and Permits	95,213	--	--	95,213
Charges for Services	40,193	--	--	40,193
Interest Income	42,150	6,497	2,775	51,422
Other Revenues	983	--	--	983
<i>Total Revenues</i>	<u>1,709,034</u>	<u>431,536</u>	<u>271,356</u>	<u>2,411,926</u>
Expenditures				
General Government	1,121,291	--	105,000	1,226,291
Public Works	64,902	459,517	--	524,419
Community and Economic Development	98,123	--	--	98,123
Recreation and Culture	127,855	--	--	127,855
<i>Total Expenditures</i>	<u>1,412,171</u>	<u>459,517</u>	<u>105,000</u>	<u>1,976,688</u>
<i>Excess of Revenues Over (Under) Expenditures</i>	<u>296,863</u>	<u>(27,981)</u>	<u>166,356</u>	<u>435,238</u>
Other Financing Sources (Uses)				
Transfers Out	--	--	(163,581)	(163,581)
<i>Net Other Financing Sources (Uses)</i>	<u>--</u>	<u>--</u>	<u>(163,581)</u>	<u>(163,581)</u>
<i>Net Change in Fund Balance</i>	<u>296,863</u>	<u>(27,981)</u>	<u>2,775</u>	<u>271,657</u>
<i>Fund Balance at Beginning of Period</i>	7,067,611	691,831	3,779	7,763,221
<i>Fund Balance at End of Period</i>	<u>\$ 7,364,474</u>	<u>\$ 663,850</u>	<u>\$ 6,554</u>	<u>\$ 8,034,878</u>

The Notes to the Financial Statements are an integral part of these Financial Statements

Township of Howell
Reconciliation of Governmental Funds Statement of Revenues, Expenditures, and
Changes in Fund Balance with Statement of Activities
For the Year Ended June 30, 2024

Total Net Change in Fund Balances - Governmental Funds	\$	271,657
Governmental funds report capital outlay as expenditures; however, in the statement of activities, the cost of those assets is allocated over the estimated useful lives as depreciation expense. This is the amount by which depreciation expense of \$32,299 exceeds capital outlay expenditures of \$0.		(39,299)
Joint venture gain is reported in governmental activities and is not reported in the funds.		473,480
Change in compensated absences.		347
Changes in Net Position - Governmental Activities	\$	<u>706,185</u>

Township of Howell
Statement of Net Position
Proprietary Fund
June 30, 2024

	Business-type Activities - Enterprise Fund
	Sewer / Water
ASSETS	
<i>Current Assets</i>	
Cash and Cash Equivalents	\$ 2,129,261
Special Assessments Receivable - Current Portion	268,880
Accounts Receivable	338,753
Prepaid Items	62,458
Leases Receivable	14,327
Total Current Assets	2,813,679
<i>Noncurrent Assets</i>	
Capital Assets not being Depreciated	19,831
Capital Assets being Depreciated, net	22,527,447
Equity in MHOG	11,475,065
Special Assessment Receivable - Long-term, net	155,233
Total Assets	36,991,255
LIABILITIES	
<i>Current Liabilities</i>	
Accounts Payable	287,255
Due to Other Funds	2,798,440
Total Liabilities	3,085,695
DEFERRED INFLOWS OF RESOURCES	
Deferred Lease Revenue	14,175
Total Deferred Inflows of Resources	14,175
NET POSITION	
Investment in Capital Assets	22,547,278
<i>Unrestricted</i>	11,344,107
Total Net Position	\$ 33,891,385

The Notes to the Financial Statements are an integral part of these Financial Statements

Township of Howell
Statement of Revenues, Expenses, and Changes in Net Position
Proprietary Fund
For the Year Ended June 30, 2024

	Business-type Activities - Enterprise Fund
	Sewer / Water
Operating Revenues	
Charges for Services	\$ 1,863,453
Connection Fees	773,188
<i>Total Operating Revenues</i>	2,636,641
Operating Expenses	
Public Works	1,419,549
Depreciation	752,093
<i>Total Operating Expenses</i>	2,171,642
<i>Operating Income (Loss)</i>	464,999
Non-Operating Revenues (Expenses)	
Gain on Sale of Capital Assets	44,336
Interest Income	126,636
Write-up of Special Assessments	17,165
Miscellaneous Revenue	269,914
Change in Joint Venture	568,918
<i>Net Non-Operating Revenues (Expenses)</i>	1,026,969
<i>Income Before Transfers</i>	1,491,968
Transfers In	163,581
<i>Change In Net Position</i>	1,655,549
<i>Net Position at Beginning of Period</i>	32,235,836
<i>Net Position at End of Period</i>	\$ 33,891,385

The Notes to the Financial Statements are an integral part of these Financial Statements

**Township of Howell
Statement of Cash Flows
Proprietary Fund
For the Year Ended June 30, 2024**

	Business-type Activities - Enterprise Fund
	Sewer / Water
Cash Flows from Operating Activities	
Cash Received from Customers	\$ 2,759,900
Cash Payments to Suppliers for Goods and Services	(1,439,375)
<i>Net Cash Provided by Operating Activities</i>	1,320,525
Cash Flows from Non-capital Financing Activities	
Change in Internal Balances	(1,212,788)
Miscellaneous Revenue	274,978
Transfers In	163,581
<i>Net Cash Used in Non-capital Financing Activities</i>	(774,229)
Cash Flows from Capital and Related Financing Activities	
Special Assessments	17,165
Adjustment on Special Assessment	307,967
Capital Asset Additions	(178,892)
Sale of Capital Assets	356,923
<i>Net Cash Provided by Capital and Related Financing Activities</i>	503,163
Cash Flows from Investing Activities	
Interest Income	126,636
<i>Net Cash Provided by Investing Activities</i>	126,636
Net Increase in Cash and Equivalents	1,176,095
<i>Cash and Equivalents - Beginning of Year</i>	953,166
Cash and Equivalents - End of Year	\$ 2,129,261

The Notes to the Financial Statements are an integral part of these Financial Statements

**Township of Howell
Statement of Cash Flows
Proprietary Fund
For the Year Ended June 30, 2024**

	Business-type Activities - Enterprise Fund
	Sewer / Water
Reconciliation of Operating Income to	
Net Cash Provided by Operating Activities	
Operating Income	\$ 464,999
Adjustments to Reconcile Operating Income to	
Net Cash Provided by Operating Activities	
Depreciation Expense	752,093
Changes in Assets and Liabilities	
Accounts Receivable	123,259
Prepaid Items	(42,683)
Accounts Payable	22,857
Net Cash Provided by Operating Activities	\$ 1,320,525

The Notes to the Financial Statements are an integral part of these Financial Statements

Township of Howell
Statement of Fiduciary Net Position
Fiduciary Fund
June 30, 2024

	Custodial Fund
ASSETS	
Cash and Cash Equivalents	\$ 153,589
<i>Total Assets</i>	153,589
LIABILITIES	
Accounts Payable	14,852
Advances Payable	89,500
Due to Other Governments	49,237
<i>Total Liabilities</i>	153,589
NET POSITION	
Restricted for Individuals, Organizations, and Agencies	\$ --

The Notes to the Financial Statements are an integral part of these Financial Statements

Township of Howell
Statement of Changes in Fiduciary Net Position
Fiduciary Fund
For the Year Ended June 30, 2024

	Custodial Fund
ADDITIONS	
Property taxes collected for other governments	\$ 14,030,362
<i>Total Additions</i>	14,030,362
DEDUCTIONS	
Payment of property taxes to other governments	14,030,362
<i>Total Deductions</i>	14,030,362
<i>Net Increase (Decrease) in Net Position</i>	--
<i>Net Position at Beginning of Period</i>	--
<i>Net Position at End of Period</i>	\$ --

The Notes to the Financial Statements are an integral part of these Financial Statements

Notes to the Financial Statements

Township of Howell

Notes to the Financial Statements

Note 1 - Summary of Significant Accounting Policies

Reporting Entity

The Township of Howell (the “government” or “Township”) is governed by an elected seven-member board. In accordance with generally accepted accounting principles and Governmental Accounting Standards Board (GASB) Statement No. 61, "*The Financial Reporting Entity*," these financial statements present the Township. The criteria established by GASB for determining the reporting entity includes oversight responsibility, fiscal dependency, and whether the financial statements would be misleading if data were not included. There are no other units that should be included in the financial statements.

Government-wide and Fund Financial Statements

The government-wide financial statements (e.g., the Statement of Net Position and the Statement of Activities) report information on all of the non-fiduciary activities of the primary government. For the most part, the effect of interfund activity has been removed from these statements. Governmental activities, which normally are supported by taxes and intergovernmental revenues, are reported separately from business-type activities, which rely to a significant extent on fees and charges for support.

The Statement of Activities demonstrates the degree to which the direct expenses of a given function or segment is offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include: 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment, and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues.

Separate financial statements are provided for governmental funds, proprietary funds, and fiduciary funds, even though the latter are excluded from the government-wide financial statements. Major individual governmental and enterprise funds are reported as separate columns in the respective fund financial statements.

Measurement focus, basis of accounting, and financial statement presentation

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting, as are the proprietary fund and fiduciary fund financial statements, except for agency funds, which do not have a measurement focus. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Township of Howell

Notes to the Financial Statements

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

Property taxes, franchise taxes, intergovernmental revenue, licenses, and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. Only the portion of special assessments receivable due within the current fiscal period is considered to be susceptible to accrual as revenue of the current period. All other revenue items are considered to be measurable and available only when the government receives cash.

The government reports the following major governmental funds:

The **General Fund** is the government's primary operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund.

The **Road Fund** accounts for the collection of property taxes and expenditures related to the extra voted road mileage.

The **ARPA Fund** accounts for the revenues and expenditures related to the American Rescue Plan Act.

The government reports the following major proprietary fund:

The **Sewer/Water Fund** accounts for the activities of the government's joint sewage disposal and water distribution and treatment systems.

Additionally, the government reports the following fund types:

The *custodial funds* account for assets held for other governments in a custodial capacity, including tax collection, and other trust and agency purposes.

Proprietary funds distinguish operating revenues and expenses from nonoperating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the sewer and water enterprise funds are charges to customers for sales and services. The enterprise funds also recognize as operating revenues the portion of tap fees intended to recover the cost of connecting new customers to the system. Operating expenses

Township of Howell

Notes to the Financial Statements

for enterprise funds include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

Assets, Liabilities, Deferred Inflows of Resources, and Fund Equity

Deposits and Investments - The government's cash and cash equivalents are considered to be cash on hand, demand deposits and short-term investments with original maturities of three months or less from the date of acquisition.

State statutes authorize the government to deposit in the accounts of federally insured banks, credit unions, and savings and loan associations; and to invest in obligations of the U.S. Treasury, certain commercial paper, repurchase agreements, bankers' acceptances, and mutual funds composed of otherwise legal investments.

Receivables and Payables - All trade and special assessments receivables are shown net of an allowance for uncollectibles, as applicable. All amounts deemed to be uncollectible are charged against the allowance for doubtful accounts in the period that determination is made. The Township reported \$6,509,212 in allowance for doubtful accounts as of year-end.

Activity between funds that are representative of lending/borrowing arrangements outstanding at the end of the fiscal year are referred to as either "due to/from other funds" (e.g., the current portion of interfund loans) or "advances to/from other funds" (e.g., the non-current portion of interfund loans). All other outstanding balances between funds are reported as "due to/from other funds." Any residual balances outstanding between the governmental activities and business-type activities are reported in the government-wide financial statements as "internal balances."

Leases Receivable

The Township acts as a lessor for leases involving the right to use Township assets. As per GASB 87, the Township recognizes a lease receivable and a deferred inflow of resources in its government-wide and governmental fund financial statements.

Initially, the lease receivable is measured at the present value of expected lease payments over the lease term. The lease receivable is subsequently reduced by the principal portion of lease payments received. The deferred inflow of resources is initially measured as the initial amount of the lease receivable, adjusted for prepaid lease payments received at lease inception. Over the lease term, the deferred inflow of resources is recognized as revenue.

Significant estimates and judgments involved include determining the discount rate used to present value lease receipts, determining the lease term, and estimating lease receipts. The Township utilizes its estimated incremental borrowing rate as the discount rate for leases. The lease term comprises the noncancellable period of the lease. Lease receipts included in the measurement of the lease receivable consist of fixed payments from the lessee.

Township of Howell

Notes to the Financial Statements

The Township continually monitors changes that may necessitate a remeasurement of the lease receivable. If significant changes occur, the lease receivable will be remeasured accordingly.

Prepaid and Other Assets – Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both the government-wide and fund financial statements. The cost of prepaid items is recorded as expenditures/expenses when consumed rather than when purchased.

Capital Assets - Capital assets, which include property, plant, equipment, and infrastructure assets (e.g., roads, bridges, sidewalks and similar items), if any, are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. Capital assets are defined by the government as assets with an initial, individual cost of more than \$2,000 and an estimated useful life in excess of 3 years. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at acquisition value at the date of donation. The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized.

Major outlays for capital assets and improvements are capitalized as projects are constructed.

Capital assets of the primary government are depreciated using the straight-line method over the following estimated useful lives:

	<u>Years</u>
Buildings and Improvements	25 - 50
System Infrastructure	30 - 50
Vehicles	3 - 30
Furniture and Equipment	5 - 15

Compensated Absences - It is the Township's policy to permit employees to accumulate earned but unused vacation pay benefits. There is no liability for unpaid accumulated sick leave since the Township does not have a policy to pay any amounts when employees separate from service with the Township. All vacation pay is accrued when included in the government-wide financial statements. A liability for these amounts is reported in governmental funds only for employee terminations as of year-end.

Long-term Obligations - In the government-wide financial statements and proprietary fund types in the fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or proprietary fund type statement of net position. Bond premiums and discounts are deferred and amortized over the life of the bonds using the straight-line method. Bonds payable are reported net of the applicable bond premium or discount. Bond issuance costs are expensed when incurred.

In the fund financial statements, governmental fund types recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs,

Township of Howell

Notes to the Financial Statements

whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

Net Position Flow Assumption - Sometimes the government will fund outlays for a particular purpose from both restricted (e.g., restricted bond or grant proceeds) and unrestricted resources. In order to calculate the amounts to report as restricted – net position and unrestricted – net position in the government-wide and proprietary fund financial statements, a flow assumption must be made about the order in which the resources are considered to be applied.

It is the government’s policy to consider restricted – net position to have been depleted before unrestricted – net position is applied.

Fund Balance Flow Assumptions

Sometimes the government will fund outlays for a particular purpose from both restricted and unrestricted resources (the total of committed, assigned, and unassigned fund balance). In order to calculate the amounts to report as restricted, committed, assigned, and unassigned fund balance in the governmental fund financial statements a flow assumption must be made about the order in which the resources are considered to be applied. It is the government’s policy to consider restricted fund balance to have been depleted before using any of the components of unrestricted fund balance. Further, when the components of unrestricted fund balance can be used for the same purpose, committed fund balance is depleted first, followed by assigned fund balance. Unassigned fund balance is applied last.

Fund Balance Policies

Fund balance of governmental funds is reported in various categories based on the nature of any limitations requiring the use of resources for specific purposes. Governmental funds report *nonspendable fund balance* for amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained intact. *Restricted fund balance* is reported when externally imposed constraints are placed on the use of resources by grantors, contributors, or laws or regulations of other governments. The government itself can establish limitations on the use of resources through either a commitment (committed fund balance) or an assignment (assigned fund balance).

The *committed fund balance* classification includes amounts that can be used only for the specific purposes determined by a formal action of the government’s highest level of decision-making authority. The Township Board is the highest level of decision-making authority for the government that can, by adoption of a resolution prior to the end of the fiscal year, commit fund balance. Once adopted, the limitation imposed by the resolution remains in place until a similar action is taken (the adoption of another resolution) to remove or revise the limitation.

Amounts in the *assigned fund balance* classification are intended to be used by the government for specific purposes but do not meet the criteria to be classified as committed. The Township Board, or its designee, is authorized to assign fund balance. The Township Board may also assign

Township of Howell

Notes to the Financial Statements

fund balance as it does when appropriating fund balance to cover a gap between estimated revenue and appropriations in the subsequent year's appropriated budget. Unlike commitments, assignments generally only exist temporarily. In other words, an additional action does not normally have to be taken for the removal of an assignment. Conversely, as discussed above, an additional action is essential to either remove or revise a commitment.

Unassigned fund balance is the residual classification for the Township's general fund and includes all spendable amounts not contained in the other classifications and is therefore available to be spent as determined by the Township Board.

Property Taxes - Real and personal property taxes are recorded as revenue in the year for which they are levied, provided they are collectible during that year or within 60 days following that year's end. Property tax revenues shown in the general fund and road special revenue fund reflect the 2023 Township levies of .8469 mills and .9019 mills, respectively, on the taxable valuation of property located in the Township as of the preceding December 31.

Taxable values are established annually by the County and are equalized by the State at an estimated 50% of current market value, for tax year 2023 that amount to \$469,162,112. The 2023 levy became a lien on properties on December 1, 2023, and was substantially collected in early 2023. Taxes became delinquent on March 1, 2024.

Use of Estimates - The process of preparing financial statements in conformity with generally accepted accounting principles requires the use of estimates and assumptions regarding certain types of assets, liabilities, revenues, and expenses. Such estimates primarily relate to unsettled transactions and events as of the date of the financial statements. Accordingly, upon settlement, actual results may differ from estimated amounts.

Subsequent Events - Subsequent events have been evaluated through December 31, 2024, the date the financial statements were available to be issued. Management is not aware of events that would have a significant impact on these financial statements.

Note 2 - Stewardship, Compliance, and Accountability

Budgetary Information

Annual budgets are adopted at the activity level for the general and road special revenue fund each fiscal year on a basis consistent with generally accepted accounting principles. The government's final budget must be prepared and adopted prior to July 1st of each year.

Reported budgeted amounts are as originally adopted or as amended by the Township Board. The legal level of budgetary control is the activity level. The township does not utilize encumbrance accounting.

Township of Howell

Notes to the Financial Statements

Excess of Expenditures Over Appropriations

P.A. 621 of 1978, as amended, provides that a local unit shall not incur expenditures in excess of the amounts appropriated. The Township had no expenditures in excess of the amount appropriated at year end.

Note 3 - Deposits and Investments

Cash Equivalents - As of June 30, 2024, the Township's cash and cash equivalents were reported as follows:

	<u>Governmental Activities</u>	<u>Business-type Activities</u>	<u>Total Primary Government</u>	<u>Fiduciary Funds</u>
Cash and Cash Equivalents	\$ 5,430,640	\$ 2,129,261	\$ 7,559,901	\$ 153,589

Custodial Credit Risk - Deposits Custodial credit risk is the risk that in the event of a bank failure, the Township's deposits may not be returned. State law does not require, and during the year the Township did not have, a policy for deposit custodial credit risk. The insured and collateralized is as follows:

Insured	\$ 500,000
Uninsured	7,251,581
Total Bank Balance	<u>\$ 7,751,581</u>

Credit Risk - State law limits investments to specific government securities, certificates of deposit and bank accounts with qualified financial institutions, commercial paper with specific maximum maturities and ratings when purchased, bankers' acceptances of specific financial institutions, qualified mutual funds and qualified external investment pools as identified in the list of authorized investments in the accounting policies. The Township's investment policy does not have specific limits in excess of state law on investment credit risk. The Township had no investments that required credit risk ratings at year end.

Interest Rate Risk - State law limits the allowable investments and the maturities of some of the allowable investments as identified above. The Township's investment policy does not have specific limits in excess of state law on investment maturities as a means of managing its exposure to fair value losses arising from increasing interest rates.

Concentration of Credit Risk - State law limits allowable investments but does not limit concentration of credit risk as identified in the list of authorized investments above. The Township's investment policy does not have specific limits in excess of state law on concentration of credit risk.

Township of Howell

Notes to the Financial Statements

Note 4 - Capital Assets

Governmental capital assets activity for the year ended June 30, 2024 was as follows:

<u>Governmental Activities</u>	<u>Beginning Balance</u>	<u>Additions</u>	<u>Reductions</u>	<u>Ending Balance</u>
Capital Assets not Being Depreciated				
Land	\$ 265,392	\$ -	\$ -	\$ 265,392
<i>Subtotal</i>	<u>265,392</u>	<u>-</u>	<u>-</u>	<u>265,392</u>
Capital Assets Being Depreciated				
Buildings and Improvement	871,937	-	-	871,937
Furniture and Equipment	321,051	-	-	321,051
<i>Subtotal</i>	<u>1,192,988</u>	<u>-</u>	<u>-</u>	<u>1,192,988</u>
Less Accumulated Depreciation				
Buildings and Improvement	624,423	31,051	-	655,474
Furniture and Equipment	235,176	8,248	-	243,424
<i>Subtotal</i>	<u>859,599</u>	<u>39,299</u>	<u>-</u>	<u>898,898</u>
Capital Assets Being Depreciated, net	<u>333,389</u>	<u>(39,299)</u>	<u>-</u>	<u>294,090</u>
<i>Net Capital Assets, Governmental</i>	<u>\$ 598,781</u>	<u>\$ (39,299)</u>	<u>\$ -</u>	<u>\$ 559,482</u>

Depreciation expense was charged to the general government for governmental activities.

Business-type capital assets activity for the year ended June 30, 2024, was as follows:

<u>Business-type Activities</u>	<u>Beginning Balance</u>	<u>Additions</u>	<u>Reductions</u>	<u>Ending Balance</u>
Capital Assets not Being Depreciated				
Land	\$ 332,418	\$ -	\$ 312,587	\$ 19,831
Capital Assets Being Depreciated				
Sewer System	13,894,670	171,812	-	14,066,482
Water System	3,424,310	7,080	-	3,431,390
Water/Sewer System	18,376,215	-	-	18,376,215
<i>Subtotal</i>	<u>35,695,195</u>	<u>178,892</u>	<u>-</u>	<u>35,874,087</u>
Less Accumulated Depreciation				
Sewer System	6,935,440	675,385	-	7,610,825
Water System	1,168,812	72,336	-	1,241,148
Water/Sewer System	4,490,295	4,372	-	4,494,667
<i>Subtotal</i>	<u>12,594,547</u>	<u>752,093</u>	<u>-</u>	<u>13,346,640</u>
Capital Assets Being Depreciated, net	<u>23,100,648</u>	<u>(573,201)</u>	<u>-</u>	<u>22,527,447</u>
<i>Net Capital Assets, Business-type</i>	<u>\$ 23,433,066</u>	<u>\$ (573,201)</u>	<u>\$ 312,587</u>	<u>\$ 22,547,278</u>

Depreciation expense was charged to the sewer system (\$679,757) and water system (\$72,336) for business-type activities.

Township of Howell

Notes to the Financial Statements

Note 5 – Compensated Absences

Compensated absences activity for June 30, 2024 was as follows:

	<u>Beginning Balance</u>	<u>Additions</u>	<u>Reductions</u>	<u>Ending Balance</u>	<u>Due Within One Year</u>
Governmental Activities:					
Compensated Absences	\$ 16,797	\$ -	\$ (347)	\$ 16,450	\$ -

For the governmental activities, compensated absences are liquidated by the general fund.

Note 6 - Interfund Receivables, Payables, Advances, and Transfers

Interfund Receivables, Payables, and Advances

As of June 30, 2024, the general fund had a receivable balance of \$2,798,440 with the sewer/water fund having a payable balance of the same amount. The balances resulted from the Township's general fund assisting the sewer/water fund in paying off all of the Township's long-term debt. The above amount is the amount the sewer/water fund will repay to the general fund.

Transfers

For the year ended June 30, 2024, the ARPA fund transferred \$163,581 to the sewer/water fund.

Note 7 - Joint Ventures

Marion, Howell, Oceola, and Genoa Sewer and Water Authority

The Township is a member of the Marion, Howell, Oceola and Genoa Sewer and Water Authority (the "Authority" or "MHOG"). The Authority was incorporated by the townships of Marion, Howell, Oceola and Genoa. The Authority is responsible for the operations of the joint water systems. The Township of Howell's equity in this joint venture as of June 30, 2024 was \$11,475,065 (25%) which is recorded in the sewer/water fund and on the government-wide statement of net position. The Township is unaware of any circumstances that would cause an additional benefit or burden to the participating governments of the joint venture in the foreseeable future. Complete financial statements for the Marion, Howell, Oceola and Genoa Sewer and Water Authority can be obtained from the administrative offices at the Township of Oceola, Livingston County, Michigan.

Township of Howell

Notes to the Financial Statements

Authority balances as of and for the fiscal year ended September 30, 2023, the latest audited financial statements, was as follows:

MHOG

Total Assets	\$ 49,219,132
Total Liabilities and deferred inflows	3,318,873
Total Net Position	45,900,259
Total Revenue	6,707,580
Total Expenses	4,431,907

Howell Area Fire Authority

The Township is a member of the Howell Area Fire Authority, which was jointly incorporated by the City of Howell, Cohoctah Township, Marion Township, Oceola Township and Howell Township (the “Municipalities”) for the purpose of providing fire protection and other emergency health and safety services to the Municipalities. The Township appoints a member to the joint ventures governing board, which approves the annual budget. The funding for the Authority is provided by a dedicated voter-approved millage. The Township’s equity interest in the joint venture at June 30, 2024 was \$2,835,365 (21.16%) which is recorded within the governmental activities column in the statement of net position. The Township is unaware of any circumstances that would cause an additional benefit or burden to the participating governments in the foreseeable future. Complete financial statements of the Authority can be obtained from the administrative offices at the Township of Howell, Michigan.

Authority balances as of and for the fiscal year ended June 30, 2024, the latest audited financial statements available, was as follows:

Howell Area Fire Authority

Total Assets and Deferred Outflows	\$ 11,757,575
Total Liabilities and Deferred Inflows	416,115
Total Net Position	11,341,460
Total Revenue	5,241,292
Total Expenses	3,347,368

Note 8 - Defined Contribution Pension Plan

The Township of Howell pension plan provides pension benefits for all Township officials and all other employees who work at least 36 hours per week on a regular basis and who choose to belong to the plan.

A defined contribution pension plan provides pension benefits in return for services rendered, provides an individual account for each participant, and specifies how contributions to the individual’s account are to be determined instead of specifying the amount of benefits the individual is to receive. Under a defined contribution pension plan, the benefits a participant will

Township of Howell

Notes to the Financial Statements

receive depend solely on the amount contributed to the participant's accounts and the returns on the investments of those contributions.

As established by the Township Board, the Township contributes 15 percent of employees' gross earnings. Additionally, participants may contribute up to 10 percent of gross earnings on a pre-tax basis. In accordance with these requirements, the Township contributed \$78,961 during the year. No amounts were contributed by the participants.

Note 9 – Leases Receivable

The Township is reporting total lease receivables of \$14,327 as of June 30, 2024. For fiscal year 2024 the Township reported lease revenue of \$28,197 and interest revenue of \$638 related to lease payments received.

Farm Land Leases – On January 1, 2020 the Township entered into a 5-year lease agreement with Local Farmers for two parcels. These lease agreements included the right to extend this lease for year to year after the initial term. Based on this agreement, the Township is receiving annual payments through calendar year 2024.

Required Supplementary Information

Township of Howell
Schedule of Revenues, Expenditures, and Changes in Fund Balance-Budget and Actual
General Fund
For the Year Ended June 30, 2024

	<u>Budgeted Amounts</u>		<u>Actual</u>	Variance
	<u>Original</u>	<u>Final</u>		Positive (Negative) Final to Actual
Revenues				
Property Taxes	\$ 565,000	\$ 565,000	\$ 587,747	\$ 22,747
Intergovernmental - State	930,000	930,000	942,748	12,748
Licenses and Permits	96,050	96,050	95,213	(837)
Charges for Services	34,700	34,700	40,193	5,493
Interest Income	11,000	11,000	42,150	31,150
Other Revenues	500	500	983	483
Total Revenues	<u>1,637,250</u>	<u>1,637,250</u>	<u>1,709,034</u>	<u>71,784</u>
Expenditures				
General Government				
Township Board	36,315	36,315	26,696	9,619
Supervisor	52,970	52,970	50,290	2,680
Clerk	123,530	123,530	111,144	12,386
Elections	103,825	103,825	54,703	49,122
Treasurer	91,388	97,580	92,613	4,967
Township Hall	461,340	461,340	393,170	68,170
Township General Expenditures	214,700	289,700	279,617	10,083
Board of Review	6,100	6,100	2,978	3,122
Assessor	129,825	129,825	110,080	19,745
Total General Government	<u>1,219,993</u>	<u>1,301,185</u>	<u>1,121,291</u>	<u>179,894</u>
Public Works				
Cemetery	15,000	15,000	9,482	5,518
Drains	70,000	60,000	55,420	4,580
Total Public Works	<u>85,000</u>	<u>75,000</u>	<u>64,902</u>	<u>10,098</u>
Community and Economic Development				
Planning Commission	37,000	37,000	22,442	14,558
Zoning Administration	96,855	96,855	70,342	26,513
Board of Appeals	7,220	7,220	3,229	3,991
Engineering	10,000	10,000	2,110	7,890
Total Community and Economic Development	<u>151,075</u>	<u>151,075</u>	<u>98,123</u>	<u>52,952</u>
Recreation and Culture	<u>140,000</u>	<u>140,000</u>	<u>127,855</u>	<u>12,145</u>
Total Expenditures	<u>1,596,068</u>	<u>1,667,260</u>	<u>1,412,171</u>	<u>255,089</u>
Excess (Deficiency) of Revenues				
Over Expenditures	<u>41,182</u>	<u>(30,010)</u>	<u>296,863</u>	<u>326,873</u>
Net Change in Fund Balance	<u>41,182</u>	<u>(30,010)</u>	<u>296,863</u>	<u>326,873</u>
Fund Balance at Beginning of Period	7,067,611	7,067,611	7,067,611	--
Fund Balance at End of Period	<u>\$ 7,108,793</u>	<u>\$ 7,037,601</u>	<u>\$ 7,364,474</u>	<u>\$ 326,873</u>

Notes to the Schedule:

The budgetary comparison schedules are presented as required supplementary information (RSI) and compare the original and final budget with actual amounts. The budget is prepared and adopted on a basis consistent with generally accepted accounting principles (GAAP).

Township of Howell
Schedule of Revenues, Expenditures, and Changes in Fund Balance-Budget and Actual
Road Fund
For the Year Ended June 30, 2024

	<u>Budgeted Amounts</u>		<u>Actual</u>	Variance
	<u>Original</u>	<u>Final</u>		Positive (Negative) Final to Actual
Revenues				
Property Taxes	\$ 418,000	\$ 418,000	\$ 425,039	\$ 7,039
Interest Income	2,000	2,000	6,497	4,497
Total Revenues	<u>420,000</u>	<u>420,000</u>	<u>431,536</u>	<u>11,536</u>
Expenditures				
Public Works	420,000	494,000	459,517	34,483
Total Expenditures	<u>420,000</u>	<u>494,000</u>	<u>459,517</u>	<u>34,483</u>
Excess (Deficiency) of Revenues				
Over Expenditures	--	(74,000)	(27,981)	46,019
Net Change in Fund Balance	--	(74,000)	(27,981)	46,019
<i>Fund Balance at Beginning of Period</i>	691,831	691,831	691,831	--
Fund Balance at End of Period	<u>\$ 691,831</u>	<u>\$ 617,831</u>	<u>\$ 663,850</u>	<u>\$ 46,019</u>

Notes to the Schedule:

The budgetary comparison schedules are presented as required supplementary information (RSI) and compare the original and final budget with actual amounts. The budget is prepared and adopted on a basis consistent with generally accepted accounting principles (GAAP).

Township of Howell
Schedule of Revenues, Expenditures, and Changes in Fund Balance-Budget and Actual
ARPA
For the Year Ended June 30, 2024

	<u>Budgeted Amounts</u>		<u>Actual</u>	Variance
	<u>Original</u>	<u>Final</u>		Positive (Negative) Final to Actual
Revenues				
Intergovernmental - Federal	\$ 163,581	\$ 163,581	\$ 268,581	\$ 105,000
Interest Income	--	--	2,775	2,775
Total Revenues	<u>163,581</u>	<u>163,581</u>	<u>271,356</u>	<u>107,775</u>
Expenditures				
Public Works	105,000	105,000	105,000	--
Total Expenditures	<u>105,000</u>	<u>105,000</u>	<u>105,000</u>	<u>--</u>
Other Financing Uses				
Transfers Out	163,581	163,581	163,581	--
Total Expenditures and Other Financing Uses	<u>268,581</u>	<u>268,581</u>	<u>268,581</u>	<u>--</u>
Excess (Deficiency) of Revenues Over Expenditures and Other Uses	<u>(105,000)</u>	<u>(105,000)</u>	<u>2,775</u>	<u>107,775</u>
Net Change in Fund Balance	<u>(105,000)</u>	<u>(105,000)</u>	<u>2,775</u>	<u>107,775</u>
Fund Balance at Beginning of Period	3,779	3,779	3,779	--
Fund Balance at End of Period	<u>\$ (101,221)</u>	<u>\$ (101,221)</u>	<u>\$ 6,554</u>	<u>\$ 107,775</u>

Notes to the Schedule:

The budgetary comparison schedules are presented as required supplementary information (RSI) and compare the original and final budget with actual amounts. The budget is prepared and adopted on a basis consistent with generally accepted accounting principles (GAAP).

December 31, 2024

To the Board of Trustees
Township of Howell

We have audited the accompanying financial statements of the governmental activities, business-type activities, each major fund, and the aggregate remaining fund information of the Township of Howell (the "Township") for the year ended June 30, 2024. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated November 19, 2024. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the Township are described in Note 1 to the financial statements. There were no new accounting policies adopted, and the application of existing policies was not changed during the fiscal year ended June 30, 2024. We noted no transactions entered into by the Township during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the Township's financial statements were:

- Management's estimate of the useful lives of depreciable capital assets is based on the length of time it is believed that those assets will provide some economic benefit in the future.
- Management's estimate of the accrued compensated absences is based on current hourly rates and policies regarding payment of vacation banks.

We evaluated key factors and assumptions used to develop these estimates and determined that they are reasonable in relation to the basic financial statements taken as a whole and in relation to the applicable opinion units.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to each opinion unit's financial statements taken as a whole.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated December 31, 2024.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the Township's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the Township's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to the management's discussion and analysis and budgetary comparison information, which are required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

Restriction on Use

This information is intended solely for the use of the Township Board of Trustees and management of the Township and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,

A handwritten signature in cursive script that reads "Gabridge & Company". The signature is written in dark ink and is positioned above the printed name of the company.

Gabridge & Company, PLC
Grand Rapids, MI

8B

REVENUE AND EXPENDITURE REPORT FOR HOWELL TOWNSHIP

BALANCE AS OF 1/31/2025

% FISCAL YEAR COMPLETED : 58.90

GL NUMBER	DESCRIPTION	2024-2025 BUDGET	YTD BAL 01/31/2025	% BDGT USED	COMMENTS
FUND: 101 GENERAL FUND					
REVENUES					
101-000-402.000	GEN FUND PROPERTY TAXES	423,000.00	290,219.82	68.61	Winter Tax Bill
101-000-403.000	GEN FUND ACT 7 TAXES	40,000.00	43,364.75	108.41	Final Payment
101-000-420.000	GEN FUND DELINQ PERSONAL TAXES	2,000.00	1,951.91	97.60	
101-000-452.000	GEN FUND RIGHT OF WAY FEES	5,000.00	0.00	0.00	
101-000-476.000	GEN FUND LICENSE & PERMIT FEES	12,000.00	3,795.00	31.63	
101-000-476.001	GEN FUND CABLE TV FRANCHISE FEES	77,500.00	32,946.73	42.51	
101-000-476.002	GEN FUND TRAILER FEES	1,500.00	969.50	64.63	
101-000-476.003	GEN FUND DOG LICENSE FEES	50.00	19.50	39.00	
101-000-573.000	GEN FUND LOCAL COMMUNITY SHARING	100,000.00	0.00	0.00	
101-000-574.000	GEN FUND STATE REVENUE SHARING	865,000.00	567,763.00	65.64	
101-000-607.000	GEN FUND COLLECTION FEE/SCHOOLS INCOME	10,500.00	10,752.00	102.40	
101-000-607.001	GEN FUND ADMIN FEES	148,000.00	143,179.10	96.74	
101-000-608.000	GEN FUND ZONING FEES INCOME	17,500.00	15,150.00	86.57	
101-000-609.000	GEN FUND ZBA FEES INCOME	4,000.00	1,200.00	30.00	
101-000-610.000	GEN FUND LAND DIVISION FEES INCOME	2,500.00	600.00	24.00	
101-000-614.000	GEN FUND PRE-CONFERENCE ZONING INCOME	500.00	142.50	28.50	
101-000-641.000	GEN FUND GRAVE OPENING FEES	1,000.00	0.00	0.00	
101-000-642.000	CEMETERY LOTS FEES	1,000.00	300.00	30.00	
101-000-652.000	GEN FUND PARKING VIOLATION FEES	100.00	0.00	0.00	
101-000-657.000	GEN FUND MUNICIPAL CIVIL INFRACTION FEE	100.00	0.00	0.00	
101-000-665.000	GEN FUND INTEREST INCOME	30,000.00	14,776.03	49.25	Started CD in August
101-000-675.000	GEN FUND OTHER REVENUE	250.00	327.82	131.13	
TOTAL REVENUES		1,741,500.00	1,127,457.66	64.74	
EXPENDITURES					
Department: 101 TOWNSHIP BOARD					
101-101-703.000	TWP BOARD SALARY	28,115.00	14,249.76	50.68	
101-101-704.000	TOWNSHIP BOARD PER DIEM EXPENSE	200.00	0.00	0.00	
101-101-705.000	AFFILIATE BOARD PER DIEM EXPENSE	2,400.00	960.00	40.00	
101-101-900.000	TWP BOARD PRINT & PUBL EXPENSE	2,500.00	552.12	22.08	
Total Dept 101 - TOWNSHIP BOARD		33,215.00	15,761.88	47.45	
Department: 171 SUPERVISOR					
101-171-703.000	SUPERVISOR SALARY	37,180.00	21,083.14	56.71	
101-171-703.001	SUPERVISOR DEPUTY WAGES	16,370.00	9,226.15	56.36	
101-171-860.000	SUPERVISOR MILEAGE & EXPENSES	100.00	0.00	0.00	
101-171-957.000	SUPERVISOR DUES & SUBSCRIPTION EXPENSE	100.00	0.00	0.00	
Total Dept 171 - SUPERVISOR		53,750.00	30,309.29	56.39	
Department: 215 CLERK					
101-215-703.000	CLERK SALARY	37,180.00	21,083.14	56.71	
101-215-703.001	CLERK DEPUTY WAGES	30,605.00	18,844.44	61.57	
101-215-703.004	CLERK ACCOUNTING SALARY	50,390.00	28,770.33	57.10	
101-215-720.000	CLERK EDUCATION EXPENSE	3,000.00	1,800.00	60.00	
101-215-860.000	CLERK MILEAGE & EXPENSES	1,500.00	145.62	9.71	
101-215-865.000	CLERK CONFERENCE EXPENSE	500.00	0.00	0.00	
101-215-957.000	CLERK DUES & SUBSCRIPTION EXPENSE	500.00	375.00	75.00	
Total Dept 215 - CLERK		123,675.00	71,018.53	57.42	
Department: 247 BOARD OF REVIEW					
101-247-703.000	BOARD OF REVIEW SALARY	3,000.00	240.00	8.00	
101-247-720.000	BOARD OF REVIEW EDUCATION EXPENSE	500.00	0.00	0.00	
101-247-900.000	BOARD OF REVIEW PRINTING & PUB EXP	700.00	53.91	7.70	
101-247-964.000	BOARD OF REVIEW REFUNDS & CHARGEBACKS	2,000.00	0.00	0.00	
Total Dept 247 - BOARD OF REVIEW		6,200.00	293.91	4.74	

GL NUMBER	DESCRIPTION	2024-2025 BUDGET	YTD BAL 01/31/2025	% BDGT USED	COMMENTS
Department: 253 TREASURER					
101-253-703.000	TREASURER SALARY	37,180.00	21,083.14	56.71	
101-253-703.001	TREASURER DEPUTY WAGES	52,206.00	23,774.41	45.54	
101-253-720.000	TREASURER EDUCATION EXPENSE	1,000.00	314.49	31.45	
101-253-726.001	TREASURER POSTAGE	8,000.00	5,162.09	64.53	2024 Bills Mailed
101-253-801.001	TREASURER LEGAL EXPENSE	9,000.00	374.00	4.16	
101-253-860.000	TREASURER MILEAGE & EXPENSES	1,500.00	668.23	44.55	
101-253-865.000	TREASURER CONFERENCE EXPENSE	300.00	0.00	0.00	
101-253-900.000	TREASURER PRINT & PUBL EXPENSE	500.00	10.78	2.16	
101-253-957.000	TREASURER DUES & SUBSCRIPTION EXPENSE	100.00	0.00	0.00	
Total Dept 253 - TREASURER		109,786.00	51,387.14	46.81	
Department: 257 ASSESSING					
101-257-703.000	ASSESSING ASSESSOR WAGES	82,303.00	46,800.54	56.86	
101-257-703.001	ASSESSING CONTRACT LABOR	5,000.00	0.00	0.00	
101-257-703.004	ASSESSING DEPUTY WAGES	43,530.00	28,092.70	64.54	Vacation time taken
101-257-720.000	ASSESSING EDUCATION EXPENSE	1,000.00	391.51	39.15	
101-257-726.000	ASSESSING POSTAGE EXPENSE	4,500.00	373.18	8.29	
101-257-727.000	ASSESSING SUPPLIES EXPENSE	22,000.00	19,176.37	87.17	Annual Imagery
101-257-801.000	ASSESSING LEGAL EXPENSE	5,000.00	0.00	0.00	
101-257-860.000	ASSESSING MILEAGE & EXPENSES	1,000.00	269.61	26.96	
101-257-865.000	ASSESSING CONFERENCE EXPENSE	500.00	0.00	0.00	
101-257-957.000	ASSESSING DUES & SUBSCRIPTION EXPENSE	700.00	225.00	32.14	
Total Dept 257 - ASSESSING		165,533.00	95,328.91	57.59	
Department: 262 ELECTIONS					
101-262-703.000	ELECTION WORKERS WAGES	41,700.00	7,215.75	17.30	
101-262-707.000	ELECTION CLERK WAGES	30,605.00	12,335.22	40.30	
101-262-720.000	ELECTION EDUCATION EXPENSE	1,000.00	0.00	0.00	
101-262-726.000	ELECTION POSTAGE EXPENSE	6,000.00	0.00	0.00	
101-262-727.000	ELECTION SUPPLIES EXPENSE	8,000.00	0.00	0.00	
101-262-860.000	ELECTION MILEAGE & EXPENSES	2,500.00	181.72	7.27	
101-262-900.000	ELECTION PRINTING & PUBL EXPENSE	1,000.00	15.74	1.57	
101-262-930.000	ELECTION EQUIP REPAIR EXPENSE	15,000.00	1,476.01	9.02	
Total Dept 262 - ELECTIONS		105,805.00	21,224.44	20.06	State Reimbursed \$19K
Department: 265 TOWNSHIP HALL					
101-265-707.000	TWP HALL RECEPTIONIST WAGES	50,000.00	22,539.92	45.08	
101-265-708.000	TWP HALL UTILITY DIRECTOR WAGES	22,000.00	16,960.24	77.09	Vacation Payout
101-265-720.000	TWP HALL EDUCATION EXPENSE	1,000.00	0.00	0.00	
101-265-721.000	TWP HALL LIFE INSURANCE EXPENSE	2,800.00	1,469.16	52.47	
101-265-721.001	TWP HALL HEALTH INSURANCE EXPENSE	50,000.00	26,476.85	52.95	
101-265-722.000	TWP HALL RETIREMENT EXPENSE	85,000.00	49,341.71	58.05	
101-265-725.000	TWP HALL FICA/MEDICARE EXPENSE	45,000.00	25,687.18	57.08	
101-265-726.000	TWP HALL POSTAGE EXPENSE	2,800.00	319.49	11.41	
101-265-727.000	TWP HALL KITCHEN/BATH SUPPLIES EXPENSE	3,000.00	636.61	21.22	
101-265-727.001	TWP HALL OFFICE SUPPLIES EXPENSE	10,000.00	3,619.27	36.19	
101-265-728.000	TWP HALL COMPUTER SUPPORT EXPENSE	40,000.00	33,607.74	84.02	BS&A Annual Maint
101-265-728.001	TWP HALL IT SUPPORT EXPENSE	20,000.00	1,853.00	9.27	
101-265-775.000	TWP HALL OFFICE CLEANING EXPENSE	6,000.00	3,056.67	50.94	
101-265-776.000	TWP HALL SEPTIC FIELD EXPENSE	1,000.00	0.00	0.00	
101-265-801.000	TWP HALL GROUNDS CONTRACTED SVCS EXP	500.00	0.00	0.00	
101-265-801.001	TWP HALL LEGAL EXPENSE	5,000.00	429.00	8.58	
101-265-801.009	TWP HALL FINANCIAL AUDIT	13,500.00	0.00	0.00	
101-265-822.000	TWP HALL INSURANCE & BOND EXPENSE	18,000.00	17,563.00	97.57	Annual
101-265-850.000	TWP HALL TELEPHONE EXPENSE	6,000.00	3,074.01	51.23	
101-265-851.000	TWP HALL WEB SITE EXPENSE	7,500.00	4,940.00	65.87	BS&A online
101-265-860.000	TWP HALL MILEAGE & EXPENSES	200.00	0.00	0.00	
101-265-900.000	TWP HALL PRINT & PUBL EXPENSE	200.00	0.00	0.00	
101-265-920.000	TWP HALL ELECTRICITY EXPENSE	7,500.00	3,740.98	49.88	
101-265-922.000	TWP HALL NATURAL GAS EXPENSE	6,500.00	2,344.04	36.06	

GL NUMBER	DESCRIPTION	2024-2025	YTD BAL	% BDGT	COMMENTS
		BUDGET	01/31/2025	USED	
101-265-930.000	TWP HALL GROUNDS EQUIP REPAIR EXPENSE	15,000.00	1,857.84	12.39	
101-265-930.001	TWP HALL OFFICE EQUIPMENT & REPAIR	6,000.00	807.96	13.47	
101-265-931.000	TWP HALL GROUNDS CARE EXPENSE	8,000.00	0.00	0.00	
101-265-932.000	TWP HALL SNOW REMOVAL EXPENSE	10,000.00	0.00	0.00	
101-265-957.000	TWP HALL DUES & SUBSCRIPTION EXPENSE	8,000.00	0.00	0.00	
Total Dept 265 - TOWNSHIP HALL		450,500.00	220,324.67	48.91	
Department: 268 TOWNSHIP AT LARGE					
101-268-801.001	TWP AT LARGE LEGAL EXPENSE	200,000.00	157,882.11	78.94	See Breakdown
101-268-882.000	TWP AT LARGE SPRING CLEAN UP EXPENSE	5,000.00	1,950.00	39.00	
101-268-883.000	TWP AT LARGE ROAD SIDE PICKUP EXPENSE	1,200.00	0.00	0.00	
101-268-920.000	TWP AT LARGE STREETLIGHT EXPENSE	9,500.00	4,950.42	52.11	
101-268-974.000	TWP AT LARGE DRAIN EXPENSE	70,000.00	0.00	0.00	Paid at Tax Settlement
101-268-977.000	TWP AT LARGE CAPITAL OUTLAY EXPENSE	60,000.00	13,489.00	22.48	Mics & Speakers
Total Dept 268 - TOWNSHIP AT LARGE		345,700.00	178,271.53	51.57	
Department: 276 CEMETERY					
101-276-931.000	CEMETERY GROUNDS CARE & MAINT EXPENSE	7,500.00	3,000.00	40.00	
Total Dept 276 - CEMETERY		7,500.00	3,000.00	40.00	
Department: 447 ENGINEERING					
101-447-801.000	ENGINEERING CONTRACTED SVCS EXPENSE	10,000.00	12,981.75	129.82	Budget Amendment #1
Total Dept 447 - ENGINEERING		10,000.00	12,981.75	129.82	
Department: 701 PLANNING					
101-701-703.000	PLANNING COMMISSION WAGES	7,000.00	3,040.00	43.43	
101-701-720.000	PLANNING EDUCATION EXPENSE	2,000.00	1,710.00	85.50	PC & ZBA
101-701-726.000	PLANNING POSTAGE EXPENSE	1,000.00	230.79	23.08	
101-701-801.000	PLANNING CONTRACTED PLANNER EXPENSE	20,000.00	9,360.00	46.80	
101-701-801.001	PLANNING LEGAL EXPENSE	2,000.00	114.00	5.70	
101-701-900.000	PLANNING PRINTING & PUBL EXPENSE	2,000.00	567.09	28.35	
101-701-957.000	PLANNING DUES & SUBSCRIPTION EXPENSE	1,000.00	585.00	58.50	Annual
Total Dept 701 - PLANNING		35,000.00	15,606.88	44.59	
Department: 702 ZONING					
101-702-703.000	ZONING ADMINISTRATOR WAGES	50,780.00	25,569.14	50.35	
101-702-703.002	ZONING DEPUTY WAGES	29,020.00	12,082.40	41.63	
101-702-703.005	ZONING CODE ENFORCEMENT SERVICE EXPENSE	25,000.00	1,050.00	4.20	
101-702-860.000	ZONING MILEAGE & EXPENSES	1,500.00	1,192.83	79.52	Monthly Updates
101-702-900.000	ZONING PRINTING & PUBL EXPENSE	400.00	0.00	0.00	
Total Dept 702 - ZONING		106,700.00	39,894.37	37.39	
Department: 703 ZONING BOARD OF APPEALS					
101-703-703.000	BOARD OF APPEALS WAGES	4,320.00	720.00	16.67	
101-703-720.000	BOARD OF APPEALS EDUCATION EXPENSE	1,000.00	0.00	0.00	
101-703-900.000	BOARD OF APPEALS PRINTING & PUBL EXPENSE	1,000.00	408.36	40.84	
Total Dept 703 - ZONING BOARD OF APPEALS		6,320.00	1,128.36	17.85	
Department: 966 TRANSFER OUT					
101-966-999.000	GEN FUND TRANSFER OUT-PARKS & REC	180,000.00	180,000.00	100.00	Annual Transfer
Total Dept 966 - TRANSFER OUT		180,000.00	180,000.00	100.00	
TOTAL EXPENDITURES		1,739,684.00	936,531.66	53.83	
TOTAL REVENUES		1,741,500.00	1,127,457.66		
TOTAL EXPENDITURES		1,739,684.00	936,531.66		
NET OF REVENUES & EXPENDITURES:		1,816.00	190,926.00		

GL NUMBER	DESCRIPTION	2024-2025 BUDGET	YTD BAL 01/31/2025	% BDGT USED	COMMENTS
Fund: 204 ROAD FUND					
REVENUES					
204-000-402.000	ROAD FUND PROPERTY TAX INCOME	450,000.00	311,149.09	69.14	Winter Bill
204-000-665.000	ROAD FUND INTEREST INCOME	5,000.00	3,255.01	65.10	
TOTAL REVENUES		455,000.00	314,404.10	69.10	
EXPENDITURES					
204-000-801.000	ROAD IMPROVEMENT EXPENSE	369,000.00	300,197.51	81.35	Layton & Bowen
204-000-802.000	ROAD CHLORIDE EXPENSE	85,000.00	36,701.40	43.18	Dust Control
Total Dept 000 - OTHER		454,000.00	336,898.91	74.21	
Department: 547 CHARGEBACKS					
204-547-978.000	ROAD FUND CHARGEBACK EXPENSE	1,000.00	0.00	0.00	
Total Dept 547 - CHARGEBACKS		1,000.00	0.00	0.00	
TOTAL EXPENDITURES		455,000.00	336,898.91	74.04	
TOTAL REVENUES		455,000.00	314,404.10		
TOTAL EXPENDITURES		455,000.00	336,898.91		
NET OF REVENUES & EXPENDITURES:		0.00	(22,494.81)		
Fund: 208 PARK/REC FUND					
REVENUES					
208-000-665.000	REC FUND INTEREST INCOME	3,000.00	4,437.29	147.91	
208-000-699.000	REC FUND OPERATING TRANSFER IN	180,000.00	180,000.00	100.00	Annual Transfer
Total Dept 000 - OTHER		183,000.00	184,437.29	100.79	
TOTAL REVENUES		183,000.00	184,437.29	100.79	
EXPENDITURES					
208-000-801.000	REC FUND CONTRACTED SERVICES EXPENSE	130,000.00	35,097.44	27.00	4 Year Millage
TOTAL EXPENDITURES		130,000.00	35,097.44	27.00	
TOTAL REVENUES		183,000.00	184,437.29		
TOTAL EXPENDITURES		130,000.00	35,097.44		
NET OF REVENUES & EXPENDITURES:		53,000.00	149,339.85		
Fund: 285 ARPA					
REVENUES					
285-000-528.000	ARPA FUND OTHER FEDERAL GRANTS	43,797.00	149,610.52	341.60	
285-000-665.000	ARPA FUND INTEREST INCOME	0.00	4.00	100.00	
		43,797.00	149,614.52	342.35	
TOTAL REVENUES		43,797.00	149,614.52	342.35	
EXPENDITURES					
285-000-852.000	ARPA FUND BROADBAND EXPENSE	105,000.00	105,005.00	100.00	Surf Wireless
285-000-853.000	ARPA FUND SEWER EXPENSE	0.00	39,609.52	100.00	Hamlett - RAS Pump
285-000-854.000	SIDEWALK PROJECT EXPENSE	5,000.00	5,000.00	100.00	Spicer
TOTAL EXPENDITURES		110,000.00	149,614.52	136.01	
TOTAL REVENUES		43,797.00	149,614.52		
TOTAL EXPENDITURES		110,000.00	149,614.52		
NET OF REVENUES & EXPENDITURES:		(66,203.00)	0.00		

GL NUMBER	DESCRIPTION	2024-2025 BUDGET	YTD BAL 01/31/2025	% BDGT USED	COMMENTS
Fund: 592 SWR/WTR					
REVENUES					
592-000-663.011	DEPOSITS FOR LAND SALE #11	0.00	118,240.00	100.00	Bowen Road
Total Dept 000 - OTHER		0.00	118,240.00	100.00	
Department: 536 SEWER/WATER					
592-536-665.000	SEWER/WATER INTEREST INCOME	10,000.00	14,537.44	145.37	
592-536-665.007	SPEC ASSESS INTEREST INCOME-SEWER #7	844.00	232.85	27.59	
592-536-665.008	SPEC ASSESS INTEREST INCOME-SEWER 8	6,555.00	4,754.40	72.53	
592-536-665.009	SPEC ASSESS INTEREST INCOME-WATER 8	3,048.00	2,255.47	74.00	
592-536-665.011	SPEC ASSESS INTEREST INCOME-SEWER 11	9,015.00	5,568.65	61.77	
592-536-665.012	SPEC ASSESS INTEREST INCOME-WATER 11	2,628.00	1,390.57	52.91	
592-536-665.014	SPEC ASSESS INTEREST INCOME-SEWER CONNEC	87.00	87.50	100.57	
592-536-665.015	SPEC ASSESS INTEREST INCOME-WATER CONNEC	87.00	87.50	100.57	
592-536-665.020	SEWER FARM LAND RENTAL INCOME	12,500.00	24,325.00	194.60	
592-536-671.000	SEWER CONNECTION FEE INCOME	0.00	45,788.00	100.00	
592-536-671.001	WATER CONNECTION FEE INCOME	0.00	39,920.00	100.00	
Total Dept 536 - SEWER/WATER		44,764.00	138,947.38	310.40	
Department: 537 CHARGES FOR SERVICES					
592-537-477.000	UTILITY BILLING SEWER USER FEES INCOME	950,000.00	550,695.33	57.97	
592-537-477.002	UTILITY BILLING WATER USER FEES INCOME	1,150,000.00	676,824.82	58.85	
592-537-694.000	UTILITY BILLING PENALTY SEWER USER	15,000.00	14,548.57	96.99	
592-537-694.002	UTILITY BILLING PENALTY & INT SEWER INC	15,000.00	15,762.19	105.08	
Total Dept 537 - CHARGES FOR SERVICES		2,130,000.00	1,257,830.91	59.05	
TOTAL REVENUES		2,174,764.00	1,515,018.29	69.66	
EXPENDITURES					
Department: 536 SEWER/WATER					
592-536-775.000	SEWER FUND REPAIR & IMPROVE EXPENSE	15,000.00	0.00	0.00	
592-536-801.002	SEWER FUND AUDITS/STUDIES EXPENSE	10,000.00	1,800.00	18.00	
592-536-972.000	SEWER/WATER CAPITAL OUTLAY EXPENSE	400,000.00	21,682.98	5.42	Clarifier Project
Total Dept 536 - SEWER/WATER		425,000.00	23,482.98	5.53	
Department: 537 CHARGES FOR SERVICES					
592-537-726.000	UTILITY BILLING POSTAGE EXPENSE	4,500.00	1,850.00	41.11	
592-537-728.000	UTILITY BILLING SOFTWARE SUPPORT EXPENSE	1,000.00	1,000.00	100.00	Annual Maintenance
592-537-801.001	UTILITY BILLING LEGAL EXPENSE	1,000.00	0.00	0.00	
592-537-803.000	UTILITY BILLING WATER EXPENSE	800,000.00	544,727.00	68.09	
Total Dept 537 - CHARGES FOR SERVICES		806,500.00	547,577.00	67.90	
Department: 538 WWTP					
592-538-729.000	WWTP CHEMICALS EXPENSE	30,000.00	18,155.55	60.52	
592-538-801.000	WWTP CONTRACTED SERVICES EXPENSE	367,500.00	188,143.88	51.20	
592-538-801.001	WWTP VACTOR TRUCK EXPENSE	10,000.00	593.43	5.93	
592-538-801.002	WWTP STATION CLEANING EXPENSE	10,000.00	705.36	7.05	
592-538-801.003	WWTP MANHOLE CLEANING EXPENSE	10,000.00	458.92	4.59	
592-538-801.004	WWTP SEWER LINE CLEANING EXPENSE	10,000.00	0.00	0.00	
592-538-801.005	WWTP LABORATORY FEES EXPENSE	5,000.00	3,535.68	70.71	
592-538-801.006	WWTP GIS FEES EXPENSE	5,000.00	0.00	0.00	
592-538-822.000	WWTP INSURANCE & BOND EXPENSE	20,000.00	19,953.00	99.77	Annual
592-538-850.000	WWTP TELEPHONE EXPENSE	4,500.00	2,283.56	50.75	
592-538-851.000	WWTP SCADA MONITORING EXPENSE	8,500.00	2,435.00	28.65	
592-538-920.000	WWTP ELECTRICITY EXPENSE	100,000.00	59,874.11	59.87	
592-538-922.000	WWTP NATURAL GAS EXPENSE	10,000.00	2,225.13	22.25	
592-538-930.000	WWTP PLANT EQUIPMENT REPAIR EXPENSE	50,000.00	11,677.66	23.36	
592-538-930.001	WWTP COLLECTION SYSTEM REPAIR EXPENSE	50,000.00	3,156.00	6.31	
592-538-956.000	WWTP MISCELLANEOUS EXPENSE	13,000.00	6,321.13	48.62	
592-538-962.000	WWTP MISS DIG FEES EXPENSE	3,500.00	978.62	27.96	
592-538-966.000	WWTP STATE OF MICHIGAN EXPENSE	3,500.00	1,950.00	55.71	

GL NUMBER	DESCRIPTION	2024-2025	YTD BAL	% BDGT	COMMENTS
		BUDGET	01/31/2025	USED	
592-538-969.001	WWTP BIOSOLIDS REMOVAL EXPENSE	35,000.00	33,507.00	95.73	Annual
Total Dept 538 - WWTP		745,500.00	355,954.03	47.75	
TOTAL EXPENDITURES		1,977,000.00	927,014.01	46.89	
TOTAL REVENUES		2,174,764.00	1,515,018.29		
TOTAL EXPENDITURES		1,977,000.00	927,014.01		
NET OF REVENUES & EXPENDITURES:		197,764.00	588,004.28		
TOTAL REVENUES - ALL FUNDS		4,598,061.00	3,291,257.44		
TOTAL EXPENDITURES - ALL FUNDS		4,411,684.00	2,385,156.54		
NET OF REVENUES & EXPENDITURES:		186,377.00	906,100.90		
BUDGET AMENDMENT #1					
101-447-801.000	ENGINEERING CONTRACTED SVCS EXPENSE	10,000.00	12,981.75	129.82	
*Increase ENGINEERING CONTRACTED SVCS EXPENSE FROM \$10,000 TO \$15,000 TO ACCOUNT FOR SIDEWALK PROJECT.					

FISCAL YTD LEGAL FEES

ZONING ORDINANCES

08/15/2024	INVOICE	21693	ZONING -ORDINANCE RESEARCH	\$	2,797.00
09/09/2024	INVOICE	22497	ZONING -ORDINANCE RESEARCH		6,840.00
11/05/2024	INVOICE	24045	ZONING -ORDINANCE RESEARCH		17,739.50
12/04/2024	INVOICE	24802	ZONING -ORDINANCE RESEARCH		6,264.00
01/08/2025	INVOICE	25545	ZONING -ORDINANCE RESEARCH		22,576.00
TOTAL					\$ 56,216.50

OAKLAND TACTICAL

09/09/2024	INVOICE	22498	OAKLAND TACTICAL SUPPLY LITIGATION	\$	4,935.00
10/03/2024	INVOICE	23412	OAKLAND TACTICAL SUPPLY LITIGATION		11,458.00
11/05/2024	INVOICE	24046	OAKLAND TACTICAL SUPPLY LITIGATION		15,606.50
12/04/2024	INVOICE	24804	OAKLAND TACTICAL SUPPLY LITIGATION		2,937.00
TOTAL					\$ 34,936.50

BURKHART ROAD ASSOCIATES

08/15/2024	INVOICE	21695	BURKHART ROAD ASSOCIATES (22-292-AA)	\$	55.00
09/09/2024	INVOICE	22499	BURKHART ROAD ASSOCIATES (22-292-AA)		1,108.50
10/03/2024	INVOICE	23413	BURKHART ROAD ASSOCIATES (22-292-AA)		275.00
11/05/2024	INVOICE	24044	BURKHART ROAD ASSOCIATES (22-292-AA)		1,083.00
12/04/2024	INVOICE	24803	BURKHART ROAD ASSOC.		598.50
12/04/2024	INVOICE	24805	BURKHART ROAD ASSOCIATES (22-292-AA)		3,083.00
01/08/2025	INVOICE	25547	BURKHART ROAD ASSOCIATES (22-292-AA)		3,676.50
TOTAL					\$ 9,879.50

HOWELL-MASON LITIGATION/LLC

08/15/2024	INVOICE	21696	HOWELL-MASON LITIGATION (24-32242-CZ)	\$	14,696.66
08/15/2024	INVOICE	21697	HOWELL-MASON LLC (24-350-AA)		831.50
09/09/2024	INVOICE	22501	HOWELL-MASON LLC (24-350-AA)		12,551.95
09/09/2024	INVOICE	22500	HOWELL-MASON LLC LITIGATION (24-32242-CZ)		832.50
10/03/2024	INVOICE	23414	HOWELL-MASON LLC (24-350-AA)		784.00
10/03/2024	INVOICE	23415	HOWELL-MASON LLC LITIGATION (24-32242-CZ)		2,363.50
11/05/2024	INVOICE	24043	HOWELL-MASON LLC (24-350-AA)		1,635.50
11/05/2024	INVOICE	24047	HOWELL-MASON LLC LITIGATION (24-32242-CZ)		4,081.50
12/04/2024	INVOICE	24806	HOWELL-MASON LLC LITIGATION (24-32242-CZ)		5,826.00
12/04/2024	INVOICE	24807	HOWELL-MASON LLC (24-350-AA)		5,689.50
01/08/2025	INVOICE	25549	HOWELL-MASON LLC (24-32242-CZ)		429.00
01/08/2025	INVOICE	25548	HOWELL-MASON LLC (24-350-AA)		256.50
TOTAL					\$ 49,978.11

Cash Flow Using Budgeted Revenue

Sewer & Water Fund Cash Flow												
	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25
Beg. Cash Balance	\$2,102,396	\$2,203,400	\$2,046,682	\$2,266,000	\$1,851,852	\$2,062,703	\$2,248,508	\$2,365,519	\$2,381,999	\$2,398,480	\$2,414,960	\$2,431,440
Proj./Actual Net Rev.												
592 Sewer/Water	\$101,004	(\$156,717)	\$219,318	(\$414,148)	\$210,851	\$185,805	\$117,011	\$16,480	\$16,480	\$16,480	\$16,480	\$16,480
Total Revenue	\$101,004	(\$156,717)	\$219,318	(\$414,148)	\$210,851	\$185,805	\$117,011	\$16,480	\$16,480	\$16,480	\$16,480	\$16,480
General Fund Payback												
Total Payments	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Ending Cash Balance	\$2,203,400	\$2,046,682	\$2,266,000	\$1,851,852	\$2,062,703	\$2,248,508	\$2,365,519	\$2,381,999	\$2,398,480	\$2,414,960	\$2,431,440	\$2,447,921
CD Bal \$300,000												
General Fund Cash Flow												
	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25
Beginning Balance	\$4,406,309	\$4,385,976	\$3,103,071	\$3,278,884	\$3,605,034	\$3,658,470	\$3,590,754	\$3,703,705	\$3,703,856	\$3,704,008	\$3,704,159	\$3,704,310
Proj./Actual Net. Rev.	(\$20,332)	(\$1,282,906)	\$175,813	\$326,150	\$53,436	(\$67,716)	\$112,951	\$151	\$151	\$151	\$151	\$151
Ending Cash Balance	\$4,385,976	\$3,103,071	\$3,278,884	\$3,605,034	\$3,658,470	\$3,590,754	\$3,703,705	\$3,703,856	\$3,704,008	\$3,704,159	\$3,704,310	\$3,704,462
CD Bal \$2,600,000												
Twp At-Large \$411,652												
Road Fund Cash Flow												
	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25
Beginning Balance	\$688,969	\$660,969	\$645,626	\$519,629	\$329,224	\$329,450	\$351,294	\$641,315	\$781,315	\$781,315	\$781,315	\$781,315
Proj./Actual Net. Rev.	(\$28,001)	(\$15,343)	(\$125,996)	(\$190,405)	\$226	\$21,844	\$290,022	\$140,000	\$0	\$0	\$0	\$0
Ending Cash Balance	\$660,969	\$645,626	\$519,629	\$329,224	\$329,450	\$351,294	\$641,315	\$781,315	\$781,315	\$781,315	\$781,315	\$781,315
CD Bal \$100,000												
Parks & Rec Fund Cash Flow												
	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25
Beginning Balance	\$390,469	\$359,745	\$1,559,504	\$1,559,871	\$1,529,109	\$1,527,286	\$1,528,814	\$1,708,684	\$1,708,684	\$1,708,684	\$1,708,684	\$1,708,684
Proj./Actual Net. Rev.	(\$30,724)	\$1,199,759	\$366	(\$30,762)	(\$1,822)	\$1,528	\$179,870	\$0	\$0	\$0	\$0	\$0
Ending Cash Balance	\$359,745	\$1,559,504	\$1,559,871	\$1,529,109	\$1,527,286	\$1,528,814	\$1,708,684	\$1,708,684	\$1,708,684	\$1,708,684	\$1,708,684	\$1,708,684
CD Bal \$1,200,000												
ARPA Fund Cash Flow												
	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25
Beginning Balance	\$149,280	\$149,469	\$79,571	\$79,609	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Proj./Actual Net. Rev.	\$189	(\$69,898)	\$38	(\$79,609)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Ending Cash Balance	\$149,469	\$79,571	\$79,609	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

GENERAL FUND PAYBACK					
	7/1/2024	7/1/2025	7/1/2026	7/1/2027	7/1/2028
DUE TO GENERAL FUND	\$2,010,577	\$1,619,810	\$1,219,810	\$749,810	\$349,810
PROPERTY SALES	(\$118,240)				
SPECIAL ASSESSMENT	(\$193,268)	(\$100,000)	(\$70,000)		
YEAR END TRANSFER	(\$79,259)	(\$300,000)	(\$400,000)	(\$400,000)	(\$349,810)
TOTAL DUE GF @ YEAR END	\$1,619,810	\$1,219,810	\$749,810	\$349,810	\$0

Special Assessment 2024 Winter	\$193,268.00
Special Assessment Payoffs July - Nov	\$0.00
Special Assessment Payoffs Mar - June	\$0.00
	\$193,268.00

PROJECTED

Water Fees Collected	\$676,825.00
Water Expense	\$544,727.00
	\$132,098.00
Transfer 60%	\$79,258.80
Total Transfer	\$390,766.80

Properties Left to Sell

	Sale Price	Special Assess	
Marr Rd - 73.58 Acres	\$1,344,718.00	\$979,625.00	
Tooley Rd - 22.83 Acres	\$415,140.00	\$442,775.00	
Totals	\$1,759,858.00	\$1,422,400.00	<u>\$3,182,258.00</u>

8D



Livingston County Department of Planning

January 16, 2025

Scott Barb
AICP, PEM
Director

Robert A. Stanford
AICP, PEM
Principal Planner

Martha Haglund
Principal Planner

Howell Township Board of Trustees
c/o Sue Daus, Clerk
3525 Byron Road
Howell, MI 48855

Re: Planning Commission Review of Rezoning Z-02-25.

Dear Board Members:

The Livingston County Planning Commission met on Wednesday, January 15, 2025, and reviewed the zoning map amendment referenced above. The County Planning Commissioners made the following recommendation:

Z-02-25 Approval. The proposed amendments are reasonable and should meet the needs of the Township.

Copies of the staff review and Livingston County Planning Commission meeting minutes are enclosed. Please do not hesitate to contact our office should you have any questions regarding county action.

Sincerely,

Scott Barb

Scott Barb

sb

Enclosures

c: Wayne Williams, Vice Chair, Planning Commission
Jonathan Hohenstein, Township Zoning Administrator

Meeting minutes and agendas are available at:
<http://www.livgov.com/plan/agendas.aspx>

Department Information

Administration Building
304 E. Grand River Avenue
Suite 206
Howell, MI 48843-2323

(517) 546-7555
Fax (517) 552-2347

Web Site
<http://www.livgov.com>



Livingston County Department of Planning

LIVINGSTON COUNTY PLANNING COMMISSION MEETING

Wednesday, January 15, 2025 – 6:30 p.m.

Administration Building, Board of Commissioners Chambers
304 East Grand River, Howell, MI 48843

Via Zoom (on-line meetings):

<https://zoom.us/j/3997000062?pwd=SUdLYVFFcmozWnFxbm0vcHRjWkVIZz09>

Via the Zoom app

Join a meeting, with meeting number: 399 700 0062

Enter the password: LCBOC (ensure there are no spaces before or after the password)

Meeting ID: 399 700 0062

Password: 886752

Scott Barb
AICP, PEM
Director

Robert A. Stanford
AICP
Principal Planner

Martha Haglund
AICP Candidate
Principal Planner

Please note that this is a hybrid meeting with County Planning Commissioners and staff meeting in-person. Audience participants are welcome to attend in-person or via Zoom by using the meeting link at the bottom of the agenda.

Agenda

1. Call to Order
2. Pledge of Allegiance to the Flag
3. Roll and Introduction of Guests
4. Approval of Agenda – January 15, 2025
5. Approval of Meeting Minutes – December 18, 2024
6. Call to the Public
7. Zoning Reviews
 - A. Z-01-25: Genoa Township Rezoning, Section 9, CE to ICPUD
 - B. Z-02-25: Howell Township Ordinance and Map Amendments, Multiple Sections, Wellhead Protection Overlay District
 - C. Z-03-25: Marion Township Ordinance Amendments, Article 17, Solar Energy Standards
 - D. Z-04-25: Marion Township Ordinance Amendments, Article 17, Wind Energy Standards
 - E. Z-05-25: Marion Township Ordinance Amendments, Article 17, Wind Energy Standards
9. Old Business:
10. New Business:
 - A. Livingston County Citizen Planner Training for Local Officials
11. Reports
12. Commissioners Heard and Call to the Public
13. Adjournment

Department Information

Administration Building
304 E. Grand River Avenue
Suite 206
Howell, MI 48843-2323

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(517) 546-7555
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Web Site
<https://milivcounty.gov/planning/>

DRAFT
LIVINGSTON COUNTY PLANNING COMMISSION
MEETING MINUTES

JANUARY 15, 2025

6:30 p.m.

Hybrid In-Person and Virtual Zoom Meeting

Zoom Virtual Meeting Room Meeting ID: 399-700-0062 / Password: LCBOC
<https://zoom.us/j/3997000062?pwd=SUdLYVFFcmozWnFxbm0vcHRjWkVIZz09>

PLANNING COMMISSION			
COMMISSIONERS PRESENT:	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> Bill Anderson Dennis Bowdoin Bill Call Matt Ikle </td> <td style="width: 50%; border: none;"> Margaret Burkholder Paul Funk Kevin Galbraith </td> </tr> </table>	Bill Anderson Dennis Bowdoin Bill Call Matt Ikle	Margaret Burkholder Paul Funk Kevin Galbraith
Bill Anderson Dennis Bowdoin Bill Call Matt Ikle	Margaret Burkholder Paul Funk Kevin Galbraith		
COMMISSIONERS ABSENT:			
STAFF PRESENT:	Scott Barb Rob Stanford Martha Haglund		
OTHERS PRESENT:	Bruce Powellson, Marion Township Jim Anderson, Marion Township Online: Todd Wyett, Applicant/Developer		

1. **CALL TO ORDER:** Meeting was called to order by Planning Commissioner Anderson at 6:30 PM.
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **ROLL AND INTRODUCTION OF GUESTS:** None.
4. **APPROVAL OF AGENDA:**

Commissioner Action: IT WAS MOVED BY COMMISSIONER IKLE TO APPROVE THE AGENDA DATED JANUARY 15, 2024, SECONDED BY COMMISSIONER FUNK.

All in favor, motion passed 7-0.

5. **APPROVAL OF PLANNING COMMISSION MEETING MINUTES**

Commissioner Action: IT WAS MOVED BY COMMISSIONER CALL TO APPROVE THE MINUTES, DATED DECEMBER 18, 2024, SECONDED BY COMMISSIONER BOWDOIN.

All in favor, motion passed 4-0-3.

ABSTAIN: FUNK, IKLE, GALBRAITH

6. **CALL TO THE PUBLIC:** None.

7. ZONING REVIEWS:

A. Z-01-25: GENOA TOWNSHIP, REZONING: CE COUNTRY ESTATES TO ICPUD INTERCHANGE COMMERCIAL PLANED UNIT DEVELOPMENT IN SECTION 9.

Current Zoning: CE COUNTRY ESTATES

Proposed Zoning: ICPUD INTERCHANGE COMMERCIAL PLANED UNIT DEVELOPMENT

Section: Section 9

Township Master Plan: The Genoa Master Plan Designates the parcel as Interchange Commercial in their future land use plan. The Interchange Commercial is described below:

Interchange Commercial: Rather than typical interchanges where gas stations and fast-food establishments are built piecemeal with little consideration for aesthetics, the intent of this designation is to promote planned development of these interchange commercial uses with high quality architecture. The Latson interchange is envisioned to be the premier exit for travelers along I-96: a destination where they can get out of their vehicles to walk around, dine, and shop.

- Appropriate uses include fast food, sit-down restaurants, gas stations, retail, and entertainment
- This area may be subject to design guidelines promoting walkability, increased landscaping standards, pedestrian-scale building siting and massing, and outdoor dining/ gathering.
- Very few access points: each development shall provide access connections to adjacent properties so that there may be a shared access connection to a future traffic signal.

Township Planning Commission Recommendation: Deny. The Township Planning Commission recommended to deny the rezoning at their December 9, 2024, meeting. Concerns included the rezoning not being consistent with surrounding land uses, not meeting the minimum lot requirements, and sewer access not being immediately available. Additionally, the Planning Commission found the rezoning did not meet 10.02.04: requiring the PUD site plan to provide one or more of the benefits: preservation of significant natural or historic features; complementary mixture of uses or variety of housing types; common open space for passive or active recreation use; mitigation to offset impacts; or redevelopment of nonconforming site where creative design can address unique site constraints.

Public comment included at least 13 individuals that spoke in opposition to the rezoning. Concerns centered around duplication of services, the compatibility with surrounding land uses, rezoning not meeting the qualifying conditions in the zoning ordinance, environmental concerns and expiration timeframe for the existing PUD on the west side of Latson.

Staff Recommendation: Disapproval. The proposed rezoning does not meet Qualifying Conditions for a PUD under 10.02.05 requiring all commercial PUDs to have public water and sewer and does not meet Rezoning Criteria 22.04 (5): as there is not sufficient capacity of Township infrastructure and services to accommodate the proposed uses. Additionally, staff believes there are outstanding considerations to the PUD Agreement and Utility Agreement that need to be resolved in order for everything to be reviewed together with the rezoning request. Therefore, staff concurs with the Township Planning Commission that the rezoning from Country Estates to Interchange Commercial Planned Unit Development is not appropriate at this time.

Commission Discussion: Commissioner Ikle requested clarification on the surrounding zoning and importance of following the community's master plan. Commissioner Funk inquired about sewer availability.

Public Comment: Todd Wyatt, the developer, spoke on the project and the compatibility of the proposed placement of the development.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER IKLE TO RECOMMEND APPROVAL WITH CONDITIONS, TO MEET ALL REQUIREMENTS OF THE ZONING DISTRICT, SECONDED BY COMMISSIONER BURKHOLDER.

ROLL CALL: BURKHOLDER-YES, BOWDOIN-NO, GALBRAITH-YES, CALL-NO, IKLE-YES, FUNK-NO, ANDERSON-NO

Motion FAILED 3-4.

Commissioner Action: IT WAS MOVED BY COMMISSIONER BOWDOIN TO RECOMMEND DISAPPROVAL, AS THE PROPOSED REZONING DOES NOT MEET THE REQUIREMENTS OF THE ZONING DISTRICT, SECONDED BY COMMISSIONER CALL.

ROLL CALL: BURKHOLDER-NO, BOWDOIN-YES, GALBRAITH-YES, CALL-YES, IKLE-NO, FUNK-YES, ANDERSON-YES

Motion PASSED 5-2.

B. Z-02-25: HOWELL TOWNSHIP, AMENDMENTS TO ZONING ORDINANCE ARTICLES – ARTICLE 30, WELLHEAD PROTECTION OVERLAY DISTRICT.

The Howell Township Planning Commission is proposing to create a new Wellhead Protection Overlay District that corresponds to existing wellhead protection areas in the City of Howell, and MHOG's (Marion, Howell, Oceola, and Genoa) Sewer and Water Authority wellhead protection areas.

Township Recommendation: Approval. The Howell Township Planning Commission approved the proposed amendments at their September 23, 2024, public hearing.

Staff Recommendation: Approval. The proposed amendments are reasonable and should meet the needs of the Township.

Commission Discussion: Commissioner Ikle inquired about past map boundaries of wellhead areas.

Public Comment: None.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER IKLE TO RECOMMEND APPROVAL, SECONDED BY COMMISSIONER CALL.

Motion passed: 7-0.

C. Z-03-25: MARION TOWNSHIP, AMENDMENTS TO ZONING ORDINANCE ARTICLES – SECTION 3.02 DEFINITIONS, SECTION 12.01: SFO-SOLAR FARM OVERLAY DISTRICT, SECTION 17.35 UTILITY-SCALE SOLAR ENERGY FACILITIES.

The Marion Township Planning Commission proposes amendments to Section 3.02 Definitions, Section 12.01: Solar Farm Overlay District, and a completely new Section 17.35 Utility-Scale Solar Energy Facilities.

Township Recommendation: Approval. The Marion Township Planning Commission recommended Approval of this zoning amendment at its December 17, 2024, public hearing. There were two public comments made regarding a possible recent lease agreement a resident had made with a solar company to lease seven acres of their property for battery storage.

Staff Recommendation: Take No Action, Encourage Further Review. The proposed amendments are voluminous, but portions appear to be generally compliant with CREO requirements as stated in the Michigan Public Service Commission (MPSC) Order dated October 10, 2024, and Michigan Public Act 233 of 2023 at this time (PSC Case No. U-21547). Those specifically being proposed Section 17.35 (I)(1) through Section 17.35 (I)(9).

It's very important to note that, as stipulated by the state law, PA 233, no local ordinance provision or requirement can be stricter than the State regulations (Section 226 (8)). Wind and solar energy facilities that generate less energy than the limits described in the bill are still subject to local zoning.

There are many key elements as highlighted in the review that have remaining questions and clarifications which should be addressed before any final approval is given by the township. In addition, Staff would highly recommend that the township carefully consider all Staff comments noted throughout the review before proceeding with any final approval of the proposed amendments by the township as well. Staff would also highly recommend that the township forward this set of proposed amendments to its legal counsel for a thorough review prior to any final approval by the Township Board.

In general, the voluminous nature of the ordinance and its complexity regarding the vast amount of additional required elements contained within also could pose unintended regulatory hurdles to the township in its ability to rely on this as a "reasonable", "workable", or even enforceable ordinance in a practical sense of the terms. This remains to be seen, if and when a renewable energy applicant approaches the township in the future. Administering, overseeing, and most importantly, enforcing compliance with an ordinance, especially one of such magnitude, will be an extraordinarily challenging task for any township zoning official to efficiently and effectively manage. The ability to practically and effectively enforce a local ordinance is the most important aspect of land use regulation, regardless of an ordinance's scale and context.

Due to recent class action litigation that has been filed at the Michigan State Court of Appeals challenging the MPSC Order (case filed on November 8, 2024), County Planning is unsure as to how this litigation will affect those orders, and ultimately PA 233 of 2023. We recommend that communities like Marion Township exercise a cautious approach with regard to local renewable energy regulation while the MPSC Order is being legally challenged and evaluated.

Commission Discussion: Commissioner Ikle stated the proposed language is more stringent than PA 233 requires. Commissioner Bowdoin believes annual training should be detailed in the amendments along with the Township listed as an insured party on the insurance certificate. Commissioner Call stated the amendments should include escrow to pay for drain inspections.

Public Comment: None

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER IKLE TO RECOMMEND TAKE NO ACTION, ENCOURAGE FURTHER REVIEW, SECONDED BY COMMISSIONER FUNK.

Motion passed: 7-0.

D. Z-04-25: MARION TOWNSHIP, AMENDMENTS TO ZONING ORDINANCE ARTICLES – SECTION 3.02 DEFINITIONS, SECTION 17.37 UTILITY-SCALE WIND ENERGY CONVERSION FACILITIES.

The Marion Township Planning Commission proposes amendments to Section 3.02 Definitions, and a completely new Section 17.37 Utility-Scale Wind Energy Conversion Facilities.

Township Recommendation: Approval. The Marion Township Planning Commission recommended Approval of this zoning amendment at its December 17, 2024, public hearing. There were two public comments made regarding a possible recent lease agreement a resident had made with a solar company to lease seven acres of their property for battery storage.

Staff Recommendation: Take No Action, Encourage Further Review. The proposed amendments are voluminous, but portions appear to be generally compliant with CREO requirements as stated in the Michigan Public Service Commission (MPSC) Order dated October 10, 2024, and Michigan Public Act 233 of 2023 at this time (PSC Case No. U-21547). Those specifically being proposed Section 17.37 (I)(2) through Section 17.37 (I)(7). Section 17.37(I)(1) should be revised to comply with the regulations of PA 233 as highlighted in the review.

It's very important to note that, as stipulated by the state law, PA 233, no local ordinance provision or requirement can be stricter than the State regulations (Section 226 (8)). Wind and solar energy facilities that generate less energy than the limits described in the bill are still subject to local zoning.

There are many key elements as highlighted in the review that have remaining questions and clarifications which should be addressed before any final approval is given by the township. In addition, Staff would highly recommend that the township carefully consider all Staff comments noted throughout the review before proceeding with any final approval of the proposed amendments by the township as well. Staff would also highly recommend that the township forward this set of proposed amendments to its legal counsel for a thorough review prior to any final approval by the Township Board.

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Due to recent class action litigation that has been filed at the Michigan State Court of Appeals challenging the MPSC Order (case filed on November 8, 2024), County Planning is unsure as to how this litigation will affect those orders, and ultimately PA 233 of 2023. We recommend that communities like Marion Township exercise a cautious approach with regard to local renewable energy regulation while the MPSC Order is being legally challenged and evaluated.

Commission Discussion: Commissioner Funk commented on the staff's review being thorough and he encourages the township to review staff's comments.

Public Comment: Jim Anderson, Marion Township Planning Commission, spoke on incorporating comments from review.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER FUNK TO RECOMMEND TAKE NO ACTION, ENCOURAGE FURTHER REVIEW, SECONDED BY COMMISSIONER IKLE.

Motion passed: 7-0.

E. Z-05-25: MARION TOWNSHIP, AMENDMENTS TO ZONING ORDINANCE ARTICLES – SECTION 3.02 DEFINITIONS, SECTION 17.38 UTILITY-SCALE BATTERY ENERGY STORAGE FACILITIES.

The Marion Township Planning Commission proposes amendments to Section 3.02 Definitions and a completely new Section 17.38 Utility-Scale Battery Energy Storage Facilities.

Township Recommendation: Approval. The Marion Township Planning Commission recommended Approval of this zoning amendment at its December 17, 2024, public hearing. There were two public comments made regarding a possible recent lease agreement a resident had made with a solar company to lease seven acres of their property for battery storage.

Staff Recommendation: Take No Action, Encourage Further Review. The proposed amendments are voluminous, but portions appear to be generally compliant with CREO requirements as stated in the Michigan Public Service Commission (MPSC) Order dated October 10, 2024, and Michigan Public Act 233 of 2023 at this time (PSC Case No. U-21547). Those specifically being proposed Section 17.38 (I)(1) through Section 17.38 (I)(9).

It's very important to note that, as stipulated by the state law, PA 233, no local ordinance provision or requirement can be stricter than the State regulations (Section 226 (8)). Wind, solar and battery energy storage facilities that generate less energy than the limits described in the bill are still subject to local zoning.

There are many key elements as highlighted in the review that have remaining questions and clarifications which should be addressed before any final approval is given by the township. In addition, Staff would highly recommend that the township carefully consider all Staff comments noted throughout the review before proceeding with any final approval of the proposed amendments by the township as well. Staff would also highly recommend that the township forward this set of proposed amendments to its legal counsel for a thorough review prior to any final approval by the Township Board.

In general, the voluminous nature of the ordinance and its complexity regarding the vast amount of additional required elements contained within also could pose unintended regulatory hurdles to the township in its ability to rely on this as a "reasonable", "workable", or even enforceable ordinance in a practical sense of the terms. This remains to be seen, if and when a renewable energy applicant approaches the township in the future. Administering, overseeing, and most importantly, enforcing compliance with an ordinance, especially one of such magnitude, will be an extraordinarily challenging task for any township zoning official to efficiently and effectively manage. The ability to practically and effectively enforce a local ordinance is the most important aspect of land use regulation, regardless of an ordinance's scale and context.

Due to recent class action litigation that has been filed at the Michigan State Court of Appeals challenging the MPSC Order (case filed on November 8, 2024), County Planning is unsure as to how this litigation will affect those orders, and ultimately PA 233 of 2023. We recommend that communities like Marion Township exercise a cautious approach with regard to local renewable energy regulation while the MPSC Order is being legally challenged and evaluated.

Commission Discussion: Commissioner Ikle commented that the performance guarantee should detail what type of performance guarantee.

Public Comment: None.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER CALL TO RECOMMEND TAKE NO ACTION, ENCOURAGE FURTHER REVIEW, SECONDED BY COMMISSIONER BOWDOIN.

Motion passed: 7-0.

8. **OLD BUSINESS:** None.

9. **NEW BUSINESS:**

A. **Livingston County Citizen Planner Training for Local Officials:** A brief description of the upcoming training was provided to the planning commissioners.

10. **REPORTS:** None.

11. **COMMISSIONERS HEARD AND CALL TO THE PUBLIC:** None.

12. ADJOURNMENT:

Commissioner Action: IT WAS MOVED BY COMMISSIONER CALL TO ADJOURN THE MEETING AT 8:30 PM, SECONDED BY COMMISSIONER BURKHOLDER.

Motion passed: 7-0.

DRAFT



Livingston County Department of Planning

MEMORANDUM

TO: Livingston County Planning Commission and the Howell Township Board of Trustees

FROM: Scott Barb

DATE: January 8, 2025

SUBJECT: Z-02-25 Amendments to the Zoning Ordinance: Article 30, Wellhead Protection Overlay District.

Scott Barb
AICP, PEM
Director

Robert A. Stanford
AICP
Principal Planner

Martha Haglund
AICP Candidate
Principal Planner

The Howell Township Planning Commission is proposing to create a new Wellhead Protection Overlay District that corresponds to existing wellhead protection areas in the City of Howell, and MHOG's (Marion, Howell, Oceola, and Genoa) Sewer and Water Authority wellhead protection areas. Staff has reviewed the proposed amendments for accuracy and compatibility with the existing ordinance language and map and offers the following summary for your review. Staff comments are written in *italics and underlined*, and the new ordinance will be evaluated by section.

Section 1 Statement of Purpose

This section establishes the purpose of the new article. The Wellhead Protection District is being created in accordance with MHOG Wellhead Protection Plans. The overlay district has also been created in conjunction with the City of Howell and Marion Township Wellhead Protection Plans.

Section 2 Definitions

The definitions section of the proposed amendments is compatible with the Michigan Department of Environment, Great Lakes, and Energy Drinking Water and Environmental Health Division guidelines established in March 2020. Noteworthy additions include:

1. The addition of Hazardous Materials as defined in the NFPA 1, the International Fire Code Council, and categorized as a hazardous material under 49 CFR 172.101.
2. A new map illustrating the Wellhead Protection Area (included with this review).

Section 3 Scope of Authority

The ultimate authority of the Wellhead Protection Overlay District is that the district will impose a set of requirements in addition to those of the underlying zoning district. If there is a conflict between the requirements of the districts, the requirements of the Wellhead Protection Overlay District shall prevail.

Section 4 Creation of Overlay District Boundaries

Wellhead Protection Overlay District boundaries shall be established on the official Howell Township Zoning Map. The Overlay District boundaries may be amended according to the Zoning Ordinance procedures in Article XXIII.

Department Information

Administration Building
304 E. Grand River Avenue
Suite 206
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(517) 546-7555
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Web Site
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Section 5 District Delineation

The Wellhead Protection Overlay District will include all lands within Howell Township that lie within the boundaries of the City of Howell's or MHOGS Wellhead Protection Areas, including recharge areas of groundwater aquifers and watershed areas that lie within the wellhead protection area which may provide for future water supply. If there are disputes regarding boundaries of parcels in the district, the burden of proof will be upon the property owners. Additionally, the Township may engage the services of qualified professionals to determine a more accurate location of wellhead protection boundaries for individual parcels.

Section 6 Site Plan Review Requirements

This section of the proposed ordinance requires all proposed new or expanded structures or uses within the Wellhead Protection Overlay District to conform to the site plan review requirements in Article 20 of the Township Ordinance. Furthermore, all uses and activities existing prior to approval of the Wellhead Protection Overlay District must conform to the site plan review requirements listed in the ordinance. Single family uses are not subject to these specific requirements.

The section also requires a township determination of no hazard that is granted by the planning commission to determine that any uses within the boundaries of the district are not detrimental to the Townships Wellhead Protection Area. This determination includes consultation with the township engineer, MHOOG, and any other consultants necessary to make the determination.

Section 7 Data Requirements

The Township is requiring the following data to be submitted for site plan review:

- A. List of regulated Substances: A complete list of chemicals, pesticides, fuels and other Regulated Substances to be used or stored on the premises. These facilities shall file a management plan with the Fire Chief.
 1. Provisions to protect against the discharge of Regulated Substances or wastes to the environment due to spillage, accidental damage, corrosion, leakage, or vandalism including spill containment and clean up procedures.
 2. Provisions for indoor secured storage of Regulated Substances and wastes with impervious floor surfaces.
 3. Evidence of compliance with the rules and regulations of the Michigan Department of Environment Great Lakes and Energy (EGLE).
 4. Drainage recharge features and provisions to prevent loss of recharge.
 5. Provisions to control soil erosion and sedimentation, soil compaction, and to prevent seepage from sewer pipes.
- B. Service Facilities and Structures: Location of existing and proposed service facilities and structures, above and below ground, including:
 1. General location of the site within the Wellhead Protection Overlay District.
 2. Areas to be used for the storage, loading/unloading, recycling, or disposal of Regulated Substances including interior and exterior areas.
 3. Underground Storage Tank locations.
 4. Location of exterior drains, dry wells, catch basins, retention/detention areas, sumps, and other facilities designed to collect, store or transport storm water or wastewater. The point of discharge for all drains and pipes shall be specified on the site plan.
- C. Water Resources: Location of existing wetlands and watercourses, including ponds and streams on or within a quarter mile of the site.
- D. Soils: Soil characteristics of the site.

- E. Topography: Existing topography of the site with maximum contour intervals of 2 feet.
- F. Existing Contamination: Delineation of areas on the site that are known or suspected to be contaminated.
- G. Environmental Checklist: Completion of EGLE checklist indicating types of environmental permits and approvals that may be needed for the project.

Section 8 Permitted Principal Uses

Permitted principal uses allowed per this section include:

- A. Single Family Residential uses.
- B. Residential accessory uses, including garages, driveways, private roads, utility rights-of-way, and on-site wastewater disposal systems (septic systems).
- C. Agricultural uses such as farming, grazing, and horticulture.
- D. Forestry and nursery use.
- E. Outdoor recreation uses.
- F. Conservation of water, plants, and wildlife, including a wildlife management plan.
- G. Any of the above uses may include a subordinate use of Regulated Substances upon a final determination by a qualified professional that such use is not detrimental:
 - 1. Classification of the Regulated Substance under 49 CFR 172.01. This list includes materials, components, form, pressurized liquid, maximum quantity, and type of storage container.
 - 2. Amount of Regulated Substance proposed to be contained on the property.
 - 3. Whether Regulated Substances for use in motor vehicles will be used solely for the operation of such vehicles.
 - 4. Whether the Regulated Substances storage and use is proposed for on-site air cooling or household appliances.

Section 9 Special Uses

The following uses may be permitted if allowed in the underlying zoning district subject to conditions specified for each use, review and recommendation by the Planning Commission, and approval by the Township Board, and subject further to any special conditions necessary to fulfill the purposes of this Ordinance.

- A. Commercial, industrial, governmental, or educational uses that are allowed in underlying districts.
- B. Any enlargement, intensification, alteration, or change of use that complies with this article.
- C. The rendering impervious of more than fifteen percent or 2,500 sq. ft. of any parcel, whichever is less, if allowed in the underlying zoning district, provided a system for artificial recharge groundwater is developed.
- D. Mining or excavation that is less than 5 feet above the historical high-water table. Altered areas must be restored.

- E. Fertilizers, pesticides, herbicides, lawn care materials, or other leachable materials provided that such materials are stored in accordance with manufacturer's labels as approved by the U.S. Environmental Protection Agency.
- F. The storage of chemical fertilizers and soil conditioners provided such storage shall be within structures designed to prevent the generation and escape of contaminated leachate.
- G. Regulated Substances that have been cleared of any detrimental effects.

Section 10 Conditions

This section requires special uses to be compliant with Section 9 and in no way affect water quality or quantity, avoid soil disturbance, and maintain the natural topography and characteristics of a site. The Township Board may require documentation to ensure compliance with this section.

Section 11 Prohibited Uses

The following uses are prohibited in the Wellhead Protection Overlay District:

- A. Business and industrial uses that utilize Regulated Substances including metal plating, chemical manufacturing, wood preservation, and dry-cleaning facilities. Generators of less than 6 gallons of Regulated Substances per month and EGLE approved facilities are not subject to these standards.
- B. Business and industrial uses that dispose of processed wastewater on-site.
- C. Solid waste landfills, dumps, landfilling, spreading or storage of sludge or septage, except for disposal of brush or stumps.
- D. Storage of petroleum products of any kind except for:
 - 1. Storage that is incidental to normal household use and outdoor maintenance or the heating of the structure
 - 2. Use of emergency generators.
 - 3. Treatment facilities or operations designed for the treatment of contaminated groundwater provided the facilities have been approved by EGLE.
 - 4. Replacement of storage tanks and systems for keeping and dispensing of gasoline that existed at the time of this article are provided that EGLE has approved the location and containment system. The Fire Chief may deny an application for tank replacement or approve based on potential danger to public or private water supplies.
- E. Outdoor storage of salt, de-icing materials, pesticides, or herbicides and outside storage of Regulated Materials.
- F. Dumping or disposal on the ground, in water bodies, or in residential septic systems of any toxic chemical, including, but not limited to septic system cleaners which contain toxic chemicals such as methylene chloride and 1-1-1 trichloroethane, or other Regulated Substances.
- G. Stockpiling and disposal of snow or ice removed from highways and streets located outside of the Wellhead Protection Overlay District that contains sodium chloride, calcium chloride, chemically treated abrasives, or other chemicals used for snow and ice removal.
- H. Sewage disposal systems that are designed to receive more than 110 gallons of sewage per quarter acre per day or 440 gallons of sewage per acre per day, whichever is greater, provided that:

- a. The replacement or repair of an existing system shall be exempted if it does not result in an increase in design capacity above the original design.
 - b. In addition to meeting the above standards, all lots shall conform to any applicable minimum lot size requirements specified in Article III, Section 3.17 of the Zoning Ordinance.
 - c. Any public utility owned and operated by Howell Township or owned by such entity and operated by any lessee or agent thereof, shall be exempted.
- I. Wastewater treatment facilities or operations, except for the following:
- a. The replacement or repair of an existing system will not result in a design capacity greater than the design capacity of an existing system.
 - b. The replacement of an existing subsurface sewage disposal system with wastewater treatment facilities or operations will not result in a design capacity greater than the design capacity of the existing system.
 - c. Treatment facilities or operations designed for the treatment of contaminated ground or surface waters.
 - d. Any public utility owned and operated by Howell Township or owned by such entity and operated by a lessee or agent thereof, shall be exempted.
- J. Prohibited uses include all uses not expressly authorized in Section 8 and 9 of this Article.

Section 12 Miscellaneous Requirements

The following requirements will apply to all uses within the Wellhead Protection Overlay District:

- A. Drainage: For commercial and industrial uses, run-off from impervious surfaces is not allowed to be discharged directly to drains, streams, ponds, or other surface water bodies. Oil and sediment traps will be required to facilitate removal of contamination. Any forebays, or sediment traps will be required to adhere to the Township Engineering Design Standards.
- B. Discharge of Regulated Substances: The property owner is required to prevent discharge of regulated substances.
 - 1. Upon discovery of a discharge within the Wellhead Protection Overlay District, the owner of any property on which the discharge occurred and the responsible party, shall take reasonable steps to mitigate the potential impacts of the discharge on the groundwater and remediate the discharge in a manner that is consistent with applicable laws. Any waste generated during the remediation process must be managed in accordance with all applicable laws. Storage of any of these materials must have approval of the Township Supervisor or their designee.
 - 2. All discharges shall be documented in writing and mailed to the Township Supervisor or his/her designee within ten (10) business days of said incident and include the following at a minimum:
 - a. Location of discharge
 - b. Reporting party's name and information
 - c. Emergency contact information
 - d. Description of the incident
 - e. Map showing discharge location and site features
 - f. All measures taken to clean up discharge
 - g. Proposed measures to reduce any future discharge
 - 3. The Township Supervisor or his/her designee shall determine if and where any additional investigative work needs to be completed or assessed.

C. Well Abandonment: All public and private wells must be abandoned at time of replacement or hook up to public/municipal water supply and in accordance with the Livingston County Health Department and the Michigan Department of Environmental Quality.

Section 13 Enforcement

The enforcement section requires a notice of violation to be sent to the responsible party of any incident by the Township Supervisor or designee and requires abatement of the violation including restoration of the site. Failure to remediate would result in expenses being charged to the responsible party.

Section 14 Variance/Appeal Rights

This section references how applicants may seek variances from the requirements through the Howell Township Zoning Board of Appeals. Any decision of the ZBA that is not accepted by an applicant is subject to appeal with written notice to the Livingston County Circuit Court.

Section 15 Abatement/Remedial Activities by the Township

This section allows the Township to implement abatement activities if there is a violation of the Ordinance. If a party does not correct the violation, the Township has authority to begin abatement activities and charge the property owner for recovery of expenses.

Section 16 Injunctive Relief

Anyone who violates the provisions of the Ordinance may be petitioned for injunctive relief by the Township.

Section 17 Violations Deemed a Public Nuisance

Any threat to the public safety, health, or welfare may be summarily abated or restored at the violator's expense, including issuance of a civil infraction.

Section 18 Criminal Prosecution

Any violation of this Ordinance is a misdemeanor and punishable by a fine not to exceed \$500 or imprisonment of not more than 90 days. Each day the violation exists shall be deemed a separate violation. Citations may be issued by the Township Supervisor or their designee.

Section 19 Remedies Not Exclusive

Any remedies listed in this Ordinance are not exclusive of any other remedies available under any applicable federal, state, or local law and it is within the discretion of the Department to seek cumulative remedies.

Staff comments: The Wellhead Protection Overlay District that is proposed by the Township is voluntary and is implemented at the local level through coordination between township, county, regional, and state agencies. While the program and district are voluntary, the Township is required to develop a program that is consistent with the guidelines established by the Michigan Department of Environmental Quality. Local wellhead protection districts should adhere to the following seven (7) practices:

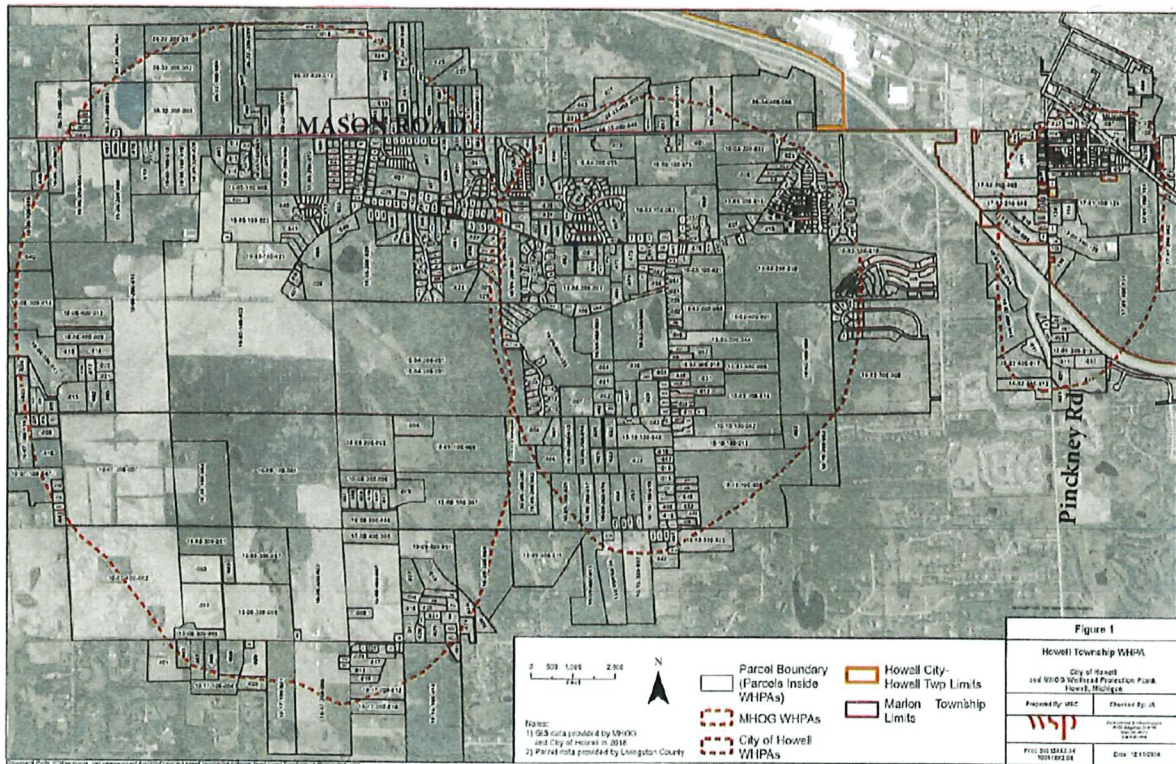
1. Individual roles and responsibilities should be designated in the plan.
2. The wellhead protection areas should be clearly defined within the plan with the use of maps or other guides.
3. Potential sources of contamination should be identified within the wellhead protection areas and inventoried for response purposes.
4. A management plan or program to keep sources of contamination from reaching any public water supply.
5. Contingency plans for any potential emergencies and how it would be handled.

6. Existing inventories of new wells and water supplies.
7. Any public outreach measures needed to provide the public with information on the wellhead protection program and weather individual properties are located within the wellhead protection areas.

Individual communities are allowed to tailor their programs to meet their individual needs, but tenets of the above information should be included to ensure compliance with state guidelines. The proposed Ordinance loosely meets the required information and should be sufficient for the needs of the Township. It is noted that the Township is relying on existing district boundaries of other wellhead protection areas and that those boundaries can change from time to time, especially if contamination should occur. For this reason, the Wellhead Protection Overlay District will need to be evaluated regularly to ensure district boundaries do not change.

TOWNSHIP PLANNING COMMISSION RECOMMENDATION: APPROVAL. The Howell Township Planning Commission approved the proposed amendments at their September 23, 2024, public hearing.

RECOMMENDATION: APPROVAL. The proposed amendments are reasonable and should meet the needs of the Township.



ARTICLE ~~XXX~~ _____
WELLHEAD PROTECTION OVERLAY DISTRICT

**Howell Township Zoning Ordinance
Livingston County, Michigan**

Draft Date 12/11/24/25

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Draft Date 12/11/24

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WELLHEAD PROTECTION OVERLAY DISTRICT

Section 1 – STATEMENT OF PURPOSE

The purpose of the Wellhead Protection Overlay District is to provide supplemental developmental regulations in the designated wellhead protection zone so as to protect and preserve the surface and groundwater resources of Howell Township and the region from any ~~use of land or buildings~~ use structures and/or construction that may reduce the quality and/or quantity of water resources or pose a risk to drinking water. This Wellhead Protection Overlay District has been created in accordance with both the City of Howell’s and ~~Marion~~, Marion, Oceola & Genoa Sewer and Water Authority’s (MHOG) **Wellhead Protection Plans** drafted by ~~Wood~~ WSP USA Environment & Infrastructure Solutions, Inc. (~~Wood~~ WSP). This Wellhead Protection Overlay District was also created in conjunction with the City of Howell and Marion Township.

Section 2 – DEFINITIONS

As used in this Article, the following words and terms shall have the meaning specified, unless the context clearly indicates otherwise.

Aquifer. A geologic formation composed of rock or sand and gravel that contain ~~significant~~ amounts of potentially recoverable potable water.

Best Management Practices. Measures, either managerial or structural, that is determined to be the most effective, practical means of preventing or reducing pollution inputs to soils, surface water and ground water.

Contamination. The process of making impure, unclean, inferior, or unfit for use by the introduction of undesirable elements through the release of a hazardous substance, or the potential release of a discarded hazardous ~~or other~~ substance, in a quantity which is or may become injurious to the environment, or to the public health, safety, or welfare.

Contingency Plans. Detailed plans for control, containment, recovery, and clean up of hazardous materials released during fires, equipment failures, leaks and spills.

Development. The carrying out of any construction, reconstruction, alteration of the ground surface or structure or change of land use or intensity of use.

Discharge. Discharge includes, but is not limited to, any spilling, leaking, seeping, pouring, misapplying, emitting, emptying or dumping of any pollutants prohibited by law or regulation, which affects surface water and/or groundwater.

Facility. Any building, structure, or installation from which there may be a discharge of hazardous substances.

Hazardous Materials. A material which is defined in one or more of the following categories:

- A. **Ignitable:** A gas, liquid or solid which may cause fires through friction, absorption of moisture, or which has low flash points. Examples: white phosphorous and gasoline.

B. Carcinogenic: A gas, liquid or solid, which is normally considered to be cancer causing. Examples: PCBs in some waste oils.

C. Explosive: A reactive gas, liquid or solid which will vigorously and energetically react uncontrollably if exposed to heat, shock, pressure or combinations thereof. Examples: dynamite, organic peroxides and ammonium nitrate.

D. Highly Toxic: A gas, liquid or solid so dangerous to humans as to afford an unusual hazard to life. Examples: parathion and chlorine gas.

E. Moderately Toxic: A gas, liquid or solid, which through repeated exposure or in a single large dose can be hazardous to humans. Example: atrazine.

F. Corrosive: Any material, whether acid or alkaline, which will cause severe damage to human tissue, or in case of leakage might damage or destroy other containers of hazardous materials and cause the release of their contents. Examples: battery acid and phosphoric acid.

Impervious Surface. Materials or structures on or above the ground that do not allow precipitation to infiltrate the underlying soil.

Overlay District. That area of the Township in which special requirements and restrictions are applied to land uses and activities to eliminate or minimize contamination of the ~~aquifers~~aquifer(s) supplying the City of Howell's ~~and~~municipal water wells, MHOG's municipal water wells-, or other future wells, municipal or otherwise.

Primary Containment Facility. A tank, pit, container, pipe, or vessel of first containment of a hazardous substance or material.

Regulated Substances. A chemical or other material, which is or may become injurious to the public health, safety, or welfare, or the environment and shall include: 1. Substances for which there ~~is a material~~are safety data ~~sheet~~(MSDS)sheets (SDSs), as established by the United States Occupational Safety and Health Administration, and the ~~MSDS~~SDS cites possible health hazards for said substance; 2. Hazardous Waste, as defined by the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended, and as defined in Part III (Section 324.11103) of the Natural Resources and Environmental Protection Act, 1994 P.A. 451, as amended; 3. Hazardous Substance, as defined by the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) when the hazardous substance is the focus of remedial or removal action being conducted under CERCLA in accordance with the U.S. EPA regulations; 4. Radiological materials; 5. Biohazards; 6. "Hazardous Materials" as defined in the NFPA 1, the International Fire Code Council, and categorized as a hazardous material under 49 CFR 172.101; and 7. "petroleum" as defined in Part 213 (Section 324.21303) of the Natural Resources and Environmental Protection Act, 1994 P.A.451, as amended.

Secondary Containment Facility. A second tank, catchment, pit, pipe, or vessel that limits and contains liquid or chemical leaking or leaching from a primary containment area.

Storage of Petroleum Products. Bulk petroleum products such as gasoline and fuel oils, natural gas; mixed, manufactured, or liquified petroleum; waste oil and other petroleum fuels in above ground or below ground storage containers and tanks.

Wellhead Protection Area. The surface and subsurface area surrounding a public water supply well or well field through which contaminants, if discharged, are reasonably likely to move toward and reach the well or the well field. This area is also known as the zone of contribution (ZOC) which contributes groundwater to the well or well field. The Wellhead Protection ~~Area~~Areas for the City of Howell and MHOG are present in areas of the Township, and the boundaries of such are specifically set forth in Figure 1 attached to this Ordinance.

Section 3 – SCOPE OF AUTHORITY

The Wellhead Protection Overlay District is a mapped zoning district that imposes a set of requirements in addition to those of the underlying zoning district. In an area where an overlay district is established, the property is placed simultaneously in the two districts, and the property may be developed only under the applicable conditions and requirements of both districts. In the event there is a conflict between the requirements of the two districts, the requirements of the Wellhead Protection Overlay District shall prevail.

Section 4 – CREATION OF OVERLAY DISTRICT BOUNDARIES

The Wellhead Protection Overlay District boundaries shall be established on the official Township Zoning Map. The Overlay District boundaries may be amended according to the Zoning Ordinance procedures in Article XXIII.

Section 5 – DISTRICT DELINEATION

- A. The Wellhead Protection Overlay District is hereby established to include all lands within Howell Township, lying within the City of Howell’s or MHOG’s Wellhead Protection Areas, including recharge areas of groundwater aquifers and watershed areas that lie within the wellhead protection area which now or may in the future provide public water supply. If the wellhead protection area includes a portion of the parcel, the entire parcel shall be considered to be within the wellhead protection area. This area is set forth in Figure 1, and may thereafter be amended.
- B. Where the boundaries delineated are in doubt or in dispute, the burden of proof shall be upon the owner(s) of the land in question to show whether the property should be located in the District. At the request of the owner(s), the Township may engage the services of a qualified professional to determine more accurately the location and extent of an aquifer within the wellhead protection area. The Township shall charge the owner(s) for all or a part of the investigation. The Owner shall place the funds necessary into an escrow account at the Township to cover the necessary fees of the qualified professional. Such dispute shall be presented as an interpretation/appeal to the Zoning Board of Appeals.

Section 6 – SITE PLAN REVIEW REQUIREMENTS

- A. **New or Expanded Uses and Structures.** All proposed new or expanded structures or uses within the Wellhead Protection Overlay District, except single family uses, shall be subject to site plan review, pursuant to Article XX, Section 20.06.
- B. **Existing Uses and Structures.** All land uses and activities existing prior to approval of the Wellhead Protection Overlay District must conform to the site plan review standards in this Article with respect to any new, expanded, or amendments to any approvals existing prior to adoption of the Wellhead Protection Overlay Ordinance.

- C. **Township Determination of No Hazard.** All new or expanded structures or uses subject to site plan review and special land use review shall be subject to a separate determination by the zoning body with authority to approve or deny the zoning request sought that the use of hazardous materials with any permitted use is not detrimental and does not have the potential to be detrimental to the Township's Wellhead Protection Area. Such determination will include consultation with the Township's engineer, MHOG, City of Howell, and any additional consultants with necessary subject matter expertise to assist the zoning body with authority to make such a determination.

Section 7 – DATA REQUIREMENTS

The following data are required for site plan review in the Wellhead Protection Overlay District, in addition to the information required by Article XX, Section 20.06.

A. **List of Regulated Substances.** A complete list of chemicals, pesticides, fuels, and other Regulated Substances to be used or stored on the premises. Businesses that use or store such Regulated Substances shall file a management plan with the Fire Chief. The management plan shall include the following, at minimum:

1. Provisions to protect against the discharge of Regulated Substances or wastes to the environment due to spillage, accidental damage, corrosion, leakage or vandalism, including spill containment and clean-up procedures.
2. Provisions for indoor, secured storage of Regulated Substances and wastes with impervious floor surfaces.
3. Evidence of compliance with the rules and regulations of the Michigan Department of the Environment, Great Lakes, and Energy (EGLE).
- ~~3.4.~~ Drainage recharge features and provisions to prevent loss of recharge.
- ~~4.5.~~ Provisions to control soil erosion and sedimentation, soil compaction, and to prevent seepage from sewer pipes.
- ~~5.6.~~ ~~Material~~ Safety Data Sheets.

A.B. **Service Facilities and Structures.** Location of existing and proposed service facilities and structures, above and below ground, including:

1. General location of the site within the Wellhead Protection Overlay District.
2. Areas to be used for the storage, loading/unloading, recycling, or disposal of Regulated Substances, including interior and exterior areas.
3. Underground storage tank locations.
4. Location of exterior drains, dry wells, catch basins, retention/detention areas, sumps and other facilities designed to collect, store or transport storm water or wastewater. The point of discharge for all drains and pipes shall be specified on the site plan.

B.C. **Water Resources.** Location of existing wetlands and watercourses, including ponds and streams on or within a quarter mile of the site.

~~C.D.~~ D.E. **Soils.** Soil characteristics of the site, at least to the detail provided by the Natural Resources Conservation Service.

~~D.E.~~ E.F. **Topography.** Existing topography of the site, with a maximum contour interval of two (2) feet.

~~E.F.~~ F.G. **Existing Contamination.** Delineation of areas on the site that are known or suspected to be contaminated, together with a report on the status of site clean-up.

~~F.G.~~ G.H. **Environmental Checklist.** Completion of the EGLE checklist or similar list, indicating the types of environmental permits and approvals that may be needed for the project.

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Section 8 – PERMITTED PRINCIPAL USES

The following uses shall be permitted in the Wellhead Protection Overlay District if permitted in the underlying zoning district, provided they comply with all applicable restrictions and standards specified in this Article:

- A. Single family residential uses.
- B. Residential accessory uses, including garages, driveways, private roads, utility rights-of-way, and on-site wastewater disposal systems (i.e., septic systems).
- C. Agricultural uses such as farming, grazing, and horticulture.
- D. Forestry and nursery uses.
- E. Outdoor recreation uses, including fishing, boating, and play areas.
- F. Conservation of water, plants, and wildlife, including wildlife management areas.
- G. Any of the above uses may include the subordinate use of Regulated Substances upon a final determination by a qualified professional that such Regulated Substances ~~is~~are not detrimental and does not have the potential to be detrimental to the Township's Wellhead Protection Area after consideration of the following standards with adequate data, information and evidence provided by the applicant:
 1. Classification of the Regulated Substance under 49 CFR 172.101. The list shall include common name (trade name) of materials, chemical name (components), form (liquid, pressurized liquid, solid, gas, pressurized gas, etc.), maximum quantity on hand at any one time, and type of storage containers (above ground tank, underground tank, drums, cylinders, metal container, wooded or composition container, portable tank, etc.).
 - ~~2.~~ Amount of the Regulated Substance proposed to be contained on the property.
 - ~~2.3.~~ Whether Regulated Substances for use in a motor vehicle will be used solely for the operation of a vehicle.
 - ~~3.4.~~ Whether the Regulated Substance's storage and use is proposed for on-site air cooling or household appliances.
 - ~~4.5.~~ Whether the Regulated Substance will be harmonious with and in accordance with the general objectives, intent and purposes of this Ordinance in terms of their uses, activities, processes, materials, equipment and conditions of operation, that will not be detrimental to the Wellhead Protection Area.

Section 9 – SPECIAL USES

The following uses may be permitted if allowed in the underlying zoning district subject to conditions specified for each use, review and recommendation by the Planning Commission and approval by the Township Board, and subject further to any special conditions that are necessary to fulfill the purposes of this Ordinance, and the provisions set forth in Article XVI:

- A. Commercial, industrial, governmental or education uses which are allowed in the underlying district, and which are not prohibited in Section 11.
- B. Any enlargement, intensification, alteration, or change of use of an existing commercial, industrial, governmental or education use that complies with this Article.
- C. The rendering impervious of more than fifteen percent (15%) or 2,500 sq. ft. of any parcel, whichever is less, if allowed in the underlying zoning district, provided that a system for artificial recharge of precipitation to groundwater is developed, which shall not result in degradation of the groundwater.
- D. The mining or excavation for removal of earth, loam, sand, gravel and other soils or mineral resources, provided that such excavation shall not extend closer than five (5) feet above the historical high groundwater table (as determined from on-site monitoring wells and historical water fluctuation data compiled by the United States Geological Survey). One (1) or more monitoring wells shall be installed by the property owner to verify groundwater elevations. This sub-section shall not apply to excavations incidental to permitted uses, including but not limited to installation or maintenance of structural foundations, freshwater ponds, utility conduits or on-site sewage disposal.
 - 1. Upon completion of earth removal operations, all altered areas shall be restored with topsoil and vegetative plantings suitable to control erosion on the site: consistent with the approved final reclamation plan.
 - 2. All fine materials, such as clays and silts, removed as part of the earth removal operation and leftover as by-products, shall be disposed of off-site to prevent damage to aquifer recharge characteristics.
- E. Fertilizers, pesticides, herbicides, lawn care chemicals, or other leachable materials provide that such materials are stored in accordance with the manufacturer's label instructions approved by the United States Environmental Protection Agency or the Michigan Department of Agriculture and that they are used in routine agricultural operations and applied under the "Generally Accepted Agricultural Management Practices" and all other necessary precautions are taken to minimize adverse impact on surface and groundwater.
- F. The storage of commercial fertilizers and soil conditioners provided such storage shall be within structures designed to prevent the generation and escape of contaminated run-off or leachate.
- G. The use or storage of Regulated Substances upon a final determination that such Regulated Substances are not detrimental and do not have the potential to be detrimental to the Township's Wellhead Protection Area after consideration of the following standards with adequate data, information and evidence provided by the applicant:
 - 1. Classification of the Regulated Substance under 49 CFR 172.101. The list shall include common name (trade name) of materials, chemical name (components), form (liquid, pressurized liquid, solid, gas, pressurized gas, etc.), maximum quantity on hand at any one time, and type of storage containers (aboveground tank, underground tank, drums, cylinders, metal container, wooded or composition container, portable tank, etc.).
 - 2. Amount of the Regulated Substance proposed to be contained on the property.

3. Whether Regulated Substances for use in a motor vehicle will be used solely for the operation of a vehicle.
4. Whether the Regulated Substance's storage and use is proposed for on-site air cooling or household appliances.
5. Whether the Regulated Substance will be harmonious with and in accordance with the general objectives, intent and purposes of this Ordinance in terms of their uses, activities, processes, materials, equipment and conditions of operation, that will not be detrimental to the Wellhead Protection Area.

Section 10 –CONDITIONS

In addition to Section 9, Special Uses shall comply with the following:

- A. The Township Board may grant Special Use approval only upon finding that the proposed use meets the following standards:
 1. In no way, during construction or thereafter, shall a project adversely affect the quality or quantity of water that is available in the Wellhead Protection Overlay District.
 2. The project shall be designed to avoid substantial disturbance of the soils, topography, drainage, vegetation and water-related natural characteristics of the site to be developed.
- B. The Township Board shall not approve a Special Use under this section unless the petitioner's application materials include, in the Board's opinion, sufficiently detailed, definite and credible information to support positive findings in relation to the standards of this section.

Section 11 – PROHIBITED USES

The following uses are prohibited in the Wellhead Protection Overlay District:

- A. Business and industrial uses that generate, use, treat, process, store, or dispose of Regulated Substances, including, but not limited to metal plating, chemical manufacturing, wood preserving, and dry-cleaning factory, except for the following:
 1. Generators of a very small quantity of Regulated Substances (less than 20 kilograms or six (6) gallons per month), subject to Special Land Use review.
 2. Treatment facilities or operations designed for the treatment of contaminated ground or surface waters, provided the facilities have been approved by EGLE.
- B. Business and industrial uses that dispose of processed wastewater on-site.
- C. Solid waste landfills, dumps, landfilling, spreading or storage of sludge (excluding lime softening sludges generated from municipal drinking water plants) or septage, with the exception of disposal of brush or stumps.

C.D. _____ Storage of petroleum products of any kind, except for the following:

1. Storage that is incidental to:

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- a. Normal household use and outdoor maintenance or the heating of a structure.
 - b. Use of emergency generators.
 - c. Treatment facilities or operations designed for the treatment of contaminated ground or surface waters, provided the facilities have been approved by EGLE.
2. Replacement of storage tanks and systems for the keeping, dispensing or storing of gasoline, which existed at the time of adoption of this Article, provided that:
- a. All such replacement storage tanks or systems shall be located underground as required by EGLE.
 - b. All such storage systems shall be protected by a secondary containment system as specified by EGLE.
 - c. The Fire Chief may deny an application for tank replacement or approve it subject to conditions if he/she determines that it would constitute a danger to public or private water supplies.

~~D.E.~~ Outdoor storage of salt, de-icing materials, pesticides, or herbicides and outside storage of Regulated Materials.

~~E.F.~~ Dumping or disposal on the ground, in water bodies, or in residential septic systems of any toxic chemical, including, but not limited to septic systems cleaners which contain toxic chemicals such as methylene chloride and 1-1-1 trichlorethane, or other household Regulated Substances.

~~F.G.~~ Stockpiling and disposal of snow or ice removed from highways and streets located outside of the Wellhead Protection Overlay District that contains sodium chloride, calcium chloride, chemically treated abrasives, or other chemicals used for snow and ice removal.

~~G.H.~~ Sewage disposal systems that are designed to receive more than 110 gallons of sewage per quarter acre per day or 440 gallons of sewage per acre per day, whichever is greater, provided that:

1. The replacement or repair of an existing system shall be exempted if it does not result in an increase in design capacity above the original design.
2. In addition to meeting the above standards, all lots shall conform to any applicable minimum lot size requirements specified in Article III, Section 3.17 of the Zoning Ordinance.
3. Any public utility owned and operated by Howell Township or owned by such entity and operated by any lessee or agent thereof, shall be exempted.

~~H.I.~~ Wastewater treatment facilities or operations, except the following:

1. The replacement or repair of an existing system will not result in a design capacity greater than the design capacity of the existing system.
2. The replacement of an existing subsurface sewage disposal system with wastewater treatment facilities or operations will not result in a design capacity greater than the design capacity of the existing system.

3. Treatment facilities or operations designed for the treatment of contaminated ground or surface waters.
4. Any public utility owned and operated by Howell Township or owned by such entity and operated by any lessee or agent thereof, shall be exempted.

H.J. Prohibited uses include all uses not expressly authorized in Section 8 and 9 of this article.

Section 12 – MISCELLANEOUS REQUIREMENTS

The following requirements shall apply to all uses in the Wellhead Protection Overlay District:

- A. **Drainage.** For commercial and industrial uses, run-off from impervious surfaces shall not be discharged directly to drains, streams, ponds, or other surface water bodies. Oil, grease and sediment traps shall be used to facilitate removal of contamination. Forebays/sediment basins and other requirements shall be adhered to per the Township Engineering Design Standards.
- B. **Discharge of Regulated Substances.** The property owner shall prevent the discharge of regulated substances.
 1. Upon discovery of a discharge within the Wellhead Protection Area, the owner of the property on which a discharge occurred, as well as the person responsible for the discharge if they are not the same, shall take appropriate reasonable actions to mitigate the potential impact of the discharge on the groundwater and remediate the discharge. Remediation shall be conducted in a timely manner and in accordance with applicable law. Waste generated during remediation of a Regulated Substance discharge must be managed in accordance with all applicable legal requirements. Storage of these materials for a period of greater than ninety (90) days must be reported to, and ~~approved~~approval obtained from, the Township Supervisor or his/her designee.
 2. All discharges shall be documented in writing and mailed to the Township Supervisor or his/her designee within ten (10) business days of said incident. Initial discharge notification shall include, at a minimum, the following:
 - a. Location of the discharge (name, address, and phone).
 - b. Reporting party's name, address and phone (if different from above).
 - c. Emergency contact and phone.
 - d. Description of the nature of the incident, including date, time, location, and cause of the incident; type, concentration, and volume of substance(s) discharged.
 - e. Map showing exact discharge location, and relevant site features (i.e. paved area, storm sewer catch basins/inlets, water features, etc.), scale, and north arrow.
 - f. All measures taken to clean up the discharge; and
 - g. All measures proposed to be taken to reduce and prevent any future discharge.

3. The Township Supervisor or his/her consultant and/or designee shall determine if and where any additional investigative work needs to be completed to assess the potential impact of the discharge. The owner or operator shall retain a copy of the written notice for at least three years.

C. **Groundwater Well Abandonment.** All public and private wells, excluding wells used for licensed agricultural practices or fire suppression purposes, must be properly abandoned at the time of replacement or hook-up to a municipal water supply system except as may be modified providing that the well will be used only for irrigation purposes- and providing that it will be physically disconnected from the plumbing such that it does not pose a cross connection risk to municipal water systems. The proper abandonment of wells is to be in accordance with the Livingston County Health Department's Sanitary Code and the ~~Michigan Department of Environmental Quality~~ EGLE Well Construction Unit.

1. Out of service water wells shall be sealed and abandoned in accordance with applicable requirements of the ~~Michigan Department of Environmental Quality~~ EGLE Well Construction Unit and the Livingston County Health Department.
2. Existing and abandoned wells shall be noted on any applicable site plan for new construction, reconstruction or expansion of any use or structure to ensure compliance with the requirements of this section.

Section 13 – ENFORCEMENT

- A. Whenever the Township Supervisor or his/her designee determines that a person has violated a provision of this Ordinance, the Township Supervisor or his/her designee may order compliance by issuing a written Notice of Violation to the responsible person/facility.
- B. If the Township Supervisor or his/her designee requires abatement of a violation and/or restoration of affected property, the notice shall set forth a deadline by which such action must be completed. Said notice may further advise that, should the violator fail to remediate or restore within the established deadline, the work could be performed by the Township, with the resulting expense thereof charged to the violator and the expenses may be assessed onto the property if the property owner is also the violator.

Section 14 – VARIANCE/APPEAL RIGHTS

- A. If an owner of property within a Wellhead Protection Area believes the requirements of this ordinance impose an unreasonable burden on the use of the owner's property, the owner may seek a variance from the Howell Township Zoning Board of Appeals ("ZBA") in any appeal to the ZBA, the Township Consulting Engineer shall assist the ZBA for purposes of a variance request or of appeal rights. Such a request must be in writing with enough detail to allow the Township Consulting Engineer to assist the ZBA for purposes of a variance request or of appeal rights, to understand the situation and proposed variance. If the Township ~~Consulting Engineer~~ Consultant determines that additional information is needed, the request for additional information shall be made within 15 days of the owner's request. Within 30 days of the receipt of such additional information, or, if no such request is made, within 30 days of the owner's request, a hearing will be held in front of the ZBA. The ZBA shall grant, deny, or partially grant the request. A grant, partial or complete, may relieve the property owner from strict compliance with this Ordinance. Reasonable conditions may be imposed by the ZBA as part of such a grant. The ZBA shall be guided by the primary goal of protecting the

Township's Wellhead Protection Area without creating undue hardship upon the property owners affected.

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- B. Any person receiving a notice of violation may appeal the determination by submitting a written notice of appeal to the Howell Township Zoning Board of Appeals. The notice of appeal must be received by the Zoning Board of Appeals within 30 days from the date of the notice of violation, with enough detail to allow the Township's ~~Consulting Engineer~~ Consultant, as a staff representative to the ZBA, to understand the situation. Within 30 days of the receipt of such an appeal, the Township Consulting Engineer shall issue a written response to the appeal to the applicant and to the ZBA unless the Township Consulting Engineer has requested additional information, in which case the Township Consulting Engineer's response shall be issued within 30 days of receipt of the information. The Zoning Board of Appeals shall affirm, reverse, or modify the notice of violation being appealed.
- C. If the person who has made a variance request or an appeal of a notice of violation does not agree with the decision of the ZBA, said person may appeal the matter by filing an action in the Livingston County Circuit Court, which may affirm, reverse, or modify the decision being appealed. Such an appeal must be filed within 30 days of the decision of the ZBA or within the time period required by Michigan General Court Rules, whichever has the shortest appeal period.

Section 15 – ABATEMENT/REMEDIAL ACTIVITIES BY THE TOWNSHIP

- A. The Township is authorized to take or contract with others to take reasonable and necessary abatement or remedial activities whenever the Township determines a violation of this Ordinance has occurred and that the responsible party cannot or will not timely correct the violation, or when no known responsible party exists. The responsible party shall reimburse the Township for all expenses thus incurred by the Township.
- B. If the Township desires the responsible party to reimburse it for the abatement activity expenses, the Township, shall within 90 days of the completion of such activities mail to that person a notice of claim outlining the expenses incurred, including reasonable administrative costs, and the amounts thereof. The person billed shall pay said sum in full within 30 days of receipt of the claim. If the person billed desires to object to all or some of the amount sought by the Township, said person may file, within the same 30-day period, a written objection so stating. The Township shall, within 30 days of its receipt of the objection, provide an opportunity for the objecting party to present facts or arguments supporting said objection. If the Township determines that some or the entire amount originally billed is appropriate, the person shall pay said sum within 30 days of receipt of that determination. If the amount due is not timely paid, the Township may cause the charges to become a special assessment against the property and shall constitute a lien on the property. In the alternative, the Township may attempt collection of the sum due by filing a civil lawsuit.

Section 16 – INJUNCTIVE RELIEF

- A. If a person has violated or continues to violate the provisions of this Ordinance, the Township may petition the appropriate court for injunctive relief restraining the person from activities abatement or remediation.

Section 17 – VIOLATIONS DEEMED A PUBLIC NUISANCE

- A. In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this Ordinance is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil infraction to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken by the Township.

Section 18 – CRIMINAL PROSECUTION

~~A.~~

- A. Any violation of this Ordinance shall be considered a misdemeanor, punishable by a fine of not more than \$500.00 or imprisonment of not more than 90 days. Each day a violation exists shall be deemed a separate violation. A citation charging such a misdemeanor may be issued by the Township Supervisor, his or her designee, the Township's Ordinance Enforcement Officer or the Sheriff's Department.

Section 19 – REMEDIES NOT EXCLUSIVE

~~A.~~

- A. The remedies listed in this Ordinance are not exclusive of any other remedies available under any applicable federal, state, or local law and it is within the discretion of the Department to seek cumulative remedies.

Howell Township Inspector

From: [REDACTED]
Sent: Monday, December 16, 2024 11:15 AM
To: Howell Township Inspector
Cc: Howell Township Supervisor; Shane Fagan; Bob Wilson
Subject: RE: Opposition to Gas Station in Wellhead Protection Zone

Mr. Hohenstain,

I would once again like to voice my opposition to allowing gas stations in the Wellhead Protection Zone which will be discussed in the 12/17/2024 Planning Commission meeting. It seems to me that the purpose of the Wellhead Protection Overlay District is to allow gas stations rather than keep them out. When I reviewed the history of this subject, I realized that Greg Tatara, MHOOG Utility Director, has approved of a gas station within the Wellhead Protection Zone if certain conditions are met (3/20/2023 Board Packet). The Overlay ordinance is worded in much the same way.

The parts of the Overlay ordinance that allow for a zoning appeal are:

- **Section 6.C** says the township can determine that there is “no hazard” if “the use of hazardous materials with any permitted use does not pose an unreasonable risk” and “such determination will include consultation with...ANY ADDITIONAL CONSULTANTS!!!” (my emphasis)

B-C. Township Determination of No Hazard. All new or expanded structures or uses subject to site plan review and special land use review shall be subject to a separate determination by the zoning body with authority to approve or deny the zoning request sought that the use of hazardous materials with any permitted use does not pose an unreasonable risk to the Township’s Wellhead Protection Area. Such determination will include consultation with the Township’s engineer, MHOOG, and any additional consultants with necessary subject matter expertise to assist the zoning body with authority to make such a determination.

- Section 5 A&B discuss how the District may be appealed and amended.
- Section 8G was added to say that if substances were determined to not pose an unreasonable risk, they are permitted.
- Section 9H was re-written to say a Special Use for “All Regulated Substances...upon final determination that such Regulated Substances will not pose an unreasonable risk..”

I do recognize that the approval of the Overlay ordinance will stop any further lawsuits from Mugg & Bopps because they will then be legal to put their gas station where they have wanted to from the beginning.

Sincerely,
Curtis Hamilton
1367 Crestwood Lane, Howell, MI 48843

From: [REDACTED]
Sent: Monday, October 21, 2024 5:01 PM
To: inspector@howelltownshipmi.org
Subject: Opposition to Gas Station in Wellhead Protection Zone

Mr Hohenstein,

I would like to express my opposition to allowing gas stations (or other similarly environmentally dangerous businesses) in the currently designated Wellhead Protection Zones in Howell Township.

I recognize that the Township has won a judgement in defense of their ordinance as related to the Mugg & Bopps effort to place a gas station at Burkhart and Mason Roads. These wins can often be temporary so I appreciate any efforts you can make the Wellhead Protection Zone Ordinance even more clear about excluding dangerous companies and services.

Even the most seemingly trustworthy companies will put their profits ahead of the public good if push come s to shove. A case in point is the Mugg & Bopps at 2940 Baker Road in Dexter. The Underground Storage Tanks (UST) had reportable leaks in 1995 and 1998 (attached) however, the owner(s) of Mugg & Bopps did not respond to the requirements of reporting or clean-up. As fa as I can tell, they did not provide any official response until 2005 when they worked with an environmental company to document the pollution stil on their site. And the report (attached) showed that there was still excessive Bezene on the property. As late as November 2023, Todd Lekander was still receiving Violation Letters from EGLE. So, it just goes to show you that people who we would like to trust at their word don't do so when their pocketbook might be affected.

In summary, do not give Mugg & Bopps (or any company) a pass just because they say nice things about how their tank never leak. Tanks always leak, its just a matter of time. And then the public always is stuck with the bill,

Thank You
Curtis Hamilton
1367 Crestwood Lane, Howell, MI 48843

Howell Township Inspector

From: Denie Perkola [REDACTED]
Sent: Monday, December 16, 2024 2:15 PM
To: Howell Township Supervisor; Howell Township Inspector; greg@mhog.org; shelby.byrne@tetrattech.com
Subject: Mugg & Bopps Determination of No Hazard

Good afternoon,

First, we want to state our displeasure of having to continuously voice our opinions and concerns over the Wellhead Protection Ordinance and Todd Lekander's attempt to build ANOTHER Mugg & Bopp's gas station within it. We were heard and it was voted down. Now, he's suing the township and trying to have the property rezoned without regard for the resident's wishes or safety.

Secondly, we'd like to voice our concerns once again as voting citizens within a quarter mile of his proposed monstrosity. Not only will it bring increased traffic to an already congested corner, but it will also increase noise and light pollution. Most importantly it has a very real potential of polluting our wells! As you are aware, Todd's Mugg & Bopp's location within Howell has already had a massive leak. We don't want to have to worry about our well water being polluted, nor should we have to - as your position should be to protect your constituents.

Per the Township's Master Plan and Ordinances this project should be shut down once and for all.

Section 16.11 GASOLINE SERVICE STATIONS.

8) No gasoline service station shall be permitted within three hundred (300) feet of a wellhead protection area.

Section 16.11 (c-8) of the zoning ordinances prohibits the establishment of a gas station within 300 feet of a wellhead protection area and the property is located in the MHOG wellhead protection area.

Section 16.06 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.

Section 16.06 (D) and (F) **would be in violation of the zoning ordinance, as the state has designated the area 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.

Allowing a gas station within the wellhead protected area does not conform to the Master Plan which is to preserve the quality of the townships water resources.

Per the Howell Township Public Survey: 68% of the community feels it is very important to protect the natural resources; which I would think includes protected water areas.

PUBLIC NUISANCE ORDINANCE

Ordinance No. 123

A Public Nuisance is an action or condition that is offensively annoying, unpleasant, obnoxious, hurtful, harmful, injurious, vexing, difficult or distressing and causes harm or annoyance to a person or persons in a particular locality in violation of their rights in the preservation of the public health, safety, and other aspects of the public welfare as members of the community. Any such action or condition that annoys, injures, or endangers the safety, health, convenience, comfort, repose, or other aspects of the public welfare, offends public decency or aesthetic sensibilities, interferes with, obstructs or renders dangerous any road, highway, navigable lake, river or stream, or in any way renders the public insecure in life on property is hereby declared to be a Public Nuisance. Public Nuisances shall include, but not be limited to, whatever is forbidden by any provision of this Ordinance. No person shall commit, create, or maintain any Public Nuisance.

SECTION 2. NUISANCES PER SE.

A.... industrial waste, unclean or nauseous fluids or gases in any of the following locations: 2) Any river, lake, stream or other body of surface water, wetlands, or flood plains.

3) Any private place or premises where in the reasonable judgment of the Township Manager or his or her agent, the specified substances constitute an obnoxious or dangerous condition; or are detrimental to the public health, safety, or other aspects of the public welfare; or offend aesthetic sensibilities; or may cause sickness;

B. The emission of noxious fumes or gas, smoke, ashes, or soot in such quantities as to render occupancy of property dangerous or uncomfortable to a person of normal sensitivities.

SECTION 7. UNLAWFUL NOISE PROHIBITED.

A. It shall be unlawful, and it shall be deemed a Public Nuisance, for any person to unreasonably make, continue or cause to be made any noise that excessively annoys or disturbs the quiet, comfort or repose of a reasonable person of normal sensitivities, or that injures or endangers the health, peace, or safety of the public within the Township. The following acts, among others, are declared to be prima facie evidence of unlawful noises in violation of this Section 7, and are deemed to be Public Nuisances per se, but this enumeration shall not be deemed to be exclusive, namely: 2) Shouting: between the hours of 11:00 p.m. and 7:00 a.m.

5) Engines: residential areas between the hours of 7:00 a.m. and 9:00 p.m.

6) Smoke

8) Noxious Gas: No noxious gas shall be permitted to escape into the atmosphere in concentrations detrimental to human, plant, or animal life.

10) Vibration

12) Light

14) Flammable Liquids

15) Odor: There shall be no emission or escape of any materials or any obnoxious odor in such quantities as to be readily detectable so as to pose a hazard or to create any physical discomfort to the users and occupants of adjacent properties

We'd like to ask Todd, the Township Board, Planning Commission, Zoning, and MHOG members if they wish to allow a hazardous project within their water source. I guarantee you wouldn't want it in your backyard due to safety concerns alone.

We'd also like to point out that there is a Mugg & Bopp's under 4 miles away on Mason Rd at Fowlerville Rd. and another one 3 miles away on Mason Rd. at D19. If we residents need a pop we'll go to Angelo's and if we need gas we can drive 1.6 miles to the Marathon, but it won't be at Mugg & Bopp's.

Thank you,

Matt and Denie Perkola
3460 Mason Rd.
Howell, MI 48843

Howell Township Inspector

From: Julie Mullens [REDACTED]
Sent: Monday, December 16, 2024 2:45 PM
To: Howell Township Inspector
Subject: Wellhead Protection Ordinance

I am writing this email wondering why I have to again explain the reasons my husband and I along with our neighbors are vehemently against changing the wellhead protection ordinance. I understand this is an overlay but I also see how it opens the doors for future gas stations to be built in the wellhead protection area. I am not going to go into every section and how it impacts the current ordinance but please look at Sections 5 A & B, 6 C, 8 G and 9 H.

I attended the last meeting in which the board itself was questioning some of the language being suggested. The language I am speaking of was used by Mugg & Bopps in their legal argument during their most recent litigation. The fact that the current ordinance as written has proven to be successful, the public has voiced its concerns again, and the board also has questions would then seem to me to suggest that these changes not be approved.

We need to protect our water and not allow a path to the future building of gas stations. We can not allow these changes. Just say no to any future gas stations in the wellhead protection area.

Sincerely,

Ward and Julie Mullens
3885 Mason Road
Howell, MI 48843
Thank you.

Howell Township Inspector

From: Jenni Johnson [REDACTED]
Sent: Monday, December 16, 2024 4:16 PM
To: Howell Township Inspector
Subject: Corner of Burkhart & Mason - Gas Station

Howell Township Planning Commission,

We are writing to you once again regarding the Wellhead Protection Zone and the proposed gas station on the corner of Mason and Burkhart.

We are definitely opposed to having a gas station built on this corner within the Wellhead Protection Zone. The whole purpose of this protected area is to protect our drinking water. As we and many of our neighbors have been expressing since 2020, whatever financial gain the owners of Mugg and Bopps are looking for, it is NOT worth risking the health of the people in this whole area.

Please do not change the wording in your ordinance to give them a loophole to put their extremely hazardous material in the ground with our drinking water. Double walled tanks or not, the RISK is way to great.

Thank you for considering our input.

Jenni & Darin Johnson
273 S. Burkhart
20 year residents of this neighborhood.

8E

**HOWELL TOWNSHIP
PUBLIC SIDEWALK EASEMENT**

For and in consideration of one dollar and zero cents (\$1.00) and the prospective benefits described herein, this conveyance is made effective as of October 7, 2024, by Craig and Jennifer Douglas whose address is 1907 Oak Grove Rd. Howell, MI 48855 (herein referred to as “Landowner”), who grants and conveys to Howell Township, whose address is 3525 Byron Road, Howell, Michigan 48855 (herein referred to as the “Township”), the following Permanent Easement in, on and under the real property located in the Township of Howell, Livingston County, Michigan and as described in Exhibit A.

1. **Background and Purpose.** The Landowner is the owner of the property located in Howell Township, Michigan described in Exhibit A (the “Property”). This document is for the purpose of conveying a permanent public sidewalk easement to the Township.
2. **Conveyance.** The Landowner does hereby grant, warrant, and convey to the Township a perpetual easement over and across the Property as described and depicted in the attached Exhibit B (“Easement Area”), for the purposes described herein.
3. **Use.** The Easement is granted to the Township for the purpose of establishing, constructing, operating, maintaining, improving, replacing, repairing, and accessing a public sidewalk, subject to the following terms and conditions:
 - (a) Any construction, maintenance, replacement, or repairs to the public sidewalk performed by the Township, its agents, employees, representatives, or contractors shall be performed so as not to unreasonably interfere with the use of the Property outside of the Easement Area by the Landowner.
 - (b) The Township shall be vested such rights of entry upon the Easement Area and passage over the Property, for the storing of equipment and materials including excavated earth as may be necessary or useful for the establishment, construction, operation, access, improvement, repair, and maintenance of the public sidewalk.
 - (c) The Easement can be used by all members of the public for the purposes of accessing and utilizing the Easement as a public sidewalk.

- (d) The public sidewalk shall be maintained in accordance with Howell Township Ordinance No 282, the Howell Township Sidewalk Regulation Ordinance. Nothing herein shall be construed to require the Township to maintain, improve, repair, or replace, the public sidewalk beyond its obligations under the Howell Township Sidewalk Regulation Ordinance. Landowner shall remain responsible for maintaining all other aspects of the Property, including necessary lawn upkeep, mowing, landscaping, and snow removal within the Easement Area.
- (e) Landowner, its agents, employees, or contractors will not restrict or interfere with the public's right to use the Easement as a sidewalk in any manner, and expressly agree that no building, fences, walls or any other type of surface or subsurface structure or improvement, or trees of any kind shall encroach, block, obstruct, hinder or impede the public's access to the sidewalk. Further, Landowner, its agents, employees, or contractors shall not construct any non-movable or permanent structures within the specific limits of the Easement Area without the prior written consent of the Township, which may be granted or withheld in the Township's sole discretion.
4. **Improvement of Landowner's Private Drive.** The Township will resurface or pave the portion of Landowner's private drive between the Easement Area and the public road at the Township's cost. Upon completion of the resurfacing or paving of Landowner's private drive, the Township will restore any surrounding property disturbed by the construction to substantially the same condition as it was prior to such construction, after which the Township will have no further obligation to maintain, repair, replace or improve the Landowner's private drive.
5. **Restoration.** Upon completion of any construction, maintenance, replacement, repairs, or any other activities by the Township within the scope of the Easement created hereby that occur after the date hereof, the Township will restore any property disturbed by the Township to a substantially similar condition as it was prior to such construction, maintenance, replacement, repairs, or other such activity and without cost to Landowner.
6. **Binding Effect.** This Easement shall be binding upon Landowner and the Township, their heirs, assigns, successors in interest and successors in office and be deemed to run with the land in perpetuity.

Signature pages to follow

HOWELL TOWNSHIP:

Dated: _____

By: Mike Coddington

Its: Supervisor

STATE OF MICHIGAN)
) ss
COUNTY OF LIVINGSTON)

On this _____ day of _____, 2024, before me, a Notary Public in and for said County, personally appeared _____, on behalf of Howell Township, to me known to be the person described in and who executed the foregoing instrument and acknowledged the same to be their free act and deed.

_____, Notary Public

County, Michigan
Acting in _____ County, Michigan
My Commission Expires: _____

Dated: 11/9/24

LANDOWNER:

[Signature]

By: Craig Douglas

[Signature]

By: Jennifer Douglas

STATE OF MICHIGAN)
) ss
COUNTY OF LIVINGSTON)

On this 9 day of November, 2024, before me, a Notary Public in and for said County, personally appeared In Person, to me known to be the person described in and who executed the foregoing instrument and acknowledged the same to be their free act and deed.

[Signature]
Darwin Israel, Notary Public
Genesee County, Michigan
Acting in Livingston County, Michigan
My Commission Expires: 10/09/2031

Drafted By:

Christopher S. Patterson (P74350)
Fahey Schultz Burzych Rhodes PLC
4151 Okemos Road
Okemos, MI 48864
(517) 381-0100

When Recorded Return To:

Jonathan Hohenstein
Howell Township
3525 Byron Road
Howell, MI 48855
(517) 546-2817

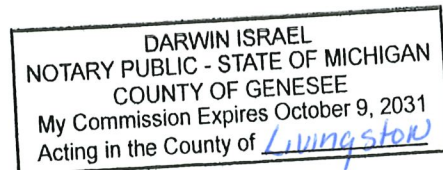


EXHIBIT A

Parcel 4706-25-100-027, commonly known as 1907 Oak Grove Rd. Howell, MI 48855, legally described as:

SEC 25 T3N R4E COMM NW COR OF SEC TH S01*27'47"E 1262.87 FT TH N89*45'20E
1318.79 FT TO POB TH N00*14'40"W 151.92 FT TH N58*23'98"E 411.23 FT TO C/L OF
OAK GROVE RD TH S31*31'54"E 257.03 FT TH S71*47'46"W 474.58 FT TH S89*45'20"W
33.15 FT TO POB & ALSO SUBJECT TO HIGHWAY USE OF THE ELY 33 FT & ALSO
SUBJECT TO ANY ESMTS OF RECORD. CONT. 2.11 AC SPLIT ON 06/04/2013 FROM
4706-25-100-026.

8F

LANDSCAPING CONTRACT

THIS AGREEMENT is made on the ____ day of _____, 2025, by and between Howell Township, a Michigan municipal corporation whose address is 3525 Byron Road, Howell, Michigan 48855 (“Township”) and [INSERT COMPANY NAME], a Michigan [INSERT TYPE OF ENTITY] whose address is [INSERT ADDRESS] (“Contractor”) for the purpose of Contractor serving as an independent contractor providing landscaping services for Township (the “Agreement”).

Township and Contractor both agree to the following terms:

1. **SERVICES TO BE PERFORMED.** Contractor, upon the conditions hereinafter set forth, agrees to perform the following landscaping services for Township at the Township Hall and Gazebo:
 - A. Weeding at least once per month for the months of [APRIL-OCTOBER].
 - B. Shrub trimming once per year.
 - C. Mulch to be placed on a date agreed to by the Township and Contractor, but no later than [INSERT DATE].
 - D. Additional landscaping services as mutually agreed to by the Contractor and Township.
2. **TERMS OF PAYMENT AND COST.** Township will pay Contractor only for work actually performed. Contractor will invoice Township on a monthly basis such invoices shall be due thirty (30) days from receipt and will include an itemized list of all services performed and according to the following terms and conditions:
 - A. The service referenced in section 1.A will be \$ _____. per weeding service completed.
 - B. The service referenced in section 1.B will be \$ _____. per shrub trimming service completed.
 - C. The service referenced in section 1.C will be a lump sum payment of \$ _____.
3. **INCLEMENT WEATHER.** In the event weather prohibits Contractor from completing the landscaping services pursuant to the schedule set forth in Section 1 of this Agreement, Contractor shall notify Township and establish a mutually agreeable timeframe for completion of the landscaping services.
4. **ASSIGNMENT.** This Agreement may not be assigned or subcontracted without the written consent of Township.
5. **PERMITS AND LICENSES.** Contractor is engaged in an independent business and has complied with all federal, state, and local laws regarding business permits and licenses of

any kind that may be required to carry out the business, the tasks to be performed under this Agreement, and will provide confirming documentation promptly at Township's request. If at any time Contractor is no longer in compliance with the required permits and licenses Contractor will promptly provide notice to the Township.

6. **INSTRUMENTALITIES.** Contractor will supply all equipment, tools, materials and supplies necessary to accomplish the designated services.
7. **EXPENSES.** Contractor is responsible for all expenses incurred while performing services under this Agreement. This includes but is not limited to license fees, memberships and dues; automobile and other travel expenses; meals and entertainment; insurance premiums; telephone service cost; and all salary, expenses, and other compensation paid to employees or contract personnel that Contractor hires to complete the work under this Agreement.
8. **GENERAL SUPERVISION.** Contractor retains the sole right to control or direct how the services described in this Agreement are to be performed, so long as Contractor does so in a lawful manner that is consistent with all other provisions in this Agreement and industry standards. Township retains the right to inspect at intervals of its own choosing, to stop work, to prescribe alterations, and generally to approve the work to ensure its conformity with the terms specified in this Agreement.
9. **INDEPENDENT CONTRACTOR STATUS.** Contractor agrees to and represents the following:
 - A. Contractor fully intends to perform services for third parties during the term of this Agreement.
 - B. The services required by this Agreement will be performed by Contractor, or Contractor's employees or contract personnel, and Township will not hire, supervise, or pay any assistants to help Contractor.
 - C. Neither Contractor nor Contractor's employees or contract personnel (if any) will receive any training from Township in the professional skills necessary to perform the services required by this Agreement.
 - D. Neither Contractor nor Contractor's employees or contract personnel (if any) is required to devote full time to the performance of the services required by this Agreement.
 - E. Contractor does not receive the majority of its annual compensation from Township.
10. **NO PAYROLL TAXES, EMPLOYMENT TAXES, WORKERS' COMPENSATION or UNEMPLOYMENT COMPENSATION.** Township will not withhold or pay payroll or employment taxes of any kind for or on behalf of Contractor. The payroll or

employment taxes that are the subject of this paragraph include but are not limited to FICA, federal personal income tax, state personal income tax, state disability insurance tax, and state unemployment insurance tax. Township has not and will not obtain workers' compensation insurance on account of Contractor or Contractor's employees or contract personnel. Township will not make state or federal unemployment compensation payments on behalf of Contractor or Contractor's employees or contract personnel. Contractor will not be entitled to these benefits in connection with work performed under this Agreement.

11. **LIABILITY.** Contractor will be responsible for any and all losses, liabilities, damages, injuries, claims, charges, and costs to persons or property that in any way arise out of or relate to the performance of the services provided by Contractor or its employees or contract personnel.
12. **INDEMNIFICATION.** To the fullest extent permitted by law, Contractor will defend, indemnify and hold harmless the Township, its elected officials, employees and volunteers and others working on behalf of the Township against any and all claims, suits, damages, losses, or expenses, including but not limited to attorney's fees, arising out of, relating to, or resulting from the Contractor's performance of the services under this Agreement or the performance of such services by any employee, agent, or subcontractor of Contractor.
13. **LIABILITY INSURANCE.** During the term of this Agreement, Contractor shall maintain comprehensive general liability, auto, and professional insurance, as is appropriate to furnish comprehensive coverage for all work to be performed under this Agreement by Contractor, and providing for minimum amounts of five hundred thousand dollars (\$500,000.00) per occurrence and one million dollars (\$1,000,000.00) annual aggregate limits. Such insurance obtained by Contractor shall name Township as an additional insured by means of an appropriate certificate and/or endorsement in a form acceptable to Township. Contractor will supply Township with evidence of such insurance for verification from time to time as Township may request.
14. **COMMENCEMENT.** This Agreement will become effective when signed by both parties.
15. **NOTICES.** All notices or other communications required or permitted to be given by Contractor or Township under this Agreement, unless otherwise stated, shall be in writing and shall be (a) personally delivered; (b) sent by registered or certified mail, postage prepaid, return receipt requested; or (c) sent by an overnight express courier service that provides written confirmation of delivery to Township at 3525 Byron Road, Howell, Michigan 48855, and to Contractor at **[INSERT ADDRESS]**. Notice of any change of address by Contractor must be promptly given to Township.
16. **TERMINATION.** This Agreement shall be for a term of two (2) years following the commencement date and shall automatically renew for additional one (1) year terms unless either party provides at least sixty (60) days' prior written notice to the other of its intent not to renew. In the event either party is in breach of any terms or conditions set forth in this Agreement, the non-breaching party may provide the other with written notice of the

breach, upon receipt the breaching party shall have five (5) calendar days to cure the breach. In the event the breaching party fails to cure during the applicable five (5) day period, the non-breaching party may immediately terminate this Agreement by providing written notice to the other party.

17. **AMENDMENT.** This Agreement may be extended, renewed, altered, modified, or amended only by written agreement signed by both parties. All provisions of this Agreement shall apply to all services and all periods of time during which Contractor provides services to Township.

18. **APPLICABLE LAW and WAIVER.** This Agreement will be governed by the laws of the State of Michigan. The waiver of a breach or violation of any provision of this Agreement will not operate as or be construed to be a waiver of any subsequent breach.

19. **ENTIRE AGREEMENT.** This contract represents the entire understanding between Township and Contractor and it supersedes all prior representations or agreements whether written or oral. Neither party has relied on any prior representations in entering into this Agreement.

AGREED to this ___ day of _____, 2025, at _____, State of Michigan.

Howell Township:

[INSERT NAME], LLC:

By: Mike Coddington, Supervisor

By: [INSERT NAME], Agent

Approved and authorized by the Howell
Township Board on _____, 2025.

LAWNCARE SERVICES CONTRACT

THIS AGREEMENT is made on the ___ day of _____, 2025, by and between Howell Township, a Michigan municipal corporation whose address is 3525 Byron Road, Howell, Michigan 48855 (“Township”) and [INSERT COMPANY NAME], a Michigan [INSERT TYPE OF ENTITY] whose address [INSERT ADDRESS] (“Contractor”) for the purpose of Contractor serving as an independent contractor providing lawncare services for Township (the “Agreement”).

Township and Contractor both agree to the following terms:

1. **SERVICES TO BE PERFORMED.** Contractor, upon the conditions hereinafter set forth, agrees to perform landscaping services for Township at the following locations:

- A. Township Hall, 3525 Byron Road, Howell:

- a. Areas to be mowed weekly billed at \$. per service completed:
 - i. The lawn areas surrounding the Township Hall.
- b. Seasonal spring and fall clean-up including but not limited to the removal and disposal of fallen branches, dead plant material, debris and refuse twice per year billed at \$. per service completed:
 - i. The lawn areas surrounding the Township Hall.
- c. Brush hogging twice per year on dates agreed upon by the Township to be billed at \$. per service completed:
 - i. The remainder of the Township Hall grounds.

- B. Howell Township Wastewater Treatment Plant, 1222 Packard Drive, Howell:

- a. Areas to be mowed weekly or as needed, billed at \$. per service completed:
 - i. The entire fenced in Wastewater Treatment Plant grounds.
 - ii. The lawn areas along the driveway.
- b. Areas to be mowed monthly billed at \$. per service completed:
 - i. The lawn area around the lagoons or bodies of water on the Water Treatment Plant grounds.

- C. Pioneer Cemetery, North Burkhart Road, Howell:

a. Areas to be mowed and trimmed weekly, or as needed, billed at \$. per service completed:

i. The entire Pioneer Cemetery grounds, including walkways and pathways located on the premises.

b. Seasonal spring and fall clean-up including but not limited to the removal and disposal of fallen branches, dead plant material, debris, and refuse (including flowers, wreaths, grave blankets, and other materials) billed at \$. per service completed:

i. The entire Pioneer Cemetery grounds.

D. Fleming Road Cemetery, North Fleming Road, Howell:

a. Areas to be mowed and trimmed monthly billed at \$. per service completed:

i. The entire Pioneer Cemetery grounds, including walkways and pathways located on the premises.

b. Seasonal spring and fall clean-up including but not limited to the removal and disposal of fallen branches, dead plant material, debris and refuse (including flowers, wreaths, grave blankets, and other materials) billed at \$. per service completed:

i. The entire Fleming Road Cemetery grounds.

E. Sections of M-59 Walking Path Located within the Township's Jurisdiction:

a. Areas to be mowed twice per month billed at \$. per service completed:

i. The unpaved grounds along or abutting the M-59 walking path located within the Township's jurisdiction.

b. Seasonal spring and fall clean-up including but not limited to the removal and disposal of fallen branches, dead plant material, debris and refuse billed at \$. per service completed:

i. The grounds along or abutting the M-59 walking path located within the Township's jurisdiction.

F. Two-Acres of Township property located at the southwest corner of Oak Grove Road and East Barron Road.

Brush hogging twice per year on dates agreed upon by the Township to be billed at \$. per service completed:

- i. Entire two (2) acre property.

G. Additional lawncare services as mutually agreed to by the parties.

2. **TERMS OF PAYMENT AND COST.** Township will pay Contractor only for work actually performed. Contractor will invoice Township on a monthly basis, such invoices shall be due thirty (30) days from receipt and will include an itemized list of all services performed.
3. **ASSIGNMENT.** This Agreement may not be assigned or subcontracted without the written consent of Township.
4. **PERMITS AND LICENSES.** Contractor is engaged in an independent business and has complied with all federal, state, and local laws regarding business permits and licenses of any kind that may be required to carry out the business, the tasks to be performed under this Agreement, and will provide confirming documentation promptly at Township's request. If at any time Contractor is no longer in compliance with the required permits and licenses Contractor will promptly provide notice to the Township.
5. **INSTRUMENTALITIES.** Contractor will supply all equipment, tools, materials and supplies necessary to accomplish the designated services.
6. **EXPENSES.** Contractor is responsible for all expenses incurred while performing services under this Agreement. This includes but is not limited to license fees, memberships and dues; automobile and other travel expenses; meals and entertainment; insurance premiums; telephone service cost; and all salary, expenses, and other compensation paid to employees or contract personnel that Contractor hires to complete the work under this Agreement.
7. **GENERAL SUPERVISION.** Contractor retains the sole right to control or direct how the services described herein are to be performed, so long as Contractor does so in a lawful manner that is consistent with all other provisions in this Agreement and industry standards. Subject to the foregoing, Township retains the right to inspect at intervals of its own choosing, to stop work, to prescribe alterations, and generally to approve the work to ensure its conformity with the terms specified in this Agreement.
8. **INDEPENDENT CONTRACTOR STATUS.** Contractor agrees to and represents the following:
 - A. Contractor fully intends to perform services for third parties during the term of this Agreement.
 - B. The services required by this Agreement will be performed by Contractor, or Contractor's employees or contract personnel, and Township will not hire, supervise, or pay any assistants to help Contractor.

C. Neither Contractor nor Contractor's employees or contract personnel (if any) will receive any training from Township in the professional skills necessary to perform the services required by this Agreement.

D. Neither Contractor nor Contractor's employees or contract personnel (if any) is required to devote full time to the performance of the services required by this Agreement.

E. Contractor does not receive the majority of its annual compensation from Township.

9. **NO PAYROLL TAXES, EMPLOYMENT TAXES, WORKERS' COMPENSATION or UNEMPLOYMENT COMPENSATION.** Township will not withhold or pay payroll or employment taxes of any kind for or on behalf of Contractor. The payroll or employment taxes that are the subject of this paragraph include but are not limited to FICA, federal personal income tax, state personal income tax, state disability insurance tax, and state unemployment insurance tax. Township has not and will not obtain workers' compensation insurance on account of Contractor or Contractor's employees or contract personnel. Township will not make state or federal unemployment compensation payments on behalf of Contractor or Contractor's employees or contract personnel. Contractor will not be entitled to these benefits in connection with work performed under this Agreement.

10. **LIABILITY.** Contractor will be responsible for any and all losses, liabilities, damages, injuries, claims, charges and costs to persons or property that in any way arise out of or relate to the performance of the services provided by Contractor or its employees or contract personnel.

11. **INDEMNIFICATION.** To the fullest extent permitted by law, Contractor will defend, indemnify and hold harmless the Township, its elected officials, employees and volunteers and others working on behalf of the Township against any and all claims, suits, damages, losses, or expenses, including but not limited to attorney's fees, arising out of, relating to, or resulting from the Contractor's performance of the services under this Agreement or the performance of such services by any employee, agent, or subcontractor of Contractor.

12. **LIABILITY INSURANCE.** During the term of this Agreement, Contractor shall maintain comprehensive general liability, auto and professional insurance, as is appropriate to furnish comprehensive coverage for all work to be performed under this Agreement by Contractor and providing for minimum amounts of five hundred thousand dollars (\$500,000.00) per occurrence and one million dollars (\$1,000,000.00) annual aggregate limits. Such insurance obtained by Contractor shall name Township as an additional insured by means of an appropriate certificate and/or endorsement in a form acceptable to Township. Contractor will supply Township with evidence of such insurance for verification from time to time as Township may request.

13. **COMMENCEMENT.** This Agreement will become effective when signed by both parties.

14. **NOTICES.** All notices or other communications required or permitted to be given by Contractor or Township under this Agreement, unless otherwise stated, shall be in writing and shall be (a) personally delivered; (b) sent by registered or certified mail, postage prepaid, return receipt requested; or (c) sent by an overnight express courier service that provides written confirmation of delivery to Township at 3525 Byron Road, Howell, Michigan 48855, and to Contractor at **[INSERT ADDRESS]**. Notice of any change of address by Contractor must be promptly given to Township.
15. **TERMINATION.** This Agreement shall be for a term of two (2) years following the commencement date and shall automatically renew for additional one (1) year terms unless either party provides at least sixty (60) days' prior written notice to the other of its intent not to renew. In the event either party is in breach of any terms or conditions set forth in this Agreement, the non-breaching party may provide the other with written notice of the breach, and upon receipt the breaching party shall have five (5) calendar days to cure the breach. In the event the breaching party fails to cure during the applicable five (5) day period, the non-breaching party may immediately terminate this Agreement by providing written notice to the other party.
16. **AMENDMENT.** This Agreement may be extended, renewed, altered, modified, or amended only by written agreement signed by both parties. All provisions of this Agreement shall apply to all services and all periods of time during which Contractor provides services to Township.
17. **APPLICABLE LAW and WAIVER.** This Agreement will be governed by the laws of the State of Michigan. The waiver of a breach or violation of any provision of this Agreement will not operate as or be construed to be a waiver of any subsequent breach.
18. **ENTIRE AGREEMENT.** This contract represents the entire understanding between Township and Contractor and it supersedes all prior representations or agreements whether written or oral. Neither party has relied on any prior representations in entering into this contract.

AGREED to this ___ day of _____, 2025, at _____, State of Michigan.

Howell Township:

[INSERT NAME], LLC:

By: Mike Coddington, Supervisor

By: **[INSERT NAME]**, Agent

Approved and authorized by the Howell
Township Board on _____, 2025.

SNOW REMOVAL CONTRACT

THIS AGREEMENT is made on the ____ day of _____, 2025, by and between Howell Township, a Michigan municipal corporation whose address is 3525 Byron Road, Howell, Michigan 48855 (“Township”) and [INSERT COMPANY NAME], a [INSERT TYPE OF ENTITY] whose address [INSERT ADDRESS] (“Contractor”) for the purpose of Contractor serving as an independent contractor providing snow removal services for Township (the “Agreement”).

Township and Contractor both agree to the following terms:

1. **SERVICES TO BE PERFORMED.** Contractor, upon the conditions hereinafter set forth, agrees to perform snow removal services for Township at the following locations:

A. Township Hall, 3525 Byron Road, Howell:

- a. Areas to be plowed and/or shoveled when 2 inches or more of snowfall accumulates:
 - i. The parking lot and driveway located on the north side of the building extending to Byron Road.
 - ii. The walkway which wraps around the building, Contractor agrees not to truck plow this area.
- b. Area to be sanded or salted when 2-inches or more of snowfall accumulates:
 - i. The parking lot and driveway located on the north side of the building extending to Byron Road.
 - ii. The walkway which wraps around the building.

B. Sections of M-59 Walking Path Located within the Township’s Jurisdiction:

- a. Areas to be plowed and/or shoveled when 2-inches or more of snowfall accumulates:
 - i. The entire M-59 walking path located within the Township’s jurisdiction.
- b. Areas to be sanded or salted when 2-inches or more of snowfall accumulates:
 - i. The entire M-59 walking path located within the Township’s jurisdiction.

C. Pioneer Cemetery, North Burkhart Road, Howell:

a. Area to be plowed and/or shoveled when 2-inches or more of snowfall accumulates:

i. The driveway extending from the premises to North Burkhart Road.

b. Area to be sanded if necessary:

i. The driveway extending from the premises to North Burkhart Road.

D. Additional snow removal services as mutually agreed to by the parties.

2. **TERMS OF PAYMENT AND COST.** Township will pay Contractor only for work actually performed. Contractor will invoice Township on a monthly basis, such invoices shall be due thirty (30) days from receipt and will include an itemized list of all services performed and subject to the following terms and conditions:

A. The services referenced in section 1.A.a, will be paid on a price per plow/shoveling basis and the cost will be as follows:

a. \$. (2"- 4" snow accumulation)

b. \$. (4"- 7" snow accumulation)

c. \$. (8" + snow accumulation)

B. The service referenced in section 1.B.a, will be paid on a price per plow/shoveling basis and the cost will be as follows:

a. \$. (2"- 4" snow accumulation)

b. \$. (4"- 7" snow accumulation)

c. \$. (8" + snow accumulation)

C. The service referenced in section 1.C.a, will be paid on a price per plow/shoveling basis and the cost will be as follows:

a. \$. (2"- 4" snow accumulation)

b. \$. (4"- 7" snow accumulation)

c. \$. (8" + snow accumulation)

D. The service referenced in section 1.D.a, will be paid on a price per plow/shoveling basis and the cost will be as follows:

- a. \$. (2"- 4" snow accumulation)
- b. \$. (4"- 7" snow accumulation)
- c. \$. (8" + snow accumulation)

E. The sand and salt services referenced in section 1.A.b, 1.B.b, 1.C.b and 1.D.b will be paid on a price per 50-pound application basis and the cost will be as follows:

- a. \$.

- 3. **ASSIGNMENT.** This Agreement may not be assigned or subcontracted without the written consent of Township.
- 4. **PERMITS AND LICENSES.** Contractor is engaged in an independent business and has complied with all federal, state, and local laws regarding business permits and licenses of any kind that may be required to carry out the business, the tasks to be performed under this Agreement, and will provide confirming documentation promptly at Township's request. If at any time Contractor is no longer in compliance with the required permits and licenses Contractor will promptly provide notice to the Township.
- 5. **INSTRUMENTALITIES.** Contractor will supply all equipment, tools, materials and supplies necessary to accomplish the designated services.
- 6. **EXPENSES.** Contractor is responsible for all expenses incurred while performing services under this Agreement. This includes but is not limited to license fees, memberships and dues; automobile and other travel expenses; meals and entertainment; insurance premiums; telephone service cost; and all salary, expenses, and other compensation paid to employees or contract personnel that Contractor hires to complete the work under this Agreement.
- 7. **GENERAL SUPERVISION.** Contractor retains the sole right to control or direct how the services described herein are to be performed, so long as Contractor does so in a lawful manner that is consistent with all other provisions in this Agreement and industry standards. Subject to the foregoing, Township retains the right to inspect at intervals of its own choosing, to stop work, to prescribe alterations, and generally to approve the work to ensure its conformity with the terms specified in this Agreement.
- 8. **INDEPENDENT CONTRACTOR STATUS.** Contractor agrees to and represents the following:
 - A. Contractor fully intends to perform services for third parties during the term of this Agreement.
 - B. The services required by this Agreement will be performed by Contractor, or Contractor's employees or contract personnel, and Township will not hire, supervise, or pay any assistants to help Contractor.

- C. Neither Contractor nor Contractor's employees or contract personnel (if any) will receive any training from Township in the professional skills necessary to perform the services required by this Agreement.
 - D. Neither Contractor nor Contractor's employees or contract personnel (if any) is required to devote full time to the performance of the services required by this Agreement.
 - E. Contractor does not receive the majority of its annual compensation from Township.
9. **NO PAYROLL TAXES, EMPLOYMENT TAXES, WORKERS' COMPENSATION or UNEMPLOYMENT COMPENSATION.** Township will not withhold or pay payroll or employment taxes of any kind for or on behalf of Contractor. The payroll or employment taxes that are the subject of this paragraph include but are not limited to FICA, federal personal income tax, state personal income tax, state disability insurance tax, and state unemployment insurance tax. Township has not and will not obtain workers' compensation insurance on account of Contractor or Contractor's employees or contract personnel. Township will not make state or federal unemployment compensation payments on behalf of Contractor or Contractor's employees or contract personnel. Contractor will not be entitled to these benefits in connection with work performed under this Agreement.
10. **LIABILITY.** Contractor will be responsible for any and all losses, liabilities, damages, injuries, claims, charges and costs to persons or property that in any way arise out of or relate to the performance of the services provided by Contractor or its employees or contract personnel.
11. **INDEMNIFICATION.** To the fullest extent permitted by law, Contractor will defend, indemnify and hold harmless the Township, its elected officials, employees and volunteers and others working on behalf of the Township against any and all claims, suits, damages, losses, or expenses, including but not limited to attorney's fees, arising out of, relating to, or resulting from the Contractor's performance of the services under this Agreement or the performance of such services by any employee, agent, or subcontractor of Contractor.
12. **LIABILITY INSURANCE.** During the term of this Agreement, Contractor shall maintain comprehensive general liability, auto and professional insurance, as is appropriate to furnish comprehensive coverage for all work to be performed under this Agreement by Contractor and providing for minimum amounts of five hundred thousand dollars (\$500,000.00) per occurrence and one million dollars (\$1,000,000.00) annual aggregate limits. Such insurance obtained by Contractor shall name Township as an additional insured by means of an appropriate certificate and/or endorsement in a form acceptable to Township. Contractor will supply Township with evidence of such insurance for verification from time to time as Township may request.
13. **COMMENCEMENT.** This Agreement will become effective when signed by both parties.

14. **NOTICES.** All notices or other communications required or permitted to be given by Contractor or Township under this Agreement, unless otherwise stated, shall be in writing and shall be (a) personally delivered; (b) sent by registered or certified mail, postage prepaid, return receipt requested; or (c) sent by an overnight express courier service that provides written confirmation of delivery to Township at 3525 Byron Road, Howell, Michigan 48855, and to Contractor at **[INSERT ADDRESS]**. Notice of any change of address by Contractor must be promptly given to Township.

15. **TERMINATION.** This Agreement shall be for a term of two (2) years following the commencement date and shall automatically renew for additional one (1) year terms unless either party provides at least sixty (60) days' prior written notice to the other of its intent not to renew. In the event either party is in breach of any terms or conditions set forth in this Agreement, the non-breaching party may provide the other with written notice of the breach, upon receipt the breaching party shall have five (5) calendar days to cure the breach. In the event the breaching party fails to cure during the applicable five (5) day period, the non-breaching party may immediately terminate this Agreement by providing written notice to the other party.

16. **AMENDMENT.** This Agreement may be extended, renewed, altered, modified, or amended only by written agreement signed by both parties. All provisions of this Agreement shall apply to all services and all periods of time during which Contractor provides services to Township.

17. **APPLICABLE LAW and WAIVER.** This Agreement will be governed by the laws of the State of Michigan. The waiver of a breach or violation of any provision of this Agreement will not operate as or be construed to be a waiver of any subsequent breach.

18. **ENTIRE AGREEMENT.** This contract represents the entire understanding between Township and Contractor, and it supersedes all prior representations or agreements whether written or oral. Neither party has relied on any prior representations in entering into this contract.

AGREED to this ___ day of _____, 2025, at _____, State of Michigan.

Howell Township:

[INSERT NAME], LLC:

By: Mike Coddington, Supervisor

By: **[INSERT NAME]**, Agent

Approved and authorized by the Howell
Township Board on _____, 2025.

8G



Carlisle | Wortman
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

January 28, 2025

Mike Coddington
Township Supervisor
3525 Byron Road,
Howell, MI 48855

RE: Continuing Services Contract

Dear Mr. Coddington:

Carlisle | Wortman Associates, Inc. (CWA) is pleased to have the opportunity to submit an updated contract for continuing planning and zoning services for Howell Township. Howell Township is a great community and we CWA are proud of the long-standing partnership we have with the Township. Through this partnership we have provided solid continuity with the township's zoning ordinance, master plan updates, and planning projects. However, our records indicate that the contract that we are working under has expired. Accordingly, enclosed with this letter please find a proposal to renew our agreement to continue to provide planning services to Howell Township with Paul Montagno acting as principal-in-charge of our services. The proposed agreement is for three (3) years.

I am certain you can appreciate our need to allocate staff resources in accordance with contractual commitments in this highly competitive environment. Our firm is not immune from rising operational costs, as I'm certain you have also experienced.

It has been a pleasure to serve the elected leadership and residents of the Township for many years, and we enthusiastically look forward to continuing our relationship into the future. If you have any questions about the contract please contact us at (734) 662-2200. Otherwise, please sign and return the attached agreement.

Thank you,

CARLISLE | WORTMAN ASSOC., INC
Benjamin R. Carlisle, AICP, LEED AP
President



Carlisle | Wortman
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

AGREEMENT FOR PLANNING CONSULTING SERVICES

THIS AGREEMENT, Entered into this _____ day of _____, 2025 by **Howell Township** hereinafter referred to as the “Client” and **Carlisle/Wortman Associates, Inc.** hereinafter referred to as the “Consultant.”

WHEREAS, The Client desires to engage the Consultant to provide planning consulting services.

NOW, THEREFORE, In consideration of the foregoing, and of the mutual agreement hereinafter set forth, the parties hereto legally intending to be bound hereby do agree for themselves and their respective successors and assigns as follows:

SECTION 1.0

SCOPE OF WORK

The Consultant for his part agrees to provide **Planning Consulting Services** in accordance with a Scope of Work described in **Exhibit A**.

SECTION 2.0

COLLECTION OF DATA

It is understood that the Consultant will have the cooperation of the Client in the collection of basic data and other information for the above work. This shall include the transmittal of base maps in GIS or AutoCAD files, if available.

SECTION 3.0

SCOPE AND PAYMENT FOR SERVICES

- 3.1 Planning Consultation Services** – At the request of the Client, the Consultant shall perform periodic consultation services relative to development review, in-depth studies, ordinance amendments, and other matters as described in **Exhibit A**. The Consultant shall be paid in accordance with the hourly rates depicted in **Exhibit B**.
- 3.2 Terms of Payment** - The Consultant shall present the Client with an itemized invoice each month based on work performed in the previous month. Invoices shall be paid within thirty (30) days after receipt by the Client.

SECTION 4.0**REPRESENTATION**

It is understood and agreed that **Paul Montagno** will represent the Consultant in all matters pertaining to this Agreement and Paul Montagno and **Grayson Moore** will serve as the Planning Consultants. From time to time, the Consultant may use additional personnel within the firm or sub-consultants to assist in the execution of matters pertaining to this contract.

SECTION 5.0**OWNERSHIP OF MATERIALS**

- 5.1** Any work product, materials, and documents produced by CWA pursuant to this Agreement shall be and remain property of Client and shall not be made subject to any copyright unless authorized by Client. CWA hereby assigns to Client the copyright to all works prepared, developed, or created pursuant to the services outlined in this Agreement, including the rights to: (1) reproduce the work; (2) prepare derivative works; (3) distribute copies to the public by sale, rental, lease, or lending; (4) perform the works publicly; and (5) to display the work publicly. CWA waives its right to claim authorship of the works, to prevent its name from being used in connection with the works, and to prevent distortion of the works.
- 5.2** Other materials, methodology and proprietary work used or provided by CWA to Client not specifically created and delivered pursuant to the Services outlined in this Agreement may be protected by a copyright held by CWA and CWA reserves all rights granted to it by any copyright. Client shall not reproduce, sell, or otherwise make copies of any copyrighted material, subject to the following exceptions: (1) for exclusive use internally by Client staff and/or employees; or (2) pursuant to a request under the Michigan Freedom of Information Act, MCL 15,231, *et seq.*, or any other state or federal open records act, to the extent that such statutes apply; or (3) pursuant to law, regulations, or court order. CWA waives any right to prevent its name from being used in connection with the services.
- 5.3** CWA will be provided with a copy of the Client's Freedom of Information Act ("FOIA") policy. Client is responsible for responses to FOIA requests, and CWA shall not directly respond to any third parties regarding any received FOIA requests. Upon receipt of a FOIA request, CWA shall immediately give that request to the Client Clerk. CWA shall provide specific information requested by Client for response to the FOIA request by the date and time requested by the Client Clerk or in a specific format if so requested by the Client Clerk.
- 5.4** If CWA receives a claim for damages, a summons or complaint, a subpoena or other document concerning a request for money damages, a threat of a lawsuit, or any court action proceeding, CWA shall immediately hand deliver these documents to the Client Clerk.
- 5.5** In the event of litigation, Client acknowledges that CWA can only produce information or materials requested at any point in the litigation process with authorization from the Client Attorney or designated Legal Counsel. Client agrees to defend CWA against any and all claims when CWA is operating under the direction of the Client Attorney, or other designated Legal Counsel, regarding such matters.

SECTION 6.0**INSURANCE AND LIMITATION OF LIABILITY**

- 6.1** During the term of this agreement, the Consultant agrees to procure and maintain in effect insurance policies in the amounts and with the types of coverage shown below:
- a) Professional liability insurance protecting the Consultant and its employees in an amount not less than \$2,000,000.
 - b) Workers Compensation Insurance in the form and amount required by Michigan law.
 - c) Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than \$2,000,000 per occurrence and/or aggregate combined single limit, Personal Injury, Bodily Injury and Property Damage.
- 6.2** The Client and the Consultant shall have no liability to each other for any claim relating to this agreement in excess of the fees and expenses paid to the Consultant except pursuant to indemnification obligations concerning third party claims under Section 7.0. In no event shall the Client and the Consultant be liable to each other for indirect, special, incidental, or consequential damages, even if the Client and the Consultant have been advised of the possibility of such damages. Except as otherwise specifically provided in this agreement, neither party's liability to the other party under this Agreement shall exceed the total amounts paid or payable by the Client under this agreement.

SECTION 7.0**INDEMNIFICATION**

CWA agrees, to the fullest extent permitted by law, to indemnify and hold Client harmless from damages and losses arising from the negligent acts, errors or omissions of CWA in the performance of professional services under this Agreement, to the extent that CWA is responsible for such damages and losses on a comparative basis of fault and responsibility between CWA and Client. CWA is not obligated to indemnify Client for Client's own negligence.

SECTION 8.0**GENERAL PROVISIONS**

- 8.1** The Exhibits attached to and referenced in this Agreement are incorporated into this Agreement by reference and expressly made an integral and component part of this Agreement for all purposes and shall be binding upon the Parties. References to any Exhibit in this Agreement shall be deemed to include this reference and incorporation.
- 8.2** Any notice under this Agreement shall be addressed and directed to the representatives of the Parties identified in Section 2.0.
- 8.3** The headings contained in this Agreement are for convenience in reference and are not intended to define or limit the scope of any provision of this Agreement.

- 8.4** This Agreement is intended solely for the mutual benefit of the Parties hereto, and there is no intention, expressed or otherwise, to create any rights or interest for any party or person other than the Parties.
- 8.5** CWA shall perform the services under this Agreement as an independent contractor and shall not be deemed by virtue of this Agreement to have entered into any partnership, joint venture, employer/employee or other relationship with Client other than as a contracting party and independent contractor. Except for the Building Official, employees of CWA shall not be deemed to be employees of Client for purposes of compensation, fringe benefits, workers' compensation, unemployment compensation, minimum wage laws, income tax withholding, social security, or any other purpose.
- 8.6** CWA will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. CWA will take affirmative action to ensure applicants are employed, and employees are treated during employment without regard to their race, color, religion, sex or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
- 8.7** Nothing in this Agreement shall be construed to waive, limit, or otherwise modify any governmental immunity that may be available by law to Client, its officials, employees, contractors, agents, volunteers, or any other person acting on behalf of Client and, in particular, governmental immunity afforded or available pursuant to the Michigan Governmental Immunity Act, MCL 691.1401, *et. seq.*
- 8.8** This Agreement constitutes the entire agreement between the Parties, and all prior discussion, agreements and understandings, whether verbal or in writing, are merged into this Agreement.
- 8.9** If any section, subsection, clause, phrase or portion of this Agreement is for any reason held invalid, unlawful, or unconstitutional by any court of competent jurisdiction, that portion shall be considered a separate, distinct and independent portion of this Agreement, and the remaining portions of this Agreement shall remain in full force and effect.

SECTION 9.0

TERMS OF AGREEMENT

The term of this Agreement shall be for a period **from the date first entered into through June 30, 2027** unless mutually extended. In the event services continue to be provided after the expiration of this agreement, all rates and fees shall be adjusted by five percent (5%) annually unless otherwise agreed upon.

This Agreement may be terminated by either the Client or Consultant individually or jointly upon sixty (60) days written notice. Compensation during the notice period would be paid by the Client to the Consultant if services are faithfully rendered to the Client.

IN WITNESS WHEREOF, The Consultant and the Client execute this Agreement as of the date first set forth in this Agreement.

WITNESS

CLIENT

Mike Coddington
Supervisor
Howell Township

Sue Daus
Clerk
Howell Township

WITNESS

CONSULTANT

Ben Carlisle, AICP
President
Carlisle Wortman Associates, Inc.

EXHIBIT A SCOPE OF WORK

All Planning work will be performed on an hourly basis in accordance with the rate schedule shown in Exhibit B attached hereto. Such work shall include but is not limited to the following:

A. Development Review

As needed, CWA will provide development review for all site plans, special land use requests, rezoning, etc. Reviews will be transmitted to the Township in a timely fashion (ideally the week prior to the scheduled meeting for the agenda item) to allow Planning Commission members ample time to review the information. We will be available to attend Township Planning Commission meetings to explain our review comments and to provide general assistance and consultation to the Planning Commission.

Development review work (site plans, subdivision plats, rezoning, etc.) is performed and invoiced on an hourly basis in accordance with the rates listed in Exhibit B attached hereto. Applicants deposit funds into an escrow account with the Township which is used to pay for services so that applicants, not the general fund, can be charged the appropriate review fees.

B. Major Studies and Ordinance Amendments

From time to time, the Client may request that CWA perform more in-depth studies, ordinance amendments, etc.

In such cases, the Consultant will bill time based on the current hourly rates listed in Exhibit B or provide the Client with a written cost proposal upon request.

C. Elected Leadership Training/Education

In addition to the Scope of Work above, CWA agrees to conduct one (1) annual educational training workshops, as appropriate, for the Board of Trustees, Planning Commission, and Zoning Board of Appeals as part of this agreement at no additional cost.

EXHIBIT B RATES & FEES

A. Hourly Rates

Project Team	2024-2025 Rates*	2025-2026 Rates	2026-2027 Rates
Principal (P. Montagno)	\$140/hr	\$145/hr	\$150/hr
Senior Associate	\$135/hr	\$140/hr	\$145/hr
Associate Planner	\$125/hr	\$155/hr	\$160/hr
Community Planner (G. Moore)	\$115/hr	\$155/hr	\$160/hr
Graphics (GIS) Technician	\$100/hr	\$155/hr	\$160/hr
Support Staff	\$85/hr	\$155/hr	\$160/hr

**2024 rates will apply from the effective date of this Agreement through June 30, 2025; subsequent rate adjustments shall occur on July 1st each year to align with Client's fiscal year.*

B. Miscellaneous Fees

<u>Expenses</u>	<u>Rate</u>
AutoCAD Operation	\$30/hr
Mileage	67¢/mi.
Supplies, Prints, Mailing	Actual cost + 20%

8-H

Howell Township Social Media Policy

I. PURPOSE

The purpose of this policy is to establish guidelines for the utilization of social media platforms for the Township to communicate with the public.

II. POLICY STATEMENT

It is the policy of Howell Township that social media platforms will be utilized to enhance communication, collaboration and information exchange with the public in support of the goals and objectives of the Township. The policies and procedures contained within are to establish guidelines to promote the effective, efficient, and orderly use of social media platforms to promote accurate and reliable communication with the public.

III. PROCEDURES

A. Establishment of Township Social Media Sites -The Township's official website shall remain the Township's primary means of communication. Whenever possible, postings to social media platforms should link to information readily available on the Township website.

1. The establishment of Township social media sites is subject to the approval of the Township Social Media Committee ("Committee") which shall be made up of the Supervisor, Clerk, and Treasurer. The Committee will have full access and rights to all Township social media pages.
2. Administrative access to Township social media accounts will be limited to the Committee and the Administrator.
3. Township social media sites shall clearly state that such sites are maintained by the Township to the extent possible.
4. Township social media sites shall be managed consistent with the Open Meetings Act. Elected officials and administrative staff shall not deliberate Township matters through commenting or blogging on Township social media sites.
5. Township social media sites will comply with usage rules and regulations required by the site provider, including privacy policies.
6. All Township social media sites shall adhere to all applicable federal, state and local laws, regulations and policies.
7. Township social media sites are subject to the Freedom of Information Act. Any content maintained on a Township social media site that is related to Township business, including a list of subscribers, posted communication, and communication submitted for posting may be considered a public record and subject to public disclosure
8. The Committee reserves the right to terminate any Township social media site at any time without notice.

B. Approved Social Media Platforms - Any social media platforms must be approved by the Committee.

C. Content Guidelines -The goal of the Township's social media sites is to serve as an online information source focused on Township issues, projects, news, and events and is not intended as a public forum. Whenever possible, social media will link to information readily available on the Township's official website.

1. The content of Township social media site shall pertain to Township related or sponsored/supported news, issues, programs, meetings, services and events. Content can include, but is not limited to information, photographs, videos, and hyperlinks.
2. The Township shall have full permission or rights to any content posted by the Township, including photographs and videos.
3. Postings shall only contain information that is freely available to the public and not be confidential as defined by any Township policy or state or federal law.
4. Postings may not contain any personal information, except for the names of employees whose job duties include being available for contact by the public.
5. Any employee authorized to post items on any of the Township social media sites shall review, be familiar with, and comply with the social media site's use policies terms and conditions.
6. Any employee authorized to post items on any of the Township's social media sites shall not express his or her own personal views or concerns through such postings. All postings on any Township media site shall reflect only official goals, objectives, policies and views of the Township.
7. Any post to a Township social media site shall require authorization by a Township Department Head prior to posting.
8. Township social media sites may contain content including, but not limited to, advertisements and hyperlinks over which the Township has no control. The Township does not endorse any content placed on Township social media sites by the site's owners, vendors, or partners.
9. The Township reserves the right to implement or remove any functionality of its social media site. This includes, but is not limited to, information, articles, pictures, videos, comments, or any other form of communication that is posted on a Township social media site.

D. Administration/Monitoring Guidelines - A successful social media site requires frequent attention. Each social media site requires a main administrator who is responsible for monitoring the site on a regular basis and sustaining the page long term. The Committee will also designate a back-up administrator in the primary administrator's absence.

1. Employees representing the Township on social media sites shall conduct themselves at all times as a professional representative of the Township in accordance with all Township policies. Social media posts should be made utilizing proper grammar and avoid utilizing jargon and abbreviations. While social media can be less formal than other means of communication, posts to social media should still represent the Township in a positive manner.

E. Regulation

1. Enforcement of Policy
 - a. The Committee shall be responsible for the oversight of the provisions contained within this policy.
 - b. The Committee shall be responsible for the implementation of the provisions contained within this policy.
2. Adoption/Amendment of Policy
The Township Board of Trustees shall be responsible for the adoption and amendment of this policy.

This policy was adopted by the Howell Township Board of Trustees on _____.

Sue Daus, Howell Township Clerk

8-1

Chloride Solutions

Ice & Dust Control

RATE QUOTE

Date: 1/27/25

Customer: Howell Township

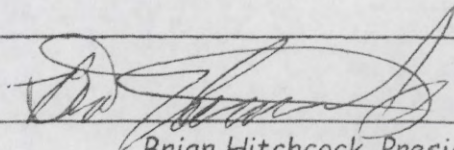
Product: Dust Control - Mineral Well Brine

Chloride Solutions offers to extend our contract for mineral well brine used for dust control for the 2025 season to start in April 2025 with Livingston County paying for the first application. Both parties agree to renew the contract with pricing, terms and conditions of the 2024 contract to remain the same for 2025. If you have any questions or would like me to attend any meetings, please contact me.

Applied Rate: \$.229 per gallon / 9,500 gallons per load
Discount Offered: 1% net 10 days of receipt; net 30 days

Customer Signature: _____

Date: _____

Quoted By: 
Brian Hitchcock, President

If awarded this bid, please sign and return to our office.

~ Telephone: 517-719-1557 ~ Fax: 517-338-5005 ~
~ Email: brian@mbhtrucking.net ~
Chloride Solutions, LLC
672 N. M-52
Webberville, MI 48892

Due to the changes occurring in our industry, the price quoted may be amended as necessary. Chloride Solutions will notify you 15 days prior to any additional price surcharge that will take effect.

8-J



Howell Township Clean Up Day

Saturday, May 17, 2025 Howell Township is having their annual clean-up day. This is a service to Howell Township residents only (proof of residency is required). The clean-up will be at THE GARBAGE MAN LLC. location at 2000 N. Burkhart Road Howell. **Hours are 9:00am to Noon.** All large items being dropped off must be able to be handled by 2 people.

Items Accepted:

Bar B Que Grills (No propane)
Car Batteries
Carpeting (Rolled in 3' sections & taped)
Furniture
Mattresses
Plastic (Outside Toys)
Refrigerators (no Freon)
Stoves
TV's
Toilets
Sinks
Washer/Dryers
Hot Water Heaters
Windows
Scrap Metal

Items Not Accepted:

Appliances with Freon
Burn Barrels
Propane Tanks
Fuel Tanks
Oil Drums
55 Gallon Drums
Commercial Trash
Construction Debris
Hazardous Materials
Household Garbage
Paint
Yard Waste
Computers and accessories

Car and Light Truck Tires: With or Without Rim 5 FREE per address. After the first 5 free tires:

- Passenger tires off the rim-\$2.50 each
- Passenger tires on the rim-\$3.50 each
- Truck tires off rim- \$8.00 each (17.5" and 19.5")
- Truck tires on rim- \$10.00 each (17.5" and 19.5")
- Semi tires off the rim-\$15.00 each
- Semi tires on the rim-\$17.00 each
- Skid steer tires off the rim-\$5.00 each
- Skid steer on the rim-\$8.00 each
- Farm implement or OTR (oversized) tires-Will start at \$35.00 and go up depending on how large they are.



Call 517-546-2817 or visit <http://howelltownshipmi.org>
for more information!

HOWELL TOWNSHIP 2025 SPRING CLEAN-UP EVENT

Date: Saturday, May 17, 2025

Time: 9:00am to Noon

Location: 2000 N. Burkhart Road Howell, MI 48843

Revised: February 3, 2025

COMPANY		CONTACT PERSON	CONTACT INFORMATION		CONFIRMED ON	NOTES	COST
NAME	ADDRESS		PHONE NUMBER	EMAIL ADDRESS			
LOCATION							
The Garbage Man LLC	2000 N. Burkhart Road Howell, MI 48843	Jamie	810-225-3001	office@thegarbagemanllc.com	Yes - Jan. 22-2025	No cost	\$0.00
TRASH AND METAL							
The Garbage Man LLC	2000 N. Burkhart Road Howell, MI 48843	Jamie	810-225-3001	office@thegarbagemanllc.com	Yes - Jan. 22-2025	Two (2) trucks from 9am-noon @ \$100.00 per hour per truck. (\$600.00 total) They will supply the container for the steel and front loader.	\$600.00
TIRE RECYCLING							
Silver Lining Tire Recycling	3776 11th Street Wyandotte, MI 48192	Wendy Stein & Jeremy Elkins	734-324-4800	jelkins@silverliningtirerecycling.com	Yes - Jan. 27-2025	A box truck has been ordered not a trailer. See attached price sheet.	\$504.00 est. (2024 cost)
MEDICATION / NEEDLES AND SYRINGES							
The Big Red Barrel	2020 E. Grand River Ave. Ste 104 Howell, MI 48843	Holly Oswalt	517-545-5944	hollyo@livingstoncc.org		Medication, needles and Syringes drop off.	\$0.00
PORTABLE TOILET							
Lashbrook Septic	4895 Curdy Road Howell, MI 48855	Maggie	517-546-2268	lashbrookseptic@sbcglobal.net	Yes - Jan. 27-2025	Will deliver the portable toilet on May 16th.	\$100.00
INMATES/TRUSTEES							
Livingston County Jail	150 S. Highlander Way Howell, MI 48843	Deputy Dave Lour	517-546-2445	cdloar@hotmail.com	Yes - Jan. 29-2025		\$0.00
SUBTOTAL:							\$1,204.00
VOLUNTEERS							
Howell Township	3525 Byron Road Howell, MI 48855	Teresa/Jonathan	517-546-2817	treasurer@howelltownshipmi.org/ deputytreasurer@howelltownshipmi.org		Volunteer sign-up sheet created and posted at the front receptionist desk.	\$0.00
SIGNS							
Howell Township	3525 Byron Road Howell, MI 48855	Teresa/Jonathan	517-546-2817	treasurer@howelltownshipmi.org/ deputytreasurer@howelltownshipmi.org		Signs will be posted at the following locations: Grand River/Burkhart Road and Burkhart Road. We are re-using signs that we already have.	\$0.00
EVENT NOTICES							
Howell Township	3525 Byron Road Howell, MI 48855	Teresa	517-546-2817	deputytreasurer@howelltownshipmi.org		Howell Township webpage and Facebook page	\$0.00
						WHMI - Events page	\$0.00
						Livingston County Press- Publish the last Sunday in April and the Sunday before the event.	\$120.00 per post x 2=\$240.00
FOOD							
Coffee/Donuts		Teresa Murrish				Dunkin Donuts	\$68.00 est. (2024 cost)
Water/Pop/Ice		Sue Daus					\$50.00 est. (2024 cost)
Pizza/bags of chips		Teresa Murrish/Sue Daus				Pizza and Chips (individual bags)	\$150.00 est. (2024 cost)
MISCELLANEOUS ITEMS							
Paper products		Sue Daus				Plates and Paper Towel	\$20.00 est. (2024 cost)
Hand Sanitizer		Sue Daus					\$10.00 est. (2024 cost)
Tent							\$0.00
SUBTOTAL:							\$538.00
GRAND TOTAL:							\$1,742.00



HOWELL TOWNSHIP 2025 FALL CLEAN-UP

Date:

Saturday, September 13, 2025

Time:

9:00am to Noon

Location:

The Garbage Man, LLC
2000 N. Burkhart Road
Howell, MI 48843

**SAVE THE
DATE!**

SCRAP METAL
APPLIANCES
HOUSEHOLD FURNITURE
CARPET
TIRES
PAPER SHREEDING
YARD WASTE
MEDICATION NEEDLES
AND SYRINGES

**MORE INFORMATION TO
FOLLOW!**

This is a service to Howell
Township residents only.

**NEW
LOCATION!**

**2000 N. Burkhart
Road**

HOWELL TOWNSHIP 2025 FALL CLEAN-UP EVENT

Date: Saturday, September 13, 2025

Time: 9:00am to Noon

Location: 2000 N. Burkhart Road Howell, MI 48843

Revised: January 29, 2025

COMPANY		CONTACT	CONTACT INFORMATION		CONFIRMED	NOTES	COST
NAME	ADDRESS	PERSON	PHONE NUMBER	EMAIL ADDRESS	ON		
LOCATION							
The Garbage Man LLC	2000 N. Burkhart Road Howell, MI 48843	Jamie	810-225-3001	office@thegarbagemanllc.com		No cost	\$0.00
TRASH AND METAL							
The Garbage Man LLC	2000 N. Burkhart Road Howell, MI 48843	Jamie	810-225-3001	office@thegarbagemanllc.com		One (1) trucks from 9am-noon @ \$100.00 per hour per truck. (\$300.00 total) They will supply the container for the steel and front loader.	\$300.00
TIRE RECYCLING							
Silver Lining Tire Recycling	3776 11th Street Wyandotte, MI 48192	Wendy Stein & Jeremy Elkins	734-324-4800	jelkins@silverliningtirerecycling.com		A box truck has been ordered not a trailer. See attached price sheet. Estimated price based on 1/2 of the spring clean up cost.	\$250.00 est
PAPER SHREDDING							
Shred Experts	1595 Champagne Drive South Saginaw, MI 48604	Rebecca Craddock	989-752-4200	rebecca@shredexperts.com		Paper Shredding Only	\$1,200.00
Shred Hub	Grand Rapids, MI	Mason Theile	616-512-5282	mtheile@shredhub.com		Paper Shredding Only	\$1,300.00
MEDICATION / NEEDLES AND SYRINGES							
The Big Red Barrel	2020 E. Grand River Ave. Ste 104 Howell, MI 48843	Holly Oswalt	517-545-5944	hollyo@livingstoncc.org		Medication, needles and Syringes drop off.	\$0.00
INMATES/TRUSTEES							
Livingston County Jail	150 S. Highlander Way Howell, MI 48843	Deputy Dave Lour	517-546-2445	cdlour@hotmail.com			\$0.00
SUBTOTAL COST:							\$1,850.00
VOLUNTEERS							
Howell Township	3525 Byron Road Howell, MI 48855	Teresa/Jonathan	517-546-2817	treasurer@howelltownshipmi.org/ deputytreasurer@howelltownshipmi.org		Volunteer sign-up sheet created and posted at the front receptionist desk.	\$0.00
SIGNS							
Howell Township	3525 Byron Road Howell, MI 48855	Teresa/Jonathan	517-546-2817	treasurer@howelltownshipmi.org/ deputytreasurer@howelltownshipmi.org		Signs will be posted at the following locations: Grand River/Burkhart Road and Burkhart Road. We are re-using signs that we already have.	\$0.00
EVENT NOTICES							
Howell Township	3525 Byron Road Howell, MI 48855	Teresa	517-546-2817	deputytreasurer@howelltownshipmi.org		Howell Township webpage and Facebook page	\$0.00
						WHMI - Events page	\$0.00
						Livingston County Press- Publish the last Sunday in April and the Sunday before the event.	\$120.00 per post x 2=\$240.00
FOOD							
Coffee/Donuts		Teresa Murrish				Dunkin Donuts	\$68.00 est. (2024 cost)
Water/Pop/Ice		Sue Daus					\$50.00 est. (2024 cost)
Pizza/bags of chips		Teresa Murrish / Sue Daus				Pizza and Chips (individual bags)	\$150.00 est. (2024 cost)
MISCELLANEOUS ITEMS							
Paper products		Sue Daus				Plates and Paper Towel	\$20.00 est. (2024 cost)
Hand Sanitizer		Sue Daus					\$10.00 est. (2024 cost)
Tent							\$0.00
SUBTOTAL COST:							\$538.00
GRAND TOTAL:							\$2,388.00

10B

HOWELL TOWNSHIP

1Q25	
G2G CLOUD SOLUTIONS	
Transaction Amount	\$2,170.73
Enhanced Access Fees	\$73.61
Net Enhanced Access Fees	\$45.64
G2G CLOUD SOLUTIONS Share Back Amount	\$22.84
1Q25 Total Quarterly Share Back Amount	\$22.84

G2G CLOUD SOLUTIONS Share Back Total	\$22.84
FY2025 Total Year To Date Share Back Amount	\$22.84

1Q25	Product Name	Payment Type	Quantity	Transaction Amount	Enhanced Access Fees
	DLQ PERSONAL PROPERTY - OTC	CREDIT CARD	2	\$1,116.42	\$33.36
	DOG LICENSES - OTC	CREDIT CARD	2	\$35.00	\$5.00
	GENERAL - OTC	CREDIT CARD	2	\$260.00	\$10.75
	HOWELL TWP-MHOG	CREDIT CARD	1	\$34.00	\$2.50
	SUMMER TAX - OTC	CREDIT CARD	1	\$725.31	\$22.00
	TOTAL		8	\$2,170.73	\$73.61
YTD				\$2,170.73	\$73.61

Park and Rec Investments					
Vehicle	Amount	Start Date	End Date	Rate	Interest Earned
90 day CD	\$100,000.00	8/27/2024	11/25/2024	1.60%	\$394.52
120 day CD	\$200,000.00	8/27/2024	12/25/2024	1.80%	\$1,183.56
180 Day CD	\$400,000.00	8/27/2024	2/23/2025	4.65%	
365 Day CD	\$500,000.00	8/27/2024	8/27/2025	4.45%	
90 Day CD	\$100,000.00	11/25/2024	2/23/2025	4.40%	
119 Day CD	\$200,000.00	12/30/2024	4/28/2025	4.20%	

General Fund Investments					
Vehicle	Amount	Start Date	End Date	Rate	Interest Earned
90 Day CD	\$100,000.00	8/27/2024	11/25/2024	1.60%	\$394.52
120 Day CD	\$300,000.00	8/27/2024	12/25/2024	1.80%	\$1,775.34
180 Day CD	\$700,000.00	8/27/2024	2/23/2025	4.65%	
365 Day CD	\$1,900,000.00	8/27/2024	8/27/2025	4.45%	
90 Day CD	\$100,000.00	11/25/2024	2/23/2025	4.40%	
119 Day CD	\$300,000.00	12/30/2024	4/28/2025	4.20%	

10D

Monthly Permit List

02/03/2025

1/2

MHOG

Permit #	Applicant	Address	Fee Total	Const. Value
PMHOG24-009	PINEVIEW VILLAGE CONS. GROUP INC.	1686 PINECROFT LN	\$0.00	\$0.00
	Work Description:			
PMHOG24-011	PINEVIEW VILLAGE CONS. GROUP INC.	1690 PINECROFT LN	\$0.00	\$0.00
	Work Description:			
PMHOG24-016	PINEVIEW VILLAGE CONS. GROUP INC.	1693 PINECROFT LN	\$0.00	\$0.00
	Work Description:			
Total Permits For Type:				3
Total Fees For Type:				\$0.00
Total Const. Value For Type:				\$0.00

Residential Land Use

Permit #	Applicant	Address	Fee Total	Const. Value
P25-004	RENEWAL BY ANDERSEN - Store 92	52 CASTLEWOOD DR	\$10.00	\$0.00
	Work Description: Replacing 3 windows, 1 entry door, 1 storm door			
P25-009	KRAMER EASTON	3195 FISHER RD	\$75.00	\$0.00
	Work Description: Remodel of existing house, including a 9' 4" x 13' 4" addition.			
P25-005	J & S Construction	3339 FLEMING RD	\$75.00	\$0.00
	Work Description: 24' x 80' by 14' pre engineered metal building, cement floor, no lean to			
P25-003	FINISHED BASEMENT PLUS	3275 HILL HOLLOW LN	\$10.00	\$0.00
	Work Description: Finished basement area to include wet bar area, main area with existing egress, gym area, ceiling insulation and smoke detectors.			
P25-001	DAVID LAMKIN	W MARR - VACANT	\$75.00	\$0.00
	Work Description: New single family house, single story with attached garage, 1904 sq ft living space.			
P25-008	RENEWAL BY ANDERSEN - Store 92	618 OLDE ENGLISH CIR	\$10.00	\$0.00
	Work Description: Replacing 9 windows.			
P25-006	Install Partners LLC	1368 SHIRE CT	\$10.00	\$0.00
	Work Description: Replace front entry door			
Total Permits For Type:				7
Total Fees For Type:				\$265.00
Total Const. Value For Type:				\$0.00

Sign

Permit #	Applicant	Address	Fee Total	Const. Value
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P25-002	Metro Sign, In.c	1475 N BURKHART C-140	\$450.00	\$0.00
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Work Description: front sign- 36" x 196.75" front wall sign and 18" x 36" under canopy vinyl face change on direction at 5.2" x 25.6"

Rear sign - 36" x 196.75"

REVISED: The only difference is that the letters are no longer on a raceway. The under-canopy sign and the vinyl face change are not changing. Is there any way we can get a stamped approval from Howell Twp on these revised drawings instead.

P25-007	BILL CARR SIGNS	275 E HIGHLAND RD	\$225.00	\$0.00
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Work Description: 60" x 180" double faced illuminated sign on a pylon 10' high.

Total Permits For Type:	2
Total Fees For Type:	\$675.00
Total Const. Value For Type:	\$0.00

Grand Total Fees:	\$940.00
Grand Total Permits:	12.00

Code Enforcement List

02/03/2025

Address	Owners Name	Parcel Number	Date Filed	Origin	Status
70 HENDERSON RD Complaint	LESPERANCE CHRIS A	4706-24-301-017	12/02/2024	ANONYMOUS	OPEN - COMPLANT RECEIVE
Dumpster on site for months. Piles of debris on site and people dropping off garbage and adding to piles of debris.					
Comments					
12.10.24 - Site visit completed. Verified complaint, dumpster is on site with large pile of junk near the dumpster. Letter sent to owner.					
1.27.25 - Site visit completed. Violation still exists. Letter sent to owner.					
1.29.25 - Received phone call from homeowner. They did not understand that this was not allowed and will be getting it taken care of.					
5704 CRANDALL RD Complaint	JEWETT RICHARD L &	4706-05-200-004	11/25/2024	PUBLIC - EMAIL	OPEN - COMPLANT RECEIVE
A person is living in an RV in the back of the property against Township Ordinance.					
Comments					
12.10.24 - Site visit completed. RV is located in the back of the property. Letter sent to owner.					
1.27.25 - Site visit completed. No visible change. Letter sent to owner.					

Code Enforcement List

02/03/2025

Address	Owners Name	Parcel Number	Date Filed	Origin	Status
4141 W GRAND RIV Complaint House is neglected, building unsafe, junk in yard.	TONON CHIARINA S	4706-20-400-012	09/24/2024		OPEN - COMPLANT RECEIVE
Comments 9.24.24 - Contacted Livingston County Building Department RE performing dangerous building inspection. 10.3.24 - Received LCBD determination letter. Contacted Spicer RE Dangerous Buildings Hearing Officer availability. Spicer does not currently have availability to perform these duties. 10.17.24 - Letter sent to owner. 12.19.24 - No response received. Second letter sent to owner with tracking. 1.9.25 - Spoke to owner, is getting quotes from companies to demolish the structures. Provided contact information to Township and will stay in touch with progress reports. 1.27.25 - Violation still present.					
5407 OAK GROVE RD Complaint Garbage outside on the lawn surrounding the house and overflowing from the garage. Garbage is attracting vermin.	CITIZENS BANK NA	4706-02-401-008	09/10/2024	PUBLIC - EMAIL	OPEN - COMPLANT RECEIVE
Comments 9.10.24 - Complaint received. Site visit completed. Letter sent to owner and to bank. 10.8.24 - Site visit completed. No change in condition. Letter sent to owner and to bank. 10.17.24 - Original certified letter to owner returned. 10.21.24 - Letter posted on the house. 11.6.24 - Site visit. Letter is no longer posted to the house. No change in condition. 12.10.24 - Site visit. No change in condition. Property in foreclosure.					

Code Enforcement List

02/03/2025

Address	Owners Name	Parcel Number	Date Filed	Origin	Status
30 SANTA ROSA DR Complaint	FAGAN, SHANE	4706-33-400-050	07/02/2024		OPEN - COMPLANT RECEIVE
Owner is operating a manufacturing business in the SFR zoning district.					
Comments					
7.2.24 - Reviewed information regarding Speakeasy Speed Shop. Not a permitted use in the SFR zoning district. Violation letter sent to owner.					
8.1.24 - Site visit completed. No observed business activity at site.					
9.4.24 - Site visit completed. Searched website and watched YouTube videos. Industrial use is continuing at this location in SFR Zoning district. Letter sent to owner.					
9.30.24 - Communication from owner received, attached. Owner is requesting Township Board to modify home occupation portion of Zoning Ordinance to allow this use in SFR Zoning. Enforcement action will pause until a decision has been made.					
10.16.24 - Ticket submitted to Court					
10.17.24 - Ticket presented to homeowner. Discussion with homeowners.					
11.14.24 - Ticket not paid. Owner has requested a formal hearing.					
1.13.25 - Hearing adjourned until 2.12.25.					
3265 W GRAND RIVER A Complaint	AMERICAN LEGION P	4706-28-200-010	05/21/2024		OPEN - COMPLANT RECEIVE
Starting to add more parking on adjacent lot owned by MDOT without permits.					
Comments					
4.25.24 - Received call regarding work being done by American Legion. Site visit, verified work was underway. Contacted MDOT RE approval.					
5.21.24 - Site visit completed, violation still present. Sent letter to American Legion.					
6.18.24 - Site visit. More work has been completed including installing gravel in excavated area and a tent and fencing has been erected next to gravel area on MDOT property. Letter sent to American Legion.					
8.1.24 - Site visit completed. Tent and fencing have been removed, large pile of dirt has been removed, additional gravel parking area still on MDOT property.					
9.4.24 - Site visit completed. Violation still present. Posted Notice of Violation Ticket to front door, mailed a copy of the violation. Ticket #: 0202					
9.4.24 - Phone conversation with Commander Laura Goldthwait. Requested letter explaining the violation and steps moving forward. Mailed to Legion, emailed to Laura, attached.					
9.12.24 - Received correspondence from Legion's attorney denying all responsibility. Documents provided to Township's attorney. Township's attorney has contacted Legion's attorney.					
10.8.24 - Site visit completed. Photos of Legion using the additional parking attached.					
12.10.24 - Site visit completed. Christmas trees located in additional parking area and land east of building. Letter sent regarding temporary uses requiring permits.					
1.27.25 - No change to property.					

Code Enforcement List

02/03/2025

Address	Owners Name	Parcel Number	Date Filed	Origin	Status
3590 W GRAND RIV	HASLOCK PROPERTIE	4706-28-100-024	05/06/2024		OPEN - FIRST LETTER SENT
Complaint Zoning Violations:Outdoor storage without screening, setback issues, parking not hard surfaced, no sign permit.					

Comments

- 5.13.24 - Violation letter to Occupant returned.
 - 5.20.24 - Received phone call from owner. Will be preparing a site plan to take before the Planning Commission for approval.
 - 6.20.24 - Received phone call from owner, discussed site plan requirements.
 - 9.4.24 - Sent letter to owner RE site plan progress.
 - 9.12.24 - Spoke to owner, Engineer has site plans almost complete. Will submit for review in the near future.
-

Code Enforcement List

02/03/2025

Address	Owners Name	Parcel Number	Date Filed	Origin	Status
5057 WARNER RD Complaint LARGE AMOUNT OF JUNK AND LITTER IN THE YARD.	HARTER EDWARD H	4706-19-200-005	03/14/2022	PUBLIC/ EMAIL	OPEN - SECOND LETTER SEN

Comments

- 4.17.2023 THERE IS MORE JUNK NOW THEN THERE WAS LAST MARCH OF 2022 OR JANUARY OF 2023.
- 5.25.2023 I SPOKE WITH MR. HARTER HE IS STARTING TO CLEAN THE SITE UP, HE SAID THAT IT WILL TAKE SOME TIME TO GET IT ALL CLEANED UP. I WILL BEE CHECKING ON HIS PROGRESS EVERY FEW WEEKS TO MAKE SURE HE IS MAKING PROGRESS.
- 6.29.2023 SOME PROGRESS HAS BEEN MADE. WILL CHECK BACK IN A COUPLE OF WEEKS.
- 1.9.2024 did a site vist there has been no progress made on the clean up.
- 1.11.2024 Finial letter sent.
- 3.20.24 - Site visit. No remediation of issues has taken place. Photos attached.
- 3.25.24 Spoke to owner. Owner is working on cleaning up the property, has dumpsters being delivered, scrap is in piles and ready to be taken to the scrap yard. Has requested 3 months to get the property cleaned up. Letter sent in confirmation of agreement. Scheduled visit for June 25th.
- 4.23.24 - Site visit. Violation still present. Scheduled reinspection.
- 5.20.24 - Site visit. Work has been started. Violation still present. Scheduled reinspection.
- 6.18.24 - Site visit. Violation still present, no evidence of continued clean up activity. Will reinspect on June 25th as agreed.
- 6.25.24 - Site visit. Minimal changes to site, violation still present. Letter sent to owner.
- 8.1.24 - Site visit completed. Owner still working on clean-up.
- 9.4.24 - Site visit completed, spoke to homeowner. Owner claims to have back of property nearly complete. Dumpster to be arriving next week, neighbors helping to remove scrap in the next few days.
- 10.8.24 - Site visit completed. No evidence of activity. Final violation letter sent to owner.
- 11.6.24 - Site visit completed. No evidence of activity. Will check property on 11.14.24 per letter.
- 11.14.24 - Site visit completed. No evidence of activity. Ticket number 0204 issued. Ticket mailed to homeowner 11.18.24.
- 12.4.24 - Spoke to homeowner. He will be completing a clean-up schedule and providing it to the Township. If the schedule is followed and clean-up of property is achieved ticket will be waived.
- 12.10.24 - Schedule has not been provided to Township. Site visit completed, no change.
- 1.27.25 - Site visit completed, no change. Schedule has not been provided to Township. Final violation letter sent to owner.

Records: 8

Population: All Records

10E

Monthly Activity Report for January 2025 – Assessing Dept/Brent Kilpela

MTT UPDATE:

Howell W P Acquisition Group, LLC v Howell Township: Filed answer to appeal on July 2nd. The Michigan Tax Tribunal Prehearing General Call set for July 16, 2025, with valuation disclosure due by March 19, 2025. The City of Howell settled their two-year appeal with Medilodge. I intend to utilize the settlement terms in lieu of hiring an appraiser to start the negotiations with the petitioner. The property under appeal does have functional obsolescence.

SMALL CLAIMS TRIBUNAL:

No appeals at this time.

ASSESSING OFFICE:

ASSESSOR: The 2025 Assessment Roll was completed in January. Assessed Values rose 8.46 percent for the Residential Class, while the Agricultural Class rose less than 1 percent. The Industrial Class experienced the largest increase at 11.92 percent. Finally, the Commercial Class decreased almost 1 percent.

OTHER: Attended January Wastewater Treatment Plant meeting. Closed out the 2024 payroll year. This includes filing the final quarterly form 941 with the Internal Revenue Service and the annual 5081 with Michigan Department of Treasury. Completed W2/W3 detail and e-filed with Social Security Agency. Also completed 1099/1096 detail and e-filed with the Internal Revenue Service. The tax tables were also updated for 2025. Prepared Financial update for February board meeting.

10H

Howell Township Planning Commission 2024 Annual Report

Introduction

The Howell Township Planning Commission is the body responsible for providing planning and zoning recommendations to the Township Board. The Michigan Planning Enabling Act requires that “A Planning Commission shall make an annual written report to the legislative body concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development.”

The annual report of the Planning Commission increases information sharing between staff, boards, commissions, and the governing body. The report details and allows for greater anticipation of upcoming issues and priorities, providing for improved preparation and budgeting as necessary.

This report was prepared by the Howell Township Zoning Administrator.

Membership

Planning Commission	Term Expiration
Wayne Williams, Chair Reappointed 12.9.24	12.31.2027
Robert Spaulding, Vice Chair	12.31.2026
Mike Newstead, Secretary Reappointed 12.9.24	12.31.2027
Matt Counts, Board Rep.	11.20.2024
Tim Boal – Appointed as Board Rep. to PC 12.9.24	11.20.2028
Denise Markham – Resigned 4.10.24	
Paul Pominville – Resigned 12.16.24	
Chuck Frantjeskos – Appointed 5.13.24. Reappointed 12.9.24	12.31.2027
Matt Stanley – Appointed 1.13.25	12.31.2026
Sharon Lollo – Appointed 1.13.25	12.31.2026
Shane Fagan – Board Rep. Alternate – Appointed 12.9.24	11.20.2028

Planning Commission Meetings

The Michigan Planning Enabling Act requires that a Planning Commission meet at least 4 times annually. The Planning Commission met 10 times on the following dates, meeting the requirements of the MPEA.

April 2 – Special Meeting

April 23

May 28

June 25

July 23

September 5 – Rescheduled Meeting due to Weather

2024 Howell Township Planning Commission Annual Report

September 24
 October 22
 November 19
 December 17

Zoning Ordinance Text Amendments and Rezoning Requests

Amendment Topic and ZO location	Adoption date
Solar Ordinance. Discussed: April 2	
ADU Ordinance. Discussed: April 2, May 28, June 25, Sept. 5, Oct. 22, Nov. 19	
Storage Container Ordinance. Discussed: April 2, April 23, May 28, June 25, Sept. 5, Oct. 22, Nov. 19	November 19
Re-zoning request NSC to IFZ with Conditions	April 23
Wellhead Protection Ordinance. Discussed: Oct. 22, Nov. 19, Dec. 17	December 17
Home Occupations, Section 14.19. Discussed: Nov. 19, Dec. 17	

Development Reviews

Project type	Location	Description	Status	Date of action
Old Glory	4120 W. Grand River Ave.	Car wash expansion	Approved with conditions	April 2
Michigan Storage Barns	675 E. Highland	Site plan changes to approved site plan	Approved	April 23
Wrangler's Saloon	4020 W. Grand River	Demolition of Wrangler's and building new restaurant	Preliminary Site Plan Approved	April 23
Fireworks Tent	Tanger Outlet Mall	Temporary fireworks tent	Approved with conditions	June 25
Chestnut Self Storage	N. Burkhart	New large self-storage facility	Preliminary Site Plan Approved with conditions	June 25
Cornerstone Group	Trans West Industrial Park	Small manufacturing tenant spaces	Preliminary Site Plan Approved with Conditions	July 23

2024 Howell Township Planning Commission Annual Report

Chestnut Self Storage	N. Burkhart	New large self-storage facility	Final Site Plan Approved with Conditions	September 5
Wrangler's Saloon	4020 W. Grand River Ave.	Demolition of Wrangler's and building new restaurant	Final Site Plan Approved with Conditions	September 5
Guided Mission Investments	1800 N. Burkhart	Temporary use request for a Halloween walking path and Christmas walking path	Approved with Conditions	September 24
Bedrock Ventures	4944 Mason Rd.	Special use request for an RV resort	Postponed action	October 22
Heritage Square	Burkhart Rd. and Mason Rd.	Final PUD and site plan approval for Phase I	Approved with Conditions	November 19
Cornerstone Group	Trans West Industrial Park	Small manufacturing tenant spaces	Final Site Plan Approved with Conditions	December 17

Planning Commission completed an update of their by-laws to perform some minor house cleaning items and to add an additional Call to the Public section to the agenda.

Priorities and Moving Forward

This year the Planning Commission will be reviewing the Township's Solar Ordinance with the intention of modernizing it and taking PA 233 into consideration.

The Planning Commission's main request to the Township Board is to budget for a complete review and update of the Township's Zoning Ordinance book. It has been at least a decade since a review has been completed on the Ordinance book.

The Commissioners appreciate that the Board approved the expense and provided the opportunity for them to attend MSU Extension's Citizen Planner class, Good Governance series, and last week's Roles and Responsibilities class. It is the Commission's intent to have educational meetings throughout the year. If the Township Board renews Carlisle Wortman's contract, one yearly educational meeting is included at no additional charge. However, the Planning Commission would like to request an increase in the education budget to cover the costs of future educational opportunities.

**HOWELL TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES**

3525 Byron Road Howell, MI 48855

January 28, 2025

6:30 P.M.

MEMBERS PRESENT:

Wayne Williams	Chair
Robert Spaulding	Vice Chair
Mike Newstead	Secretary
Tim Boal	Board Representative
Chuck Frantjeskos	Commissioner
Matt Stanley	Commissioner
Sharon Lollo	Commissioner

MEMBERS ABSENT:

Also in Attendance:

Township Planner Paul Montagno and Zoning Administrator Jonathan Hohenstein

Chairman Williams called the meeting to order at 6:30 pm. The roll was called. Chairman Williams requested members rise for the Pledge of Allegiance.

APPROVAL OF THE AGENDA:

Motion by Boal, **Second** by Newstead, **“To approve the agenda as presented”** Motion carried.

APPROVAL OF THE MEETING MINUTES:

December 17, 2024

Motion by Spaulding, **Second** by Frantjeskos, **“To approve the minutes as presented with one edit.”** Motion carried. Edit to add Engineer Phil Westmoreland with Spicer Group to “Also in Attendance”.

Call to the Public

None

ZONING BOARD OF APPEALS REPORT:

Report in packet

TOWNSHIP BOARD REPORT:

Draft minutes are included in the packet. Board Representative Boal welcomed Sharon Lollo and Matt Stanley to the Planning Commission and discussed PA 233 Solar, Wind and Energy Ordinance Resolution of support. Zoning Administrator Hohenstein gave an update on Storage container ordinance that came back from the county.

ORDINANCE VIOLATION REPORT:

Report in packet. Enforcement Officer Hohenstein gave an update on pending ordinance violations. Commissioner Lollo questioned the process of how violation tickets/fines are issued.

SCHEDULED PUBLIC HEARINGS:

- A. Mark Juett PC2024-17, Parcel # 4706-28-100-071, Vacant land- Hydraulic Drive.
Request to re-zone from Industrial (I) to Industrial Flex Zone (IFZ), Applicant Mark Juett discussed his proposed use for the vacant property to be used as an outdoor storage yard, no building would be present. Rental space will be available to store boats, RVs, Semi- trailers, and contractors to store equipment/materials. Commissioner Boal questioned the site plan and concerned of the positioning and how it will look from the road. Commissioner Lollo questions screens/trees to block external visibilities. Vice Chair Spaulding questioned recycled asphalt vs. impervious surfaces for the area. Township Planner Montagno reviewed his report. This parcel is around other Industrial/ Industrial Flex Zoned districts and is designated as being zoned Industrial Flex in the future land use plan. Findings: would this proposed rezoning would be compatible with other zones and uses in the surrounding area and if any public service or facilities would be significantly impacted by the development of the use allowed under the rezoning. **Motion** from Spaulding, **Second** by Boal, **“Move to open the public hearing to discuss PC2024-17 on Parcel 4706-28-100-071.”** Motion Carried. **Motion** by Newstead, **Second** by Frantjeskos, **“To Close the public hearing.”** Motion Carried. Discussion followed. **Motion** by Boal, **Second** by Newstead, **“To recommend to the Township Board approval to rezone parcel 4706-28-100-071 from Industrial to Industrial Flex Zone under PC2024-17.”** Motion Carried.

OTHER MATTERS TO BE REVIEWED:

- A. Annual Report to the Township Board: Treasurer Hohenstein discussed priorities, education opportunities and budgeting for year 2025 that need to be taken to the Township Board for approval. Chairman Williams discussed which Zoning Ordinances to review and update. Township Planner Montagno spoke on the drafted proposal to update ordinances that will be submitted to the Township Supervisor soon and the possibility of yearly training for the board. Discussion followed. It was the consensus to send the Annual Report to the Board and to request an increase in the education budget for the Planning Commission and request the Board approve the budget to re-do the Zoning Ordinance.
- B. Officer Selection per Section 2 of the Planning Commission By-laws- **Motion** by Boal, **Second** by Frantjeskos, **“To nominate the current President Wayne, Vice- Chair Rob and Secretary Mike to the current positions for 2025.”** Motion Carried. Chairman Williams questioned term expiration. Planner Montagno clarified that the by-laws state that new officers are selected at the beginning of each year.

OLD BUSINESS:

- A. ADU Ordinance- Township Planner Montagno updated the presented language changes on the ADU ordinance and discussed options to be decided by the Planning Commission that can be taken to the Township Board for approval. Commissioner Lollo is concerned with detached ADUs and potentially becoming a rental. Commissioner Spaulding is concerned with detached ADUs and potential problems for homeowners and neighbors. Chairman Williams is concerned with allowing detached ADUs and future ramifications. Secretary Newstead is in favor of supporting an option for a detached ADU. Board Representative Boal questioned splitting property into parcels and attaching additions to the existing home and is concerned about detached ADUs. Discussion followed. **Motion** by Boal, **Second** by Lollo with friendly amendments, **“To recommend to the Board a denial of proposed ordinance language.”** Roll Call: Stanley- yes, Newstead- no, Lollo-yes, Frantjeskos-yes, Boal-yes, Williams-yes, Spaulding- no. Motion passed 5-2.

- B. Renewable Energy/Solar Ordinance- Township Planner Montagno gave an update on the New Renewable Energy Legislation PA 233. Local governments must re-evaluate how large, utility-scale wind, solar and energy storage facilities will be regulated in communities. Board Representative Boal questioned if the current Township Solar Ordinance is compatible, battery storage, concerns of contaminated soil after the solar farm lease is up, and the authority / guidelines of the Michigan Public Service Commission. Commissioner Spaulding questioned if battery storage facilities are a part of the solar farm or in a separate area and if solar farms would pay property taxes. Commissioner Lollo questioned pending lawsuits with other counties and townships. Planner Montagno answered questions regarding battery storage risks and possible permitting pathways for a revised ordinance. Zoning Administrator Hohenstein questioned if an overlay district would be created for these uses and gave an overview in Eagle View of a potential area that was previously discussed. Planner Montagno will draft sample ordinance language that is consistent with a CREO (compatible renewable energy ordinance) to present next month. Discussion followed.

NEW BUSINESS:

None

CALL TO THE PUBLIC:

Tom Bull, 2704 Fisher- Spoke on opposition to detached ADU's

ADJOURMENT:

Motion by Spaulding Second by Newstead, **“To adjourn.”** Motion carried. The meeting was adjourned at 9:15 P.M.

Date

Mike Newstead
Planning Commission Secretary

Marnie Hebert
Recording Secretary

101

HOWELL TOWNSHIP ZONING BOARD OF APPEALS

DRAFT MINUTES: January 21st 2025

3525 BYRON RD. HOWELL, MI 48855 (517-546-2817)

MEMBERS PRESENT:

Ken Frenger Chairman
Carol Weaver Vice Chair
Jim McEvoy Secretary
Matt Counts Board Rep

MEMBERS ABSENT:

Wayne Williams PC- Rep.

Also Present:

Jonathan Hohenstein Zoning Administrator

Ken Frenger called the meeting to order at 6:30 p.m. The roll was called.

APPROVAL OF AGENDA: MOTION by Counts **Seconded** by Weaver, “To Approve the January 21st, 2025, Zoning Board of Appeals Agenda” Motion carried.

APPROVAL OF MINUTES: MOTION by Weaver **Seconded** by McEvoy, “To Approve the September 17, 2024, Zoning Board of Appeals Minutes as Presented” Motion carried.

TOWNSHIP BOARD REPORT: Counts asked for questions, none.

PLANNING COMMISSION REPORT: Counts asked for questions, none

OLD BUSINESS: None

NEW BUSINESS:

A. Public Hearing: Trenton Whitaker, PZBA2024-07, Parcel #: 4706-13-302-063, 3072 Hill Hollow Ln. Howell, MI 48855.

Section 6.06 F – Single Family Residential

Section 14.18 – Supplemental Regulations

Request: 15-foot variance to the rear lot line and a 5-foot dimensional variance to the side lot line to allow a pool to be constructed within the property setbacks.

Staff Report: Jonathan Hohenstein

Parcel 4706-13-302-063 is a 0.268-acre site situated in the Oak Grove Meadows subdivision in the Single Family Residential (SFR) Zoning District. Applicant is seeking to construct a pool in the property setbacks. The property is a corner lot, which means it has two front yards and a much smaller rear yard than a typical property in the same subdivision. Setbacks for the SFR Zoning District are listed below but severely limit the area available to the applicant and the additional standards for pools limit the space even more preventing the installation of a pool.

Single Family Residential - Section 6.06-F: Yard and setback requirements.

- 1) Front yard. Minimum of thirty (30) feet from the road right-of-way line, or as specified in Section 26.05, whichever is greater.
- 2) Side yard. Minimum of ten (10) feet for each side yard, but a minimum total of twenty (20) feet for both side yards.
- 3) Rear yard. Minimum of forty (40) feet.

Supplemental Regulations - Section 14.18: Private pools shall be permitted as an accessory use in all zoning districts within the rear and side yards only, provided they meet the following requirements:

- A. There shall be a distance of not less than twenty (20) feet between the adjoining property line and the outside of the pool wall.
- B. There shall be a distance of not less than four (4) feet between the outside pool wall and any building located on the same lot.
- C. No swimming pool shall be located less than thirty-five (35) feet from any front lot line.
- D. No swimming pool shall be located less than the distance required for a side yard by the zoning ordinance

Trenton Whitaker discussed the need to address the setbacks with ZBA before going to the HOA (Home Owners Association). Questions: asked what the pool dimensions were? Mr. Whitaker response was 18 (eighteen) foot round. What was the location? Mr. Whitaker responded with an indication on a computer screen, of the photo of his property. Mr. Whitaker stated the reason for the request was that he did not want the pool within four (4) feet of his home. Similar to current location of a trampoline.

Public input:

Chery Januszka 3041 Ivy Wood Circle Howell, MI 48855, sent via email in support of granting the variance. Zoning Board Administrator indicated that there several phone calls in support of the variance.

ZBA after a short discussion believed that with the constraints of the property provided no options. Therefore, the variance was appropriate. Comments to Mr. Whitaker were that any deck or additional structures would have to reviewed as well. Further, Mr. Whitaker acknowledged that he would need to go to HOA in this process next.

Motion by Weaver Seconded by McEvoy, "On PZBA2024-07, Parcel #: 4706-13-302-063, 3072 Hill Hollow Ln. Howell, MI 48855 for a 15-foot variance to the rear lot line and a 5-foot dimensional variance to the side lot line to allow a pool to be constructed within the property setbacks."

Roll Call Vote:

Frenger – Yes, Weaver – Yes, Counts – Yes, McEvoy – Yes. **MOTION CARRIED 4-0**

OTHER BUSINESS

Discussion of upcoming classes:

- ROLES AND RESPONSIBILITES PROGRAM - **Date:** January 23, 2025 **Time:** 6-8pm **Location:** Howell Township
- CITIZEN PLANNER - **Date:** March 6, 13, 20, April 3, 10 and 17, 2025 **Time:** 6-9pm **Location:** The John E LaBelle Livingston County Public Safety Complex
- THE GOOD GOVERNANCE SERIES - **Date:** TBD

Board Members will attend.

Discussion of a potential for the ZBA to report to the Board for various revisions for ordinances that require often variances. Example: Barn locations.

CALL TO THE PUBLIC: No Response.

ADJOURNMENT: Meeting adjourned at 7:07 P.M.

Approved: _____

As Presented: _____

Jim McEvoy, Secretary

As Amended: _____

As Corrected: _____

Dated: _____

10J

Howell Township
Wastewater Treatment Plant Meeting
Meeting: January 15, 2025 10 am

Attending: Greg Tatara, James Aulette, Sue Daus, Brent Kilpela, Jonathan Hohenstein

Please see the attached report for details on the plant operation.

Hatch Stamping: Greg and James met with Hatch Stamping's representative Lisa Craft and the building owner's representative Les Weber to discuss Greg's proposed solution to their problem. See 2.1 and 2.3 of Greg's report for more information on the proposed solution. Also included at 2.1 is a letter from Lisa Craft after Greg and James's meeting.

It is Hatch's and the building owner's position that all these issues are the fault of the Township and therefore the Township should be responsible for the fix. The history of the situation does not support their argument. The Trans-West pump station (#70) was built before 1051 Austin Court (Hatch Stamping.) The fact that 1051 Austin Court was built at a low elevation related to the pump station is not the Township's fault. The Township does not have the regulatory power to force a builder to build at a certain elevation. It was the builder's decision to build the building at its current elevation, most likely due to convenience and cost. While Hatch Stamping may not like the situation, it wasn't a big enough problem to prevent them from constructing an addition that doubled the size of the building just a few years ago. The Township does not install or maintain any grinder pumps. In the Township's commercial park on Grand Commerce Drive all the buildings have grinder pumps that are installed and maintained at the owner's expense.

Greg and James put the time and effort into shooting grade and compiling a comprehensive plan and obtaining quotes from contractors that would remedy the issue. It is the Committee's recommendation that the owner and lessee work together to resolve their problem.

Respectfully submitted,
Jonathan Hohenstein

Howell Township Monthly Wastewater Operations Report



Installed Sludge Pump

January 2025

Howell Township Wastewater System Operations Report January 2025

Table of Contents

Section 1 – Plant Operation

Attachment 1.1 – Written Operations Summary

Attachment 1.2 - Plant Performance Summary

Attachment 1.3 – EGLE Discharge Monitoring Report for December 2024

Attachment 1.4 – Process Data

Attachment 1.5 – Brighton Analytical Data

Attachment 1.6 – E-mail from Larry Lind at FHC Regarding Delivery of Clarifier

Attachment 1.7 – Warranty Repair by ART of Coating Delamination in Headworks

Attachment 1.8 – Installation of RAS Pump

Section 2 – Collection System Operation

Attachment 2.1 – Written Maintenance Summary

Attachment 2.2 – Weekly Pump Station Inspection Data

Attachment 2.3 – Cost Summary from January 8, 2024 Meeting with Hatch

Attachment 2.4 – Collection System Maintenance Planning

Attachment 2.5 – Cost to Adjust to Grade

Attachment 2.6 – Manhole Entry to Remove Blockage

Attachment 2.7 – Monthly Miss Dig Log for December 2024

Section 3 – Repairs and Capital Improvements

Attachment 3.1 – January 2025 Capital Projects Cost and Status Summary

Section 1

Plant Operation

Howell Township Plant Operations

Monthly Summary for December:

This report outlines the key operational characteristics and performance for the wastewater treatment plant during December, as well as notable activities and updates.

Wastewater Treatment: A total of **11.1 million gallons (MG)** of wastewater were treated in December, with **no permit violations**.

Preventative Maintenance: All scheduled preventative maintenance tasks were completed at the plant.

Influent Channel: Advance Rehabilitation Technology completed the repair of the influent channel as a warranty issue, with all work now fully completed at no cost to the township

RAS Pump Installation: The RAS (Return Activated Sludge) pump has been installed and we have scheduled an electrician to come out and wire in pump.

Recycle Pump Station: The recycle meter was successfully repaired and installed in December.

Process Summary:

- EQ Tank
 - Operating North Tank
 - 5 broken gate valves
- Influent Sampler:
 - Normal Operation
- Headworks:
 - Normal Operation
- FeCl₂ Chemical Room
 - Normal Operation
- Aeration Basin:
 - Normal Operation
- Junction Chamber:
 - Normal Operation
- RAS Building & Clarifier:
 - CSM installed new pump
- Sand Filters:
 - Normal Operation
- Post Aeration:
 - Normal Operation
- UV System:
 - Waiting on a quote from UIS to rebuild a UV Module
- Recycle Pump Station:
 - Repaired and installed flow meter

Howell Township WWTP	
Plant Performance	Dec-24
HT WWTP Flows	
TOTAL MONTHLY EFF (MG)	9.53
TOTAL MONTHLY INF (MG)	11.10
Final Effluent Monitoring	
INF pH	7.07
EFF pH	7.20
INF NH3-mg/L	36.02
EFF NH3-mg/L	0.03
INF PO4-mg/L	5.98
EFF PO4-mg/L	0.23
INF TSS-mg/L	179.30
EFF TSS-mg/L	4.03
INF CBOD-mg/L	194.13
EFF CBOD-mg/L	1.02
<i>AVG.% NH3-N REMOVAL</i>	99.93%
<i>AVG.% TOTAL P REMOVAL</i>	96.22%
<i>AVG.% TSS REMOVAL</i>	97.75%
<i>AVG.% CBOD REMOVAL</i>	99.47%
<i>AVG.% OVERALL REMOVAL RATE</i>	98.34%
Chemical Used	
Ferric Gallons	1,004
Utilities	
Gas	508
Power KWH	51,680
Water Gallons	4,708
Sludge Processing	
Gallons Wasted	111,905
Gallons Hauled	
Weather Summary	
TOTAL PRECIPITATION	2.48
AVG DAILY PRECIPITATION	0.25
MAX DAILY	1.00

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY:

PERMITTEE NAME: **Howell Township WWTP**
 MAILING ADDRESS: **3525 Byron Road**
Howell, MI 48855
 FACILITY: **Howell Township WWTP**
 LOCATION: **1222 Packard Drive**
 Permit NO. **MI0055727**

DAILY DISCHARGE MONITORING REPORT

Violations		
NO.	Parameter	Limit

PARAMETER	FLOW	SUSPENDED SOLIDS		CBOD ₅		AMMONIA NITROGEN			TOTAL PHOSPHORUS		TOTAL MERCURY					Chloride	Sulfate	FECAL COLIFORM			pH MIN	pH MAX	D.O.			
		Dates	MGD	7 DAY AVG		<1.0	7 DAY	daily max	<0.01	7 DAY	daily max	<0.1		ng/L	lbs/day	ng/L	ng/L	ng/L	ng/L	ng/L	mg/L	mg/L	7 DAY	0=1	6.5	9.0
		mg/l	lbs/day	mg/l	lbs/day	mg/l	lbs/avg	lbs/day	mg/l	lbs/avg	lbs/day	mg/l	lbs/day	ng/L	lbs/day	ng/L	ng/L	ng/L	ng/L	mg/L	mg/L	GEO MEAN	daily MAX	SU	SU	mg/l
Sunday, December 1, 2024	0.3171	4.6	12	1.0		2.6	0.01	0.0	0.23	0.6																10.2
Monday, December 2, 2024	0.3247	4.2	11	0.9		2.4	0.00	0.0	0.21	0.6												6				10.0
Tuesday, December 3, 2024	0.3303	3.2	9	0.8		2.2	0.01	0.0	0.20	0.6												3				10.2
Wednesday, December 4, 2024	0.3107	3.6	9	0.9		2.3	0.02	0.0	0.22	0.6												4				10.1
Thursday, December 5, 2024	0.3223	5.2	14	0.9		2.4	0.01	0.0	0.22	0.6												8				10.4
Friday, December 6, 2024	0.3230																					18				10.5
Saturday, December 7, 2024	0.3165	4.2	11			2.4		0.0														6				10.6
Sunday, December 8, 2024	0.3184	4.4	12	5.6	15	0.9	2.4	2.4	0.01	0.0	0.0	0.26	0.7									6				10.4
Monday, December 9, 2024	0.3234	4.4	12	4.4	12	0.7	2.2	1.9	0.02	0.0	0.0	0.25	0.7									6				9.9
Tuesday, December 10, 2024	0.2905	4.6	12	4.4	11	0.8	2.2	1.9	0.02	0.0	0.0	0.24	0.6									5	1			10.0
Wednesday, December 11, 2024	0.2734	4.3	11	2.0	5	0.7	2.0	1.6	0.28	0.2	0.6	0.25	0.6									4	1			10.1
Thursday, December 12, 2024	0.2778	4.1	10	4.0	9	0.8	1.9	1.9	0.01	0.2	0.0	0.23	0.5									4	6			10.4
Friday, December 13, 2024	0.3078	4.1	10			1.9		0.2												230	30	3	6			10.7
Saturday, December 14, 2024	0.2982	4.1	10			1.9		0.2														3				10.8
Sunday, December 15, 2024	0.3042	3.8	9	4.2	11	1.0	2.0	2.5	0.01	0.2	0.0	0.23	0.6									3				10.7
Monday, December 16, 2024	0.2926	3.7	9	3.8	9	0.9	2.0	2.2	0.02	0.2	0.0	0.23	0.6									2	2			10.5
Tuesday, December 17, 2024	0.3043	3.8	9	5.2	13	1.1	2.2	2.8	0.01	0.2	0.0	0.26	0.7									3	2			10.5
Wednesday, December 18, 2024	0.2935	4.0	10	2.8	7	0.8	2.3	2.0	0.02	0.0	0.0	0.25	0.6									3	1			10.4
Thursday, December 19, 2024	0.3037	4.0	10	4.0	10	1.0	2.4	2.5	0.01	0.0	0.0	0.25	0.6									2	1			10.4
Friday, December 20, 2024	0.2768	4.0	10			2.4		0.0														1	1			10.2
Saturday, December 21, 2024	0.3001	4.0	10			2.4		0.0														1				10.8
Sunday, December 22, 2024	0.2902	4.4	11	6.2	15	0.7	2.2	1.7	0.01	0.0	0.0	0.22	0.5									1				11.2
Monday, December 23, 2024	0.3066	4.6	11	4.8	12	1.4	2.5	3.6	0.01	0.0	0.0	0.15	0.4									1	3			10.8
Tuesday, December 24, 2024	0.2567	4.1	10	2.6	6	1.3	2.5	2.8	0.01	0.0	0.0	0.16	0.3									1	1			10.9
Wednesday, December 25, 2024	0.2619	4.1	10	2.8	6	1.2	2.6	2.6	0.01	0.0	0.0	0.18	0.4									1	1			10.8
Thursday, December 26, 2024	0.2822	4.0	9	3.4	8	0.8	2.5	1.9	0.01	0.0	0.0	0.18	0.4									1	1			10.7
Friday, December 27, 2024	0.2946	4.0	9			2.5		0.0														1	2			10.4
Saturday, December 28, 2024	0.2984	4.0	9			2.5		0.0														1				10.1
Sunday, December 29, 2024	0.3945	4.1	11	6.8	22	2.2	3.6	7.2	0.05	0.1	0.2	0.30	1.0									1				9.9
Monday, December 30, 2024	0.4242	3.6	10	2.2	8	1.5	4.0	5.3	0.02	0.1	0.1	0.26	0.9									2	8			9.3
Tuesday, December 31, 2024	0.3091	3.6	10	2.6	7	1.2	4.0	3.1	0.03	0.1	0.1	0.22	0.6									2	1			9.4

PARAMETER	FLOW	SUSPENDED SOLIDS	CBOD ₅	AMMONIA NITROGEN	AVG	0.23	0.44	TOTAL MERCURY	FECAL COLIFORM	pH MIN	pH MAX	D.O.
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Name/Title of Principal Executive Officer Or Authorized Agent

I certify under penalty of law that I have personally examined and am familiar with the information submitted herein, and based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the submitted information is

SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT

Deputy Director: James Aulette

FROM 12/1/2024
TO 12/31/2024

Process Data Report

DATE	Process Testing					Ferric		Clarifier Sludge Blanket	Wastings	RAS	Sludge Tanks			UTILITIES			Generator
	PO4 COMP	NH3 COMP	D.O.	Mixed Liquor	Settling	Daily Inches	Gallons	ft	GPD	GPD	1	2	3	GAS METER	KWH * 160	WATER	Hours
Sunday, December 1, 2024	0.71		10.24			5	41	1.0			4.50	4.50	5.00	8,264	29920	1287440	
Monday, December 2, 2024	0.62		9.96	5440		4	32	0.8	5,309		4.50	4.50	5.00	8,270	29929	1287501	
Tuesday, December 3, 2024	0.59		10.24			4	32	1.0	5,255		4.50	4.50	5.00	8,276	29939	1287560	
Wednesday, December 4, 2024	0.62		10.09			4	32	1.3	5,219		4.50	4.50	5.00	8,283	29949	1287714	1005.6
Thursday, December 5, 2024	0.62		10.35			3	24	0.8	5,213		4.50	4.50	5.00	8,290	29960	1288308	
Friday, December 6, 2024	0.68		10.52	5260		4	32	1.3	5,217		4.50	4.50	5.00	8,303	29970	1289230	
Saturday, December 7, 2024	0.63		10.58			3	24	1.0	5,219		4.50	4.50	5.00	8,367	29981	1286324	
Sunday, December 8, 2024	0.81		10.38			3	24	1.0	5,212		4.50	4.50	5.00	8,395	29991	1289418	
Monday, December 9, 2024	0.46		9.93	5580		4	32	1.3			4.50	4.50	5.00	8,399	30001	1289512	
Tuesday, December 10, 2024	0.33		10.04			4	32	0.8	5,251		4.50	4.50	5.00	8,403	30011	1289610	
Wednesday, December 11, 2024	0.79		10.10			4	32	0.8	5,251		4.50	4.50	5.00	8,417	30019	1289760	1006.1
Thursday, December 12, 2024	0.42		10.41			4	32	0.5			4.50	4.50	5.00	8,448	30030	1290118	
Friday, December 13, 2024	0.14		10.67	5640		4	32	0.5			4.50	4.50	5.00	8,508	30040	1290234	
Saturday, December 14, 2024	0.14		10.80			4	32	1.5	5,331		4.50	4.50	5.50	8,522	30051	1290402	
Sunday, December 15, 2024	0.56		10.72			4	32	1.0			4.50	4.50	5.75	8,536	30059	1290501	
Monday, December 16, 2024	0.66		10.53			4	32	1.3	5,383		4.50	4.50	5.75	8,556	30067	1290806	
Tuesday, December 17, 2024	0.72		10.46			4	32	1.0	5,380		4.50	4.50	5.75	8,569	30081	1290901	
Wednesday, December 18, 2024	0.57		10.38			5	41	1.5	7,917		4.50	4.50	5.75	8,583	30088	1290995	
Thursday, December 19, 2024	0.67		10.44			6	49	1.5	7,962		4.50	4.50	6.00	8,601	30098	1291094	
Friday, December 20, 2024	0.55		10.17			4	32	1.8	5,498		4.50	4.50	6.00	8,620	30111	1291190	
Saturday, December 21, 2024	0.37		10.75			4	32	1.8			4.50	6.50	6.50	8,641	30122	1291315	
Sunday, December 22, 2024	0.66		11.20			3	24	1.8	5,482		4.50	6.50	6.50	8,669	30132	1291408	
Monday, December 23, 2024	0.17		10.76	6160	740	4	32	2.0			4.50	6.50	6.50	8,686	30153	1291470	1006.6
Tuesday, December 24, 2024	0.30		10.87			4	32	2.5	5,330		4.50	6.50	6.25	8,701	30171	1291592	
Wednesday, December 25, 2024	0.27		10.78			4	32	1.8			4.50	6.50	6.25	8,720	30183	1291683	
Thursday, December 26, 2024	0.25		10.73			4	32	2.0	5,487		4.50	6.50	6.25	8,734	30202	1291775	
Friday, December 27, 2024	0.34		10.44			4	32	2.3			4.50	6.50	6.00	8,747	30219	1291867	
Saturday, December 28, 2024	0.71		10.05			3	24	1.5			4.50	6.50	6.00	8,758	30228	1291963	
Sunday, December 29, 2024	0.94		9.86			5	41	2.0	5,516		4.50	6.50	6.00	8,765	30236	1292056	
Monday, December 30, 2024	0.75		9.34	4770		4	32	4.5			4.50	6.50	6.00	8,772	30243	1292148	
Tuesday, December 31, 2024	0.74		9.44			4	32	1.3	5,473		4.50	6.50	6.00	8,776	30251	1292241	
AVG Total	0.54	#DIV/0!	10.36	5475	740	4.00	32	1	5,595					508	51680	4708	
						124	1,004	45	111,905								

Monthly Influent Report

	WEATHER				RAW SEWAGE QUALITY								
	TEMP	PRECIP	Meter Total	TEMP	pH	cBOD ₅		Sus. Solids		TOTAL - P		NH ₃ - N	
	AIR TEMP F°	Inches	INF MGD	C°	SU	mg/l	LBS	mg/l	LBS	mg/l	LBS	mg/l	LBS
Sunday, December 1, 2024	26		0.343260	11.6	7.1	202	578	164	469	5.1	14.5	30.7	87.9
Monday, December 2, 2024	22		0.366960	12.4	7.0	192	570	236	701	5.8	17.3	38.1	113.1
Tuesday, December 3, 2024	24		0.362006	13.3	7.1	143	432	80	242	6.0	18.2	39.3	118.7
Wednesday, December 4, 2024	24		0.371190	12.0	7.2	141	436	68	211	8.5	26.3	40.2	124.4
Thursday, December 5, 2024	18	SNOW	0.378745	12.2	7.1	178	562	166	493	6.8	21.4	41.9	132.4
Friday, December 6, 2024	22		0.382083	12.6	7.2								
Saturday, December 7, 2024	29		0.367235	13.1	7.2								
Sunday, December 8, 2024	41		0.366260	12.7	7.1	198	588	148	440	5.6	16.7	38.1	113.2
Monday, December 9, 2024	44	0.20	0.366118	13.7	7.0	161	478	40	119	5.4	15.9	36.7	109.0
Tuesday, December 10, 2024	37		0.363634	14.1	6.9	205	604	204	601	7.3	21.6	39.2	115.6
Wednesday, December 11, 2024	30		0.347294	13.1	7.0	201	582	204	591	6.9	20.0	39.2	113.5
Thursday, December 12, 2024	12		0.321220	12.7	7.1	202	541	200	536	6.6	17.6	39.3	105.3
Friday, December 13, 2024	12		0.367361	12.6	7.0								
Saturday, December 14, 2024	20		0.333041	10.3	7.1								
Sunday, December 15, 2024	37	0.20	0.338214	11.0	7.0	223	629	232	654	5.5	15.5	37.1	104.6
Monday, December 16, 2024	44	0.05	0.349589	12.6	7.1	217	633	340	991	6.0	17.4	37.3	108.8
Tuesday, December 17, 2024	37	0.08	0.366112	12.1	7.1	169	544	172	554	6.3	20.4	23.4	75.4
Wednesday, December 18, 2024	33	0.10	0.364137	11.9	7.1	169	513	128	389	5.7	17.3	38.4	116.6
Thursday, December 19, 2024	28		0.367429	11.2	7.0	203	622	188	576	5.5	16.9	34.5	105.7
Friday, December 20, 2024	30	SNOW	0.342975	11.3	7.1								
Saturday, December 21, 2024	18		0.362869	10.7	7.1								
Sunday, December 22, 2024	8		0.346114	10.1	7.1	181	522	216	624	6.2	17.8	34.1	98.4
Monday, December 23, 2024	26		0.344143	11.4	7.0	268	740	266	735	5.7	16.5	37.9	108.8
Tuesday, December 24, 2024	34	SNOW	0.330936	10.6	7.0	263	698	188	519	5.3	14.5	32.6	90.5
Wednesday, December 25, 2024	31		0.308215	11.0	7.0	206	530	162	391	6.9	17.7	38.5	99.0
Thursday, December 26, 2024	35	0.30	0.366910	11.8	7.1	234	714	276	842	6.0	18.4	36.9	112.6
Friday, December 27, 2024	36		0.341626	11.2	7.2								
Saturday, December 28, 2024	50	0.10	0.363995	11.9	7.0								
Sunday, December 29, 2024	43	0.35	0.469364	11.6	7.1	195	747	224	858	4.9	18.8	33.0	126.4
Monday, December 30, 2024	36	1.00	0.412968	13.0	7.1	161	520	128	441	4.3	14.6	30.8	106.1
Tuesday, December 31, 2024	34	0.10	0.333219	12.2	7.0	183	509	124	345	5.3	14.7	31.0	86.2
TL		2.48	11.10										
AVG	29.71	0.25	0.36	12.0	7.07	194.1	578.0	179.3	535.6	6.0	17.8	36.0	107.5

BRIGHTON ANALYTICAL - Howell WWTP

SAMPLE DAY	Chloride mg/L	Sulfate mg/L	FINAL EFF =	UNCORR	FIELD BLANK	
			0.5	0.5	0.2	0.2
			FINAL EFF	GRAB: UNCORR	FIELD BLANK	METH BLANK
			MERCURY (ng/L)	MERCURY (ng/L)	MERCURY (ng/L)	MERCURY (ng/L)
12/01/24			*g	*g	*g	*g
12/02/24						
12/03/24						
12/04/24						
12/05/24						
12/06/24						
12/07/24						
12/08/24						
12/09/24						
12/10/24						
12/11/24						
12/12/24						
12/13/24	230	30				
12/14/24						
12/15/24						
12/16/24						
12/17/24						
12/18/24						
12/19/24						
12/20/24						
12/21/24						
12/22/24						
12/23/24						
12/24/24						
12/25/24						
12/26/24						
12/27/24						
12/28/24						
12/29/24						
12/30/24						
12/31/24						

*g Not Required this Reporting Period

Greg Tatara

From: Larry Lind <larry@franklinholwerda.com>
Sent: Thursday, January 9, 2025 4:53 PM
To: Travis JENKINS
Cc: Jennifer Wagner; Greg Tatara
Subject: RE: 25131A Howell

Hello Travis,

I will bring in the skytrak early next week and give my project foreman the heads-up.

From: Travis JENKINS <TJENKINS@westechwater.com>
Sent: Thursday, January 9, 2025 2:02 PM
To: Larry Lind <larry@franklinholwerda.com>
Cc: Jennifer Wagner <jenw@hamlettenvironmental.com>
Subject: 25131A Howell

You don't often get email from tjenkins@westechwater.com. [Learn why this is important](#)

Larry,

I just wanted to reach out to you and inform you the clarifier mechanism is scheduled to load the truck at the fab shop tomorrow for shipment.

They have been informed to call and give you 48 hours' notice ahead of arrival.

Depending on how long its held up at the boarder you could see this next week.

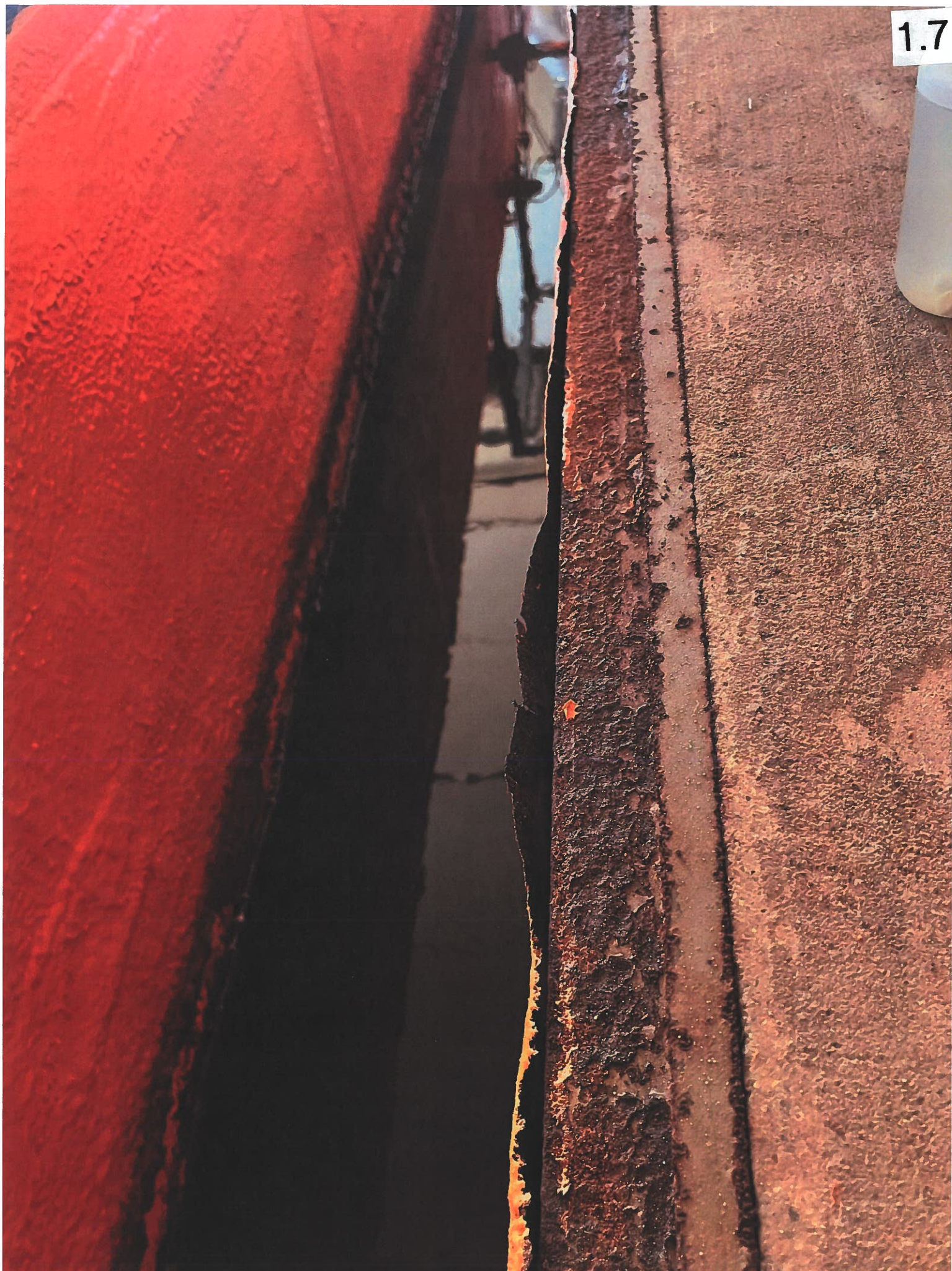
Thanks,

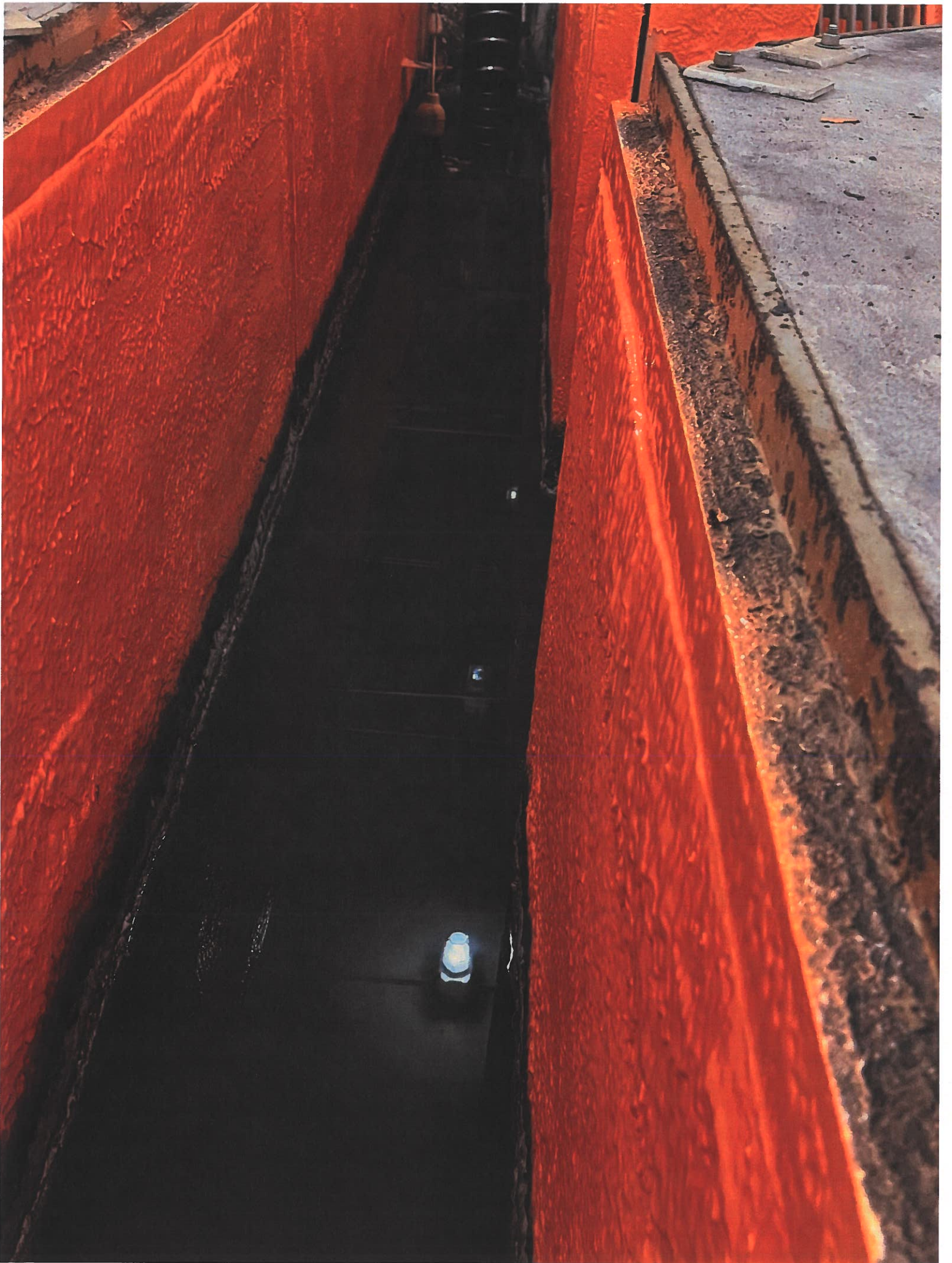
Travis Jenkins

Project Manager | 📞 : 801.290.5625 | 📠 : 385-227-4075 |
3665 South West Temple | Salt Lake City | Utah 84115
tjenkins@westechwater.com | westech-inc.com

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1.7







Section 2

Collection System Operation

Howell Township Pump Stations

Monthly Summary for December:

Pump Stations: All pump stations were inspected weekly throughout the month.

Manhole Inspections: With manhole inspections now completed, we have separated and identified all manholes that require adjustment to grade. Measurements have been taken to facilitate bringing all manholes up to grade. A detailed list of required adjustments has been compiled, including 2024 pricing. Additionally, this list has been sent to East Jordan Iron Works for updated pricing based on current market rates.

Hatch Stamping: We had a meeting with Lisa Craft and Les Weber regarding the issues with Hatch Stamping's sewer system, which has experienced flooding multiple times over the past 10 years. Hatch has expressed urgency in resolving the issue.

Greg and I believe the installation of a grinder duplex station would be an effective solution to prevent further flooding, as the low elevation of the building compared to the pump station leaves very little time to respond to sewer emergencies. After consulting with contractors, we gathered pricing for the installation of this system. However, Hatch Stamping is dissatisfied with the cost and believes they should not be responsible for paying for the solution.

I recommend we discuss this matter further to explore all options and come to a fair resolution that works for all parties involved.

Pump Station Status:

- PS-70: Normal Operations
- PS-71: Normal Operations
- PS-72: Normal Operations
- PS-73: Normal Operations
- PS-74: Normal Operations
- PS-75: Normal Operations
- PS-76: Normal Operations
- PS-77: Normal Operations
- PS-78: Normal Operations

Pump Station 76
Howell Township
January 2025

Date	Time	Initials	Pump 1	Pump 2	KWH	Generator Hours	Operated Pump 1 in Hand?	Operated Pump 2 in Hand?	Quiet?	Cleaned Floats?	Tested High Level Alarm Float?	Wet Well Needs Cleaning?	Grass Needs Mowing?	Heater On?	Ran Generator?	Blow By?	Fuel Level in Generator	Hours #1	Hours #2	HOURS SINCE LAST CHECK IN	# OF DAYS	AVG RUNTIME / DAY PUMP 1	AVG RUNTIME / DAY PUMP 2	KWH Net	Generator Net	Comments
12/2/2024	9:18 AM	sl	3435.3	2808.3	11543	606	NO	NO	YES	YES	NO	NO	NO	YES	NO	NO	FULL	4.7	5.7	167.3	7.0	0.674	0.818	317.0	0.3	
12/9/2024	9:15 AM	bc	3440.2	2813.8	11857	606	NO	NO	YES	YES	NO	NO	NO	YES	NO	NO	FULL	4.9	5.5	168.0	7.0	0.700	0.786	314.0	0.4	
12/16/2024	1:15 PM	bo	3445.1	2819.4	12149	607	NO	NO	YES	YES	NO	NO	NO	YES	NO	NO	FULL	4.9	5.6	172.0	7.2	0.684	0.781	292.0	0.3	
12/23/2024	11:45 AM	sl	3449.9	2824.8	12449	607	NO	NO	YES	YES	NO	NO	NO	YES	NO	NO	FULL	4.8	5.4	166.5	6.9	0.692	0.778	300.0	0.3	
12/30/2024	2:15 PM	bc	3455.5	2831.0	12716	607	NO	NO	YES	YES	NO	NO	NO	YES	NO	NO	FULL	5.6	6.2	170.5	7.1	0.788	0.873	267.0	0.4	
1/6/2024	1:40 PM	wd	3460.7	2837.0	13078	608	NO	NO	YES	YES	NO	NO	NO	YES	NO	NO	FULL	5.2	6.0	-8616.6	-359.0	-0.014	-0.017	362.0	0.3	
																				2024 Avg	0.722	0.785				

Pump Station 77
Howell Township
January 2025

Date	Time	Initials	Pump 1	Pump 2	KWH	Operated Pump 1 in Hand?	Operated Pump 2 in Hand?	Quiet?	Cleaned Floats?	Tested High Level Alarm Float?	Wet Well Needs Cleaning?	Grass Needs Mowing?	Heater On?	Blow By?	Hours #1	Hours #2	HOURS SINCE LAST CHECK IN	# OF DAYS	AVG RUNTIME / DAY PUMP 1	AVG RUNTIME / DAY PUMP 2	KWH Net	Comments		
12/2/2024	9:07 AM	sl	394.8	549.5	21247	NO	NO	YES	YES	NO	NO	NO	YES	NO	0.2	0.2	167.3	7.0	0.029	0.029	74.0			
12/9/2024	9:00 AM	bc	395.1	549.8	21323	NO	NO	YES	YES	NO	NO	NO	YES	NO	0.3	0.3	167.9	7.0	0.043	0.043	76.0			
12/16/2024	1:40 PM	bo	395.4	550.0	21404	NO	NO	YES	YES	NO	NO	NO	YES	NO	0.3	0.2	172.7	7.2	0.042	0.028	81.0			
12/23/2024	11:08 AM	sl	395.7	550.3	21481	NO	NO	YES	YES	NO	NO	NO	YES	NO	0.3	0.3	165.5	6.9	0.044	0.044	77.0			
12/30/2024	2:45 PM	bc	395.8	550.5	21548	NO	NO	YES	YES	NO	NO	NO	YES	NO	0.1	0.2	171.6	7.2	0.014	0.028	67.0			
1/6/2025	2:10 AM	wd	396.1	550.7	21646	NO	NO	YES	YES	NO	NO	NO	YES	NO	0.3	0.2	155.4	6.5	0.046	0.031	98.0			
																			2024 Avg	0.042	0.037			

Pump Station 78
Howell Township
January 2025

Date	Time	Initials	Pump 1	Pump 2	KWH	Operated Pump 1 in Hand?	Operated Pump 2 in Hand?	Quiet?	Cleaned Floats?	Tested High Level Alarm Float?	Wet Well Needs Cleaning?	Grass Needs Mowing?	Heater On?	Blow By?	Hours #1	Hours #2	HOURS SINCE LAST CHECK IN	# OF DAYS	AVG RUNTIME / DAY PUMP 1	AVG RUNTIME / DAY PUMP 2	KWH Net	Comments		
12/2/2024	11:10 AM	sl	1977.0	2109.7	23550	NO	NO	YES	YES	NO	NO	NO	YES	NO	9.5	9.5	167.8	7.0	1.359	1.359	341.0			
12/9/2024	11:00 AM	bc	1986.7	2119.5	23898	NO	NO	YES	YES	NO	NO	NO	YES	NO	9.7	9.8	167.8	7.0	1.387	1.401	348.0			
12/16/2024	2:10 PM	bo	1997.0	2129.7	24264	NO	NO	YES	YES	NO	NO	NO	YES	NO	10.3	10.2	171.2	7.1	1.444	1.430	366.0			
12/23/2024	1:56 PM	sl	2006.7	2139.5	24614	NO	NO	YES	YES	NO	NO	NO	YES	NO	9.7	9.8	167.8	7.0	1.388	1.402	350.0			
12/30/2024	1:15 PM	bc	2016.7	2149.6	24966	NO	NO	YES	YES	NO	NO	NO	YES	NO	10.0	10.1	167.3	7.0	1.434	1.449	352.0			
1/6/2025	12:05 PM	wd	2027.4	2160.4	25346	NO	NO	YES	YES	NO	NO	NO	YES	NO	10.7	10.8	166.8	7.0	1.539	1.554	380.0			
																			2024 Avg	1.317	1.390			

Hatch Stamping Sewer System Isolation Pump Station
November 21, 2024
Estimate of Total Project Cost

Component	Cost
Quotes Received	
Purchase of 5,000 gallon per day pump station (DuBois Cooper)	\$31,567
Installation of Grinder Pump and Electrical Conduit (D'Angelo Construction)	\$14,232
Electrical Installation	\$1,000
Grounds Restoration Seeding and Mulching	\$500
Construction Subtotal	\$47,299
Contingency (10%)	\$4,730
Total Estimated Construction Cost	\$52,029

T.H. Eifert Can Provide Emergency Service and Regular Maintenance
517-484-9944



905 Penniman | P.O. Box 6161 | Plymouth, MI 48170
 T: 734-455-6700 | F: 734-455-6711
 E: sales@duboiscooper.com
 www.duboiscooper.com

QUOTATION

Quoted To:
Hatch Stamping Company 1051 Austin Court Howell, MI 48843 USA

Quote Number: 222443R
 Quote Date: Nov 6, 2024
 Page: 1

Customer ID	Good Thru	Payment Terms	Sales Rep
HATCH STAMPING	12/6/24	Net 30 Days	E-One

Quantity	Item	Description	Unit Price	Amount
1.00	DH272-97	Project: Hatch Stamping Facility Howell, MI Environment One Duplex Grinder Pump Station, Model DH272-97 with Station Tank/Cover, Grinder Pumps, 100' Power Cables, 6" Inlet Grommet and 1-1/4" Discharge Fitting. Centerline of 6" inlet pipe invert 61 Inches Below Grade. DH272-97 Duplex Grinder Station is rated for 5,000 gallons per day. Also includes: Environment One Duplex Protect Plus Alarm Panel with Sentry Advisor Cell Modem System Includes One (1) year of Cell Service and Website Support. Includes Freight and Start-Up Services.	29,780.00	29,780.00
1.00				

Subtotal	29,780.00
Sales Tax	1,786.80
TOTAL	31,566.80

Quote Accepted By: _____



30836 W 8 Mile

Farmington Hills, MI 48336

TO: MHOG.

ESTIMATE

11/18/24

**1051 Austin. Hatch Stamping
Grinder Installation**

DESCRIPTION OF WORK / LINE ITEMS	Qty.	Unit	HRS	Rate	Total Per Line
Excavate existing gravity sanitary sewer, remove MH structure, set new wet well / grinder. Install Electrical unistrut & alarm panel. Directinal Drill conduit to building. Excludes electical disconnect and power to the alarm panel.					
Operator/Foreman Reg	1	HR	9	\$ 75.00	\$ 675.00
Labor Reg	4	HR	9	\$ 68.00	\$ 2,448.00
Mobilize/Demobilize Excavator	1	EA	1	\$ 900.00	\$ 900.00
Excavator	1	HR	9	\$ 140.00	\$ 1,260.00
Service Truck	1	HR	9	\$ 45.00	\$ 405.00
Dump Trucks Tri Axle W/Driver	1	HR	9	\$ 150.00	\$ 1,350.00
6A Stone	8	Ton	1	\$ 38.00	\$ 304.00
Haul Off Spoils	12	Ton	1	\$ 20.00	\$ 240.00
Electrical Unistrut, & Mounting Panel RCI Electric	1	EA	1	\$ 3,300.00	\$ 3,300.00
Haul off MH Structure & Disposal	1	EA	1	\$ 500.00	\$ 500.00
Directional Drill 1.5" Conduit	120	LF	1	\$ 20.00	\$ 2,400.00
Sanitary Sewer Fittings & Parts for Connection	1	EA	1	\$ 450.00	\$ 450.00
Total					\$ 14,232.00
Overall Total				\$	14,232.00

Vince D'Angelo (248) 515-1942

Wastewater Services

Townships, communities and manufacturers have many different levels of need in order to provide ongoing wastewater services. Customers know they can count on the team at T.H. Eifert Mechanical Contractors to be a reliable partner with the necessary experience and knowledge to get the job done right. In addition, our wide range of services allow T.H. Eifert to be the complete resource for your wastewater needs.



CONTACT US

Services

- Lift station repair and maintenance
- Installation of new lift stations
- Sewage pump sales, installation and service
- Wastewater pump station service
- Interceptors/grease & oil traps
- Digester/lagoon construction & service
- Wastewater treatment plant repairs
- Lift station controls & alarms
- Piping installation and repair
- Preventive maintenance programs
- Chemical feed systems
- Custom built control panels

Qualifications

- State of Michigan Class A Wastewater Operator
- Master Plumbers, Licensed Plumbers and Pipefitters
- Backflow preventer certification/Cross-Connection
- Licensed boiler inspections - CSD-1
- Confined space certified
- Certified valve repair
- Licensed, insured and bonded

CONTACT US

**Collection System Maintenance
2025 Planning Schedule**

Task	Started	Completed	Notes
Pump Stations			
UPS Battery - New UPS			
Generator PM			
Cleaning			
Drawdowns			
Exercise Valves			
Identify Cabinets for Replacement (St 16)			
Paint Cabinets			
Schedule Driveway Seal Coat (60, 16, 28, 49 ++)			
Finish Spare Pump Inventory			
Station 54 Pump Control			
Gravity main			
Finish Howell Adjust to Grade			
Clean Restaurant Corridors			
<i>Outback to 68, Grand River - Los Tres to Sunrise, Aubres to Sunrise, Crystal Garden, Siphon, McDonalds to Lambert, Siphon, KFC, Bob Evans, Culvers, Red Olive</i>			
Inspect G-O and OP MHs, Clean As Necessary			
Televise Shiawassee Run Between M-59 and Grand River			
Car Wash Lines			
<i>Old Glory, Lets, Victory Lane, Lawson</i>			
Forestry Mulcher / Brush Hog			
Force Main			
Alternate GO Main N-S			
Inspect Air Releases			
FM Isolation Valves - Find Missing - Homestead Priority			
Recurring Activities			
Weekly PS Checks			
Grinder Rebuilds			
Mowing			
Johnna's Grease Trap			
Wellbridge			
Subcontractor Work			
Asphalt Restoration PS 30 and 3810 Highcrest			

MHOG ID	Adjust to Grade Measurement - Inches	Price
HSMH-0448	2	\$ 230.00
HSMH-0451	2	\$ 230.00
HSMH-0455	3	\$ 245.00
HSMH-0452	3	\$ 245.00
HSMH-0439	3	\$ 245.00
HSMH-0619	3	\$ 245.00
HSMH-0252	3	\$ 245.00
HSMH-0540	3	\$ 245.00
HSMH-0395	4	\$ 340.00
HSMH-0622	4	\$ 340.00
HSMH-0618	4	\$ 340.00
HSMH-0343	5	\$ 385.00
HSMH-0565	5	\$ 385.00
HSMH-0088	7	\$ 490.00
HSMH-0604	8	\$ 490.00
HSMH-0359	8	\$ 490.00
HSMH-0291	9	\$ 490.00
HSMH-0324	10	\$ 565.00
HSMH-0351	10	\$ 565.00
HSMH-0614	10	\$ 565.00
HSMH-0010	12	\$ 565.00
HSMH-0362	32	
HSMH-0601	Under Sidewalk	
HSMH-0617	Under Sidewalk	
		\$ 7,940.00



Monthly Missdig Log

December-24											
Date	Missdig Tickets					Marked					
	Received	Positive Response	Marked	Cleared	Out of System	MHOG	OPW	LE	G/O	OPS	HTS
Sunday, December 01, 2024	0	0	0	0	0	0	0	0	0	0	0
Monday, December 02, 2024	18	35	22	13	0	11	0	0	11	0	0
Tuesday, December 03, 2024	9	24	15	9	0	8	0	0	4	0	3
Wednesday, December 04, 2024	20	19	9	10	0	5	0	0	4	0	0
Thursday, December 05, 2024	6	12	7	5	0	6	0	0	0	0	1
Friday, December 06, 2024	47	6	6	0	0	3	1	0	2	0	0
Saturday, December 07, 2024	2	0	0	0	0	0	0	0	0	0	0
Sunday, December 08, 2024	1	0	0	0	0	0	0	0	0	0	0
Monday, December 09, 2024	16	55	44	11	0	22	0	0	22	0	0
Tuesday, December 10, 2024	4	14	10	4	0	3	2	0	3	1	1
Wednesday, December 11, 2024	15	11	5	6	0	3	0	0	0	0	2
Thursday, December 12, 2024	18	15	8	7	0	2	0	0	6	0	0
Friday, December 13, 2024	14	13	7	6	0	3	0	0	2	1	1
Saturday, December 14, 2024	0	0	0	0	0	0	0	0	0	0	0
Sunday, December 15, 2024	0	0	0	0	0	0	0	0	0	0	0
Monday, December 16, 2024	11	19	8	11	0	5	0	0	2	0	1
Tuesday, December 17, 2024	15	12	4	8	0	2	1	0	0	0	1
Wednesday, December 18, 2024	34	35	31	4	0	14	0	0	17	0	0
Thursday, December 19, 2024	7	0	0	4	0	0	0	0	0	0	0
Friday, December 20, 2024	8	11	6	5	0	2	0	0	1	3	0
Saturday, December 21, 2024	0	0	0	0	0	0	0	0	0	0	0
Sunday, December 22, 2024	0	0	0	0	0	0	0	0	0	0	0
Monday, December 23, 2024	13	15	3	12	0	1	0	0	2	0	0
Tuesday, December 24, 2024	4	0	0	0	0	0	0	0	0	0	0
Wednesday, December 25, 2024	0	0	0	0	0	0	0	0	0	0	0
Thursday, December 26, 2024	6	11	6	4	0	4	0	0	2	0	0
Friday, December 27, 2024	2	2	2	0	0	1	0	0	1	0	0
Saturday, December 28, 2024	0	0	0	0	0	0	0	0	0	0	0
Sunday, December 29, 2024	0	0	0	0	0	0	0	0	0	0	0
Monday, December 30, 2024	6	8	2	6	0	1	0	0	0	0	1
Tuesday, December 31, 2024	13	0	0	0	0	0	0	0	0	0	0
Total	289	317	195	125	0	96	4	0	79	5	11
	Received	Positive Response	Marked	Cleared	Out of System	MHOG	OPW	LE	G/O	OPS	HTS
	9	10	6	4	0	Total					195
	Average Per Day					% Marked to Received					
						67%					

MHOG = MHOG Water System
 OPW = Oak Pointe Water System

LE = Lake Edgewood Sewer System
 G/O = G/O Sewer System
 OPS = Oak Pointe Sewer System
 HTS = Howell Township Sewer System

Section 3

**Repairs
&
Capital Improvements**

Howell Township
Updated Capital Improvement Plan Summary
Updated 01/13/25

Active CIP and Significant Repairs In Progress					
No.	Project Description	Priority	Initial Estimate	Revised Estimate	Update
1	WesTech North Clarifier Upgrade and New RAS Pump	High	\$450,000	\$321,988	RAS Pump is Intalled in No. 2 Position. Deliver of Components Scheduled for Week of Jnaury 13th, 2025. FHC will be bringing skytrack. Plant to start installation in January.
2	Union at Oak Grove SCADA Integration	High	\$10,000	\$10,000	Trying to set up start date for Pump Station.
Total			\$460,000	\$331,988	

10K

HAPRA Meeting 1/28/2025

Approved HAPRA contract for Ocala Lease agreement with no changes

Approved 2025 in-lieu of insurance payment

Discussion on Leave Policy changes will be discussed at a later date

Discussion on a Leave Policy- committee was formed to make recommendations and come back to board.

401 & 457b contribution will remain the same for 2025

Program updates Pickle Ball sold out

Daddy Daughter Dance 2 nights sold out

Mother Son Dance 1 night is sold out

Summer camp was approved by the State to allow 25 more children to the program.

40 spots were filled as of the meeting on 1/28/25

11A

Howell Township
Invoice and Check Registers
As of 1/31/2025

INVOICE REGISTER FOR HOWELL TOWNSHIP

Inv Ref #	Vendor	Invoice Date	Due Date	Invoice Amount	Amount Due	Status	Posted
00024107	MHOG	12/31/2024	01/15/2025	35,770.00	0.00	Paid	Y
00024108	GCT METER FUND	12/31/2024	01/15/2025	879.00	0.00	Paid	Y
00024109	GCT METER FUND	12/31/2024	01/15/2025	879.00	0.00	Paid	Y
00024110	HOWELL CARNEGIE LIBRARY	12/31/2024	01/09/2024	2,366.66	0.00	Paid	Y
00024111	LIV EDUC SERVICE AGENCY	12/31/2024	01/09/2024	1,948.40	0.00	Paid	Y
00024112	HOWELL AREA FIRE AUTHORITY	12/31/2024	01/09/2024	3,279.15	0.00	Paid	Y
00024113	HOWELL PUBLIC SCHOOLS	12/31/2024	01/09/2024	8,021.97	0.00	Paid	Y
00024114	HOWELL PUBLIC SCHOOLS	12/31/2024	01/09/2024	10,195.38	0.00	Paid	Y
00024115	LIVINGSTON COUNTY TREASURER	12/31/2024	01/09/2024	9,818.17	0.00	Paid	Y
00024116	LIVINGSTON COUNTY TREASURER	12/31/2024	01/09/2024	817.50	0.00	Paid	Y
00024097	LERETA LLC	12/30/2024	01/15/2025	1,560.65	0.00	Paid	Y
00024102	CORELOGIC	12/31/2024	01/15/2025	769.43	0.00	Paid	Y
00024103	CORELOGIC	12/31/2024	01/15/2025	1,017.71	0.00	Paid	Y
00024104	CORELOGIC	12/31/2024	01/15/2025	711.76	0.00	Paid	Y
00024105	CORELOGIC	12/31/2024	01/15/2025	909.22	0.00	Paid	Y
00024106	CORELOGIC	12/31/2024	01/15/2025	636.15	0.00	Paid	Y
00024135	LIVINGSTON COUNTY TREASURER	01/07/2025	01/07/2025	2,792.57	0.00	Paid	Y
00024136	LIV EDUC SERVICE AGENCY	01/07/2025	01/07/2025	2,772.90	0.00	Paid	Y
00024137	LIVINGSTON COUNTY TREASURER	01/07/2025	01/07/2025	5,244.84	0.00	Paid	Y
00024138	HOWELL PUBLIC SCHOOLS	01/07/2025	01/07/2025	2,206.78	0.00	Paid	Y
00024139	HOWELL PUBLIC SCHOOLS	01/07/2025	01/07/2025	1,294.28	0.00	Paid	Y
00024140	LIVINGSTON COUNTY TREASURER	01/07/2025	01/07/2025	161,313.95	0.00	Paid	Y
00024141	HOWELL PUBLIC SCHOOLS	01/07/2025	01/07/2025	589,999.82	0.00	Paid	Y
00024142	HOWELL CARNEGIE LIBRARY	01/07/2025	01/07/2025	219,517.51	0.00	Paid	Y
00024143	FOWLERVILLE SCHOOLS	01/07/2025	01/07/2025	74,528.50	0.00	Paid	Y
00024144	FOWLERVILLE DIST LIBRARY	01/07/2025	01/07/2025	10,308.79	0.00	Paid	Y
00024145	HOWELL AREA FIRE AUTHORITY	01/07/2025	01/07/2025	441,138.25	0.00	Paid	Y
00024146	HOWELL PARKS AND RECREATION	01/07/2025	01/07/2025	107,266.02	0.00	Paid	Y
00024088	SUSAN DAUS	12/23/2024	12/23/2024	88.38	0.00	Paid	Y
00024089	JONATHAN HOHENSTEIN	12/23/2024	12/23/2024	448.29	0.00	Paid	Y
00024090	MUTUAL OF OMAHA INSURANCE COMPANY	12/23/2024	12/23/2024	209.88	0.00	Paid	Y
00024091	MISS DIG SYSTEMS INC	01/01/2025	01/31/2025	978.62	0.00	Paid	Y
00024092	DTE ENERGY	12/26/2024	01/06/2024	58.31	0.00	Paid	Y
00024093	CONSUMERS ENERGY	12/18/2024	01/13/2024	145.51	0.00	Paid	Y
00024094	CONSUMERS ENERGY	12/18/2024	01/13/2024	25.67	0.00	Paid	Y
00024095	CONSUMERS ENERGY	12/18/2024	01/13/2024	726.24	0.00	Paid	Y
00024096	CINTAS CORPORATION	12/26/2024	01/13/2024	124.57	0.00	Paid	Y
00024098	CSM MECHANICAL, LLC	12/23/2024	01/13/2024	4,189.10	0.00	Paid	Y
00024099	GENOA-OCEOLA WWTP	12/23/2024	01/13/2024	400.15	0.00	Paid	Y
00024100	AT&T	12/19/2024	01/09/2024	327.23	0.00	Paid	Y
00024101	SMART BUSINESS SOURCE, LLC	12/31/2024	01/09/2024	276.11	0.00	Paid	Y
00024117	STATE OF MICHIGAN - EGLE	12/03/2025	01/15/2025	1,950.00	0.00	Paid	Y
00024118	BRIGHTON ANALYTICAL	12/27/2024	01/15/2025	30.00	0.00	Paid	Y
00024119	GENOA TOWNSHIP DPW	01/02/2025	01/15/2025	28,135.32	0.00	Paid	Y
00024120	GENOA-OCEOLA SWATH	01/03/2025	01/15/2025	3,535.68	0.00	Paid	Y
00024121	G-O WWTP VACTOR PAD	01/03/2025	01/15/2025	69.82	0.00	Paid	Y
00024122	NORTHWEST PIPE AND SUPPLY, INC	12/10/2024	01/15/2025	101.17	0.00	Paid	Y
00024123	NORTHWEST PIPE AND SUPPLY, INC	12/04/2024	01/15/2025	43.41	0.00	Paid	Y
00024124	SPICER GROUP	12/20/2024	01/15/2025	1,551.50	0.00	Paid	Y
00024125	SPICER GROUP	12/20/2024	01/15/2025	464.75	0.00	Paid	Y
00024126	PERFECT MAINTENANCE	12/20/2024	01/15/2025	195.00	0.00	Paid	Y
00024127	MICRO WORKS COMPUTING, INC	12/26/2025	01/15/2026	720.00	0.00	Paid	Y
00024128	MICRO WORKS COMPUTING, INC	12/26/2025	01/15/2026	313.00	0.00	Paid	Y
00024133	JONATHAN HOHENSTEIN	12/31/2024	01/15/2026	30.55	0.00	Paid	Y

INVOICE REGISTER FOR HOWELL TOWNSHIP

Inv Ref #	Vendor	Invoice Date	Due Date	Invoice Amount	Amount Due	Status	Posted
00024134	COMCAST	12/22/2024	01/12/2025	436.15	0.00	Paid	Y
00024147	IRON MOUNTAIN	12/31/2024	01/30/2025	209.92	0.00	Paid	Y
00024148	SPICER GROUP	01/08/2025	01/15/2025	173.00	0.00	Paid	Y
00024149	SPICER GROUP	01/08/2025	01/15/2025	4,242.50	0.00	Paid	Y
00024150	SPICER GROUP	01/08/2025	01/15/2025	51.25	0.00	Paid	Y
00024151	SPICER GROUP	01/08/2025	01/15/2025	1,442.00	0.00	Paid	Y
00024152	SPICER GROUP	01/08/2025	01/15/2025	146.50	0.00	Paid	Y
00024153	SPICER GROUP	01/08/2025	01/15/2025	500.50	0.00	Paid	Y
00024154	CPK INVESTMENTS LLC	01/08/2025	01/15/2025	4,041.50	0.00	Paid	Y
00024155	SPICER GROUP	01/08/2025	01/15/2025	2,031.75	0.00	Paid	Y
00024156	SPICER GROUP	01/08/2025	01/15/2025	495.75	0.00	Paid	Y
00024157	SPICER GROUP	01/08/2025	01/15/2025	2,474.00	0.00	Paid	Y
00024158	SPICER GROUP	01/08/2025	01/15/2025	173.00	0.00	Paid	Y
00024159	SPICER GROUP	01/08/2025	01/15/2025	70.50	0.00	Paid	Y
00024160	SPICER GROUP	01/08/2025	01/15/2025	1,229.75	0.00	Paid	Y
00024161	HOWELL TOWNSHIP	01/08/2025	01/15/2025	14,000.00	0.00	Paid	Y
00024162	FAHEY SCHULTZ BURZYCH RHODES PLC	01/08/2025	01/15/2025	1,641.00	0.00	Paid	Y
00024163	FAHEY SCHULTZ BURZYCH RHODES PLC	01/02/2025	02/01/2025	429.00	0.00	Paid	Y
00024164	FAHEY SCHULTZ BURZYCH RHODES PLC	01/02/2025	02/01/2025	256.50	0.00	Paid	Y
00024165	FAHEY SCHULTZ BURZYCH RHODES PLC	01/02/2025	02/01/2025	3,676.50	0.00	Paid	Y
00024166	FAHEY SCHULTZ BURZYCH RHODES PLC	01/02/2025	02/01/2025	374.00	0.00	Paid	Y
00024167	FAHEY SCHULTZ BURZYCH RHODES PLC	01/02/2025	02/01/2025	22,576.00	0.00	Paid	Y
00024168	FAHEY SCHULTZ BURZYCH RHODES PLC	01/02/2025	02/01/2025	11,749.00	0.00	Paid	Y
00024169	CARLISLE WORTMAN ASSOC, INC.	01/07/2025	02/01/2025	2,615.00	0.00	Paid	Y
00024170	CARLISLE WORTMAN ASSOC, INC.	01/07/2025	02/01/2025	90.00	0.00	Paid	Y
00024171	CARLISLE WORTMAN ASSOC, INC.	01/08/2025	02/01/2025	400.00	0.00	Paid	Y
00024172	CARLISLE WORTMAN ASSOC, INC.	01/08/2025	02/01/2025	200.00	0.00	Paid	Y
00024173	AMERICAN VIDEO TRANSFER INC	01/07/2025	02/01/2025	12,172.00	0.00	Paid	Y
00024129	FIRST NATIONAL BANK	01/10/2025	01/10/2025	5,501.97	0.00	Paid	Y
00024130	HOWELL TOWNSHIP	01/10/2025	01/10/2025	123.08	0.00	Paid	Y
00024131	AMERICAN FUNDS	01/10/2025	01/10/2025	3,401.59	0.00	Paid	Y
00024132	EMPOWER	01/10/2025	01/10/2025	1,550.97	0.00	Paid	Y
00024189	CORELOGIC CENTRALIZED REFUNDS	01/15/2025	01/17/2025	3,068.73	0.00	Paid	Y
00024194	HOWELL PUBLIC SCHOOLS	01/16/2025	01/16/2025	1,441.20	0.00	Paid	Y
00024195	HOWELL PUBLIC SCHOOLS	01/16/2025	01/16/2025	3,993.91	0.00	Paid	Y
00024196	FOWLERVILLE SCHOOLS	01/16/2025	01/16/2025	57.28	0.00	Paid	Y
00024197	LIVINGSTON COUNTY TREASURER	01/16/2025	01/16/2025	3,649.20	0.00	Paid	Y
00024198	LIV EDUC SERVICE AGENCY	01/16/2025	01/16/2025	1,929.32	0.00	Paid	Y
00024199	LIVINGSTON COUNTY TREASURER	01/16/2025	01/16/2025	1,943.04	0.00	Paid	Y
00024200	LIVINGSTON COUNTY TREASURER	01/16/2025	01/16/2025	31,266.78	0.00	Paid	Y
00024201	HOWELL PUBLIC SCHOOLS	01/16/2025	01/16/2025	113,454.91	0.00	Paid	Y
00024202	HOWELL CARNEGIE LIBRARY	01/16/2025	01/16/2025	42,212.89	0.00	Paid	Y
00024203	FOWLERVILLE SCHOOLS	01/16/2025	01/16/2025	16,147.19	0.00	Paid	Y
00024204	FOWLERVILLE DIST LIBRARY	01/16/2025	01/16/2025	2,233.49	0.00	Paid	Y
00024205	HOWELL AREA FIRE AUTHORITY	01/16/2025	01/16/2025	85,206.80	0.00	Paid	Y
00024206	HOWELL PARKS AND RECREATION	01/16/2025	01/16/2025	20,627.46	0.00	Paid	Y
00024174	GENOA OCEOLA SWATH	01/13/2025	01/13/2025	3,487.99	0.00	Paid	Y
00024175	GENOA OCEOLA SWATH	01/13/2025	01/13/2025	3,468.03	0.00	Paid	Y
00024178	KENNEDY INDUSTRIES INC	11/20/2024	02/09/2025	20,032.40	0.00	Paid	Y
00024179	BRIGHTON ANALYTICAL	11/20/2024	02/09/2025	30.00	0.00	Paid	Y
00024180	DTE ENERGY	01/06/2025	01/28/2025	234.89	0.00	Paid	Y
00024181	DTE ENERGY	01/03/2025	01/28/2025	636.59	0.00	Paid	Y
00024182	DTE ENERGY	01/06/2025	01/28/2025	254.41	0.00	Paid	Y
00024183	REPUBLIC SERVICES	12/31/2024	01/20/2025	116.63	0.00	Paid	Y

INVOICE REGISTER FOR HOWELL TOWNSHIP

Inv Ref #	Vendor	Invoice Date	Due Date	Invoice Amount	Amount Due	Status	Posted
00024191	UIS SCADA	01/08/2025	02/10/2025	1,453.00	0.00	Paid	Y
00024193	UIS SCADA	01/15/2025	02/10/2025	2,768.00	0.00	Paid	Y
00024209	DTE ENERGY	01/13/2025	02/02/2025	239.07	0.00	Paid	Y
00024210	DTE ENERGY	01/13/2025	02/03/2025	414.07	0.00	Paid	Y
00024211	DTE ENERGY	01/13/2025	02/03/2025	11,672.31	0.00	Paid	Y
00024212	DTE ENERGY	01/13/2025	02/03/2025	272.19	0.00	Paid	Y
00024213	DTE ENERGY	01/13/2025	02/03/2025	27.83	0.00	Paid	Y
00024214	DTE ENERGY	01/13/2025	02/03/2025	526.79	0.00	Paid	Y
00024215	DTE ENERGY	01/13/2025	02/03/2025	712.37	0.00	Paid	Y
00024216	MHOG	01/13/2025	02/18/2025	149,880.10	0.00	Paid	Y
00024224	DTE ENERGY	01/14/2025	02/05/2025	70.81	0.00	Paid	Y
00024176	APPLIED INNOVATION	01/13/2025	02/01/2025	671.16	0.00	Paid	Y
00024177	PITNEY BOWES GLOBAL FINANCIAL SERV.	01/13/2025	02/09/2025	1,415.75	0.00	Paid	Y
00024184	ABSOPURE	12/31/2024	01/20/2025	12.00	0.00	Paid	Y
00024185	ABSOPURE	12/31/2024	01/20/2025	36.75	0.00	Paid	Y
00024186	SUSAN DAUS	12/31/2024	01/20/2025	1,504.74	0.00	Paid	Y
00024187	DTE ENERGY	01/08/2025	02/10/2025	782.85	0.00	Paid	Y
00024188	GANNETT MICHIGAN LOCALIQ	01/08/2025	02/10/2025	653.03	0.00	Paid	Y
00024190	CHESTNUT DEVELOPMENT LLC	01/15/2025	01/23/2025	4,922.75	0.00	Paid	Y
00024192	GABRIDGE & COMPANY, PLC	12/31/2024	02/10/2025	12,950.00	0.00	Paid	Y
00024207	DTE ENERGY	01/10/2025	02/03/2025	449.86	0.00	Paid	Y
00024208	MICRO WORKS COMPUTING, INC	01/13/2025	02/02/2025	360.00	0.00	Paid	Y
00024217	SMART BUSINESS SOURCE, LLC	01/17/2025	01/17/2025	7.95	0.00	Paid	Y
00024218	FIRST NATIONAL BANK	01/24/2025	01/24/2025	5,379.76	0.00	Paid	Y
00024219	HOWELL TOWNSHIP	01/24/2025	01/24/2025	123.08	0.00	Paid	Y
00024220	BLUE CARE NETWORK	01/24/2025	01/24/2025	4,583.92	0.00	Paid	Y
00024221	AMERICAN FUNDS	01/24/2025	01/24/2025	3,509.07	0.00	Paid	Y
00024222	TREASURY STATE OF MICHIGAN	01/24/2025	01/24/2025	1,686.60	0.00	Paid	Y
00024223	EMPOWER	01/24/2025	01/24/2025	1,445.83	0.00	Paid	Y
00024225	MICHIGAN STATE UNIVERSITY	01/22/2025	01/22/2025	225.00	0.00	Paid	Y
00024226	SPICER GROUP	01/22/2025	01/22/2025	4,839.50	0.00	Paid	Y

of Invoices: 139 # Due: 0
 # of Credit Memos: 0 # Due: 0
 Net of Invoices and Credit Memos:

Totals: 2,410,666.58 0.00
 Totals: 0.00 0.00
 2,410,666.58 0.00

(Agrees with Check Register BK

--- TOTALS BY FUND ---

101 GENERAL FUND	148,717.80	0.00
208 PARK/RECREATION FUND	464.75	0.00
592 SWR/WTR	236,287.47	0.00
701 TRUST & AGENCY	73,975.23	0.00
703 TAX FUND	1,951,221.33	0.00

--- TOTALS BY DEPT/ACTIVITY ---

000 OTHER	2,110,408.18	0.00
101 TOWNSHIP BOARD	144.80	0.00
215 CLERK	724.79	0.00
253 TREASURER	484.13	0.00
262 ELECTIONS	63.59	0.00
265 TOWNSHIP HALL	5,553.33	0.00
268 TOWNSHIP AT LARGE	51,641.85	0.00
447 ENGINEERING	1,551.50	0.00
536 SEWER/WATER	24,221.50	0.00

INVOICE REGISTER FOR HOWELL TOWNSHIP

Inv Ref #	Vendor	Invoice Date	Due Date	Invoice Amount	Amount Due	Status	Posted
	537 CHARGES FOR SERVICES			149,880.10	0.00		
	538 WWTP			62,185.87	0.00		
	701 PLANNING			3,317.39	0.00		
	702 ZONING			368.71	0.00		
	703 ZONING BOARD OF APPEALS			120.84	0.00		

CHECK REGISTER FOR HOWELL TOWNSHIP

CHECK DATE 01/01/2025 - 01/31/2025

Check Date	Check	Vendor Name	Description	Amount
Bank GEN GENERAL FUND CHECKING				
01/08/2025	18956	AMERICAN VIDEO TRANSFER INC	WIRED MIC AUDIO SYSTEM WITH STREAMING C	12,172.00
01/08/2025	18957	CARLISLE WORTMAN ASSOC, INC.	GENERAL CONSULTATION	2,615.00
			JUETT HYDRAULIC DR REZONING	90.00
			Check Request For Bond: BSP21-0006	400.00
			Check Request For Bond: BSP24-0009	200.00
				<u>3,305.00</u>
01/08/2025	18958	CPK INVESTMENTS LLC	Check Request For Bond: BSP22-0003	4,041.50
01/08/2025	18959	CINTAS CORPORATION	BLUE MATS	124.57
01/08/2025	18960	SUSAN DAUS	CLERK/ELECTION EXPENSES	88.38
01/08/2025	18961	FAHEY SCHULTZ BURZYCH RHODES	Check Request For Bond: BSP21-0006	1,641.00
			HOWELL-MASON LLC (24-32242-CZ)	429.00
			HOWELL-MASON LLC (24-350-AA)	256.50
			BURKHART ROAD ASSOCIATES (22-292-AA)	3,676.50
			PERSONAL PROPERTY TAX COLLECTION	374.00
			ZONING - ORDINANCES	22,576.00
			GENERAL	11,749.00
				<u>40,702.00</u>
01/08/2025	18962	JONATHAN HOHENSTEIN	TREASURER/ZONING EXPENSES - DECIBEL REA	448.29
			TREASURER MILEAGE	30.55
				<u>478.84</u>
01/08/2025	18963	IRON MOUNTAIN	ON-CALL SHREDDING	209.92
01/08/2025	18964	MICRO WORKS COMPUTING, INC	NEW COUNTER COMPUTER	720.00
			INSTALL AND UPDATE COUNTER COMPUTER	313.00
				<u>1,033.00</u>
01/08/2025	18965	MUTUAL OF OMAHA INSURANCE COM	JANUARY 2025	209.88
01/08/2025	18966	PERFECT MAINTENANCE	JANUARY 2025 CLEANING SERVICES	195.00
01/08/2025	18967	SMART BUSINESS SOURCE, LLC	ENVELOPES, PAPER, STICKY NOTES	276.11
01/08/2025	18968	SPICER GROUP	GENERAL ENGINEERING	1,551.50
			TOOLEY RD PARK	464.75
			Check Request For Bond: BSP19-0004	173.00
			Check Request For Bond: BSP21-0006	4,242.50
			Check Request For Bond: BSP24-0009	51.25
			Check Request For Bond: BSP21-0005	1,442.00
			Check Request For Bond: BSP23-0001	146.50
			Check Request For Bond: BSP22-0003	500.50
			Check Request For Bond: BSP24-0003	2,031.75
			Check Request For Bond: BSP20-0005	495.75
			Check Request For Bond: BSP20-0003	2,474.00
			Check Request For Bond: BSP23-0006	173.00
			Check Request For Bond: BSP24-0010	70.50
			Check Request For Bond: BSP24-0006	1,229.75

CHECK REGISTER FOR HOWELL TOWNSHIP

CHECK DATE 01/01/2025 - 01/31/2025

Check Date	Check	Vendor Name	Description	Amount
Bank GEN GENERAL FUND CHECKING				15,046.75
01/24/2025	18969	ABSOPURE	COOLER RENTAL JAN 2025 4 WATER BOTTLES	12.00 36.75 <hr/> 48.75
01/24/2025	18970	APPLIED INNOVATION	CONTRACT COPY CHARGES	671.16
01/24/2025	18971	CHESTNUT DEVELOPMENT LLC	Check Request For Bond: BSP23-0001	4,922.75
01/24/2025	18972	SUSAN DAUS	CLERK SCHOOL & TV FOR BOARD ROOM	1,504.74
01/24/2025	18973	DTE ENERGY	STREETLIGHTS	782.85
01/24/2025	18974	GABRIDGE & COMPANY, PLC	JUNE 30, 2024 AUDIT REPORT	12,950.00
01/24/2025	18975	BLUE CARE NETWORK	Remittance Check	4,583.92
01/24/2025	18976	GANNETT MICHIGAN LOCALIQ	DECEMBER PUBLICATIONS	653.03
01/24/2025	18977	MICRO WORKS COMPUTING, INC	SETUP BOARD ROOM FOR STREAMING	360.00
01/24/2025	18978	MICHIGAN STATE UNIVERSITY	PLANNING COMMISSION CLASS ROLES & RESPO	225.00
01/24/2025	18979	PITNEY BOWES GLOBAL FINANCIAL	PREPAID POSTAGE REFILL METER	1,415.75
01/24/2025	18980	SMART BUSINESS SOURCE, LLC	REPLACEMENT PAD FOR STAMPER	7.95
01/24/2025	18981	SPICER GROUP	Check Request For Bond: BSP24-0007	4,839.50
01/10/2025	101001970(E)	EMPOWER	Remittance Check	1,550.97
01/10/2025	101001971(E)	FIRST NATIONAL BANK	Remittance Check	5,501.97
01/10/2025	101001972(E)	HOWELL TOWNSHIP	Remittance Check	123.08
01/10/2025	101001973(E)	AMERICAN FUNDS	Remittance Check	3,401.59
01/08/2025	101001974(E)	COMCAST	TWP HALL JAN 2025	436.15
01/08/2025	101001975(E)	CONSUMERS ENERGY	TWP HALL DEC 2024	726.24
01/08/2025	101001976(E)	HOWELL TOWNSHIP	Check Request For Bond: BSP21-0006	14,000.00
01/24/2025	101001977(E)	EMPOWER	Remittance Check	1,445.83
01/24/2025	101001978(E)	FIRST NATIONAL BANK	Remittance Check	5,379.76
01/24/2025	101001979(E)	HOWELL TOWNSHIP	Remittance Check	123.08
01/24/2025	101001980(E)	AMERICAN FUNDS	Remittance Check	3,509.07
01/24/2025	101001981(E)	TREASURY STATE OF MICHIGAN	Remittance Check	1,686.60
01/24/2025	101001982(E)	DTE ENERGY	TWP HALL JAN 2025	449.86
GEN TOTALS:				
Total of 39 Checks:				149,182.55
Less 0 Void Checks:				0.00
Total of 39 Disbursements:				<hr/> 149,182.55
Bank T&A TRUST & AGENCY CHECKING				
01/06/2025	3659	GCT METER FUND	Check Request For Bond: BMHOG24-0033	879.00
01/06/2025	3660	GCT METER FUND	Check Request For Bond: BMHOG24-0034	879.00
01/06/2025	3661	HOWELL AREA FIRE AUTHORITY	DPPT JULY - DECEMBER 2024	3,279.15
01/06/2025	3662	HOWELL CARNEGIE LIBRARY	DPPT JULY - DECEMBER 2024	2,366.66
01/06/2025	3663	HOWELL PUBLIC SCHOOLS	DPPT JULY - DECEMBER 2024	10,195.38
01/06/2025	3664	HOWELL PUBLIC SCHOOLS	DPPT JULY - DECEMBER 2024	8,021.97
01/06/2025	3665	LIV EDUC SERVICE AGENCY	DPPT JULY - DECEMBER 2024	1,948.40
01/06/2025	3666	MHOG	Check Request For Bond: BMHOG24-0022	35,770.00
01/06/2025	3667	LIVINGSTON COUNTY TREASURER	DPPT JULY - DECEMBER 2024	9,818.17
01/06/2025	3668	LIVINGSTON COUNTY TREASURER	MOBILE HOME FEES	817.50
T&A TOTALS:				

CHECK REGISTER FOR HOWELL TOWNSHIP

CHECK DATE 01/01/2025 - 01/31/2025

Check Date	Check	Vendor Name	Description	Amount
Bank T&A TRUST & AGENCY CHECKING				
Total of 10 Checks:				73,975.23
Less 0 Void Checks:				0.00
Total of 10 Disbursements:				<u>73,975.23</u>
Bank TAX TAX CHECKING				
01/07/2025	6061	LERETA LLC	2024 Win Tax Refund 4706-13-302-083	1,560.65
01/07/2025	6062	CORELOGIC	2024 Win Tax Refund 4706-26-202-014	769.43
				<u>4,044.27</u>
01/07/2025	6063	FOWLerville DIST LIBRARY	2024 WINTER TAXES 12/16 - 12/31/2024	10,308.79
01/07/2025	6064	FOWLerville SCHOOLS	2024 WINTER TAXES 12/16 - 12/31/2024	74,528.50
01/07/2025	6065	HOWELL PARKS AND RECREATION	2024 WINTER TAXES 12/16 - 12/31/2024	107,266.02
01/07/2025	6066	HOWELL AREA FIRE AUTHORITY	2024 WINTER TAXES 12/16 - 12/31/2024	441,138.25
01/07/2025	6067	HOWELL CARNEGIE LIBRARY	2024 WINTER TAXES 12/16 - 12/31/2024	219,517.51
01/07/2025	6068	HOWELL PUBLIC SCHOOLS	2024 SUMMER TAXES 12/16 - 12/31/2024	2,206.78
01/07/2025	6069	HOWELL PUBLIC SCHOOLS	2024 SUMMER TAXES 12/16 - 12/31/2024	1,294.28
01/07/2025	6070	HOWELL PUBLIC SCHOOLS	2024 WINTER TAXES 12/16 - 12/31/2024	589,999.82
01/07/2025	6071	LIV EDUC SERVICE AGENCY	2024 SUMMER TAXES 12/16 - 12/31/2024	2,772.90
01/07/2025	6072	LIVINGSTON COUNTY TREASURER	2024 SUMMER TAXES 12/16 - 12/31/2024	2,792.57
01/07/2025	6073	LIVINGSTON COUNTY TREASURER	2024 SUMMER TAXES 12/16 - 12/31/2024	5,244.84
01/07/2025	6074	LIVINGSTON COUNTY TREASURER	2024 WINTER TAXES 12/16 - 12/31/2024	161,313.95
01/16/2025	6075	FOWLerville DIST LIBRARY	WINTER 2024 TAXES 1/1 - 1/15/2025	2,233.49
01/16/2025	6076	FOWLerville SCHOOLS	SUMMER 2024 TAXES 1/1 - 1/15/2025	57.28
01/16/2025	6077	FOWLerville SCHOOLS	WINTER 2024 TAXES 1/1 - 1/15/2025	16,147.19
01/16/2025	6078	HOWELL PARKS AND RECREATION	WINTER 2024 TAXES 1/1 - 1/15/2025	20,627.46
01/16/2025	6079	HOWELL AREA FIRE AUTHORITY	WINTER 2024 TAXES 1/1 - 1/15/2025	85,206.80
01/16/2025	6080	HOWELL CARNEGIE LIBRARY	WINTER 2024 TAXES 1/1 - 1/15/2025	42,212.89
01/16/2025	6081	HOWELL PUBLIC SCHOOLS	SUMMER 2024 TAXES 1/1 - 1/15/2025	3,993.91
01/16/2025	6082	HOWELL PUBLIC SCHOOLS	SUMMER 2024 TAXES 1/1 - 1/15/2025	1,441.20
01/16/2025	6083	HOWELL PUBLIC SCHOOLS	WINTER 2024 TAXES 1/1 - 1/15/2025	113,454.91
01/16/2025	6084	LIV EDUC SERVICE AGENCY	SUMMER 2024 TAXES 1/1 - 1/15/2025	1,929.32
01/16/2025	6085	CORELOGIC CENTRALIZED REFUNDS	2024 Sum Tax Refund 4706-13-301-127	3,068.73
01/16/2025	6086	LIVINGSTON COUNTY TREASURER	SUMMER 2024 TAXES 1/1 - 1/15/2025	3,649.20
01/16/2025	6087	LIVINGSTON COUNTY TREASURER	SUMMER 2024 TAXES 1/1 - 1/15/2025	1,943.04
01/16/2025	6088	LIVINGSTON COUNTY TREASURER	WINTER 2024 TAXES 1/1 - 1/15/2025	<u>31,266.78</u>
TAX TOTALS:				
Total of 28 Checks:				1,951,221.33
Less 0 Void Checks:				0.00
Total of 28 Disbursements:				<u>1,951,221.33</u>
Bank UTICK UTILITY CHECKING				
01/08/2025	3268	NORTHWEST PIPE AND SUPPLY, IN	PVC FLANGE GASKET, GLUE & CEMENT SLOAN C-100500 KIT	101.17 43.41
				<u>144.58</u>
01/08/2025	3269	BRIGHTON ANALYTICAL	ANIONS TESTING	30.00
01/08/2025	3270	CSM MECHANICAL, LLC	INSTALL RAS PUMP AT PLANT	4,189.10
01/08/2025	3271	STATE OF MICHIGAN - EGLE	NPDES ANNUAL PERMIT FEE 2025	1,950.00
01/08/2025	3272	GENOA-OCEOLA WWTP	DIESEL FUEL FOR PS #70,74,76 AND STANDB	400.15

CHECK REGISTER FOR HOWELL TOWNSHIP

CHECK DATE 01/01/2025 - 01/31/2025

Check Date	Check	Vendor Name	Description	Amount
Bank UTYCK UTILITY CHECKING				
01/08/2025	3273	GENOA TOWNSHIP DPW	PLANT OPERATIONS JAN 2025	28,135.32
01/08/2025	3274	GENOA-OCEOLA SWATH	LAB COSTS OCT-DEC 2024	3,535.68
01/08/2025	3275	G-O WWTP VACTOR PAD	MANHOLE CLEANING	69.82
01/08/2025	3276	MISS DIG SYSTEMS INC	MEMBERSHIP FEE	978.62
01/22/2025	3277	BRIGHTON ANALYTICAL	ANIONS TESTING	30.00
01/22/2025	3278	GENOA OCEOLA SWATH	LAB COSTS OCT - DEC 2023	3,487.99
			LAB COSTS APR - JUNE 2024	3,468.03
				<u>6,956.02</u>
01/22/2025	3279	KENNEDY INDUSTRIES INC	FLYGT SUBMERSIBLE PUMP 14 HP FOR PS#70	20,032.40
01/22/2025	3280	MHOG	OCTOBER - DECEMBER 2024 CONSUMPTION	149,880.10
01/22/2025	3281	REPUBLIC SERVICES	WWTP WASTE PICKUP	116.63
01/22/2025	3282	UIS SCADA	SCADA ANNUAL CRUISE SUBSCRIPTION FEE	1,453.00
			ANNUAL CALIBRATION OF FLOW METERS	2,768.00
				<u>4,221.00</u>
01/08/2025	59004084(E)	AT&T	JANUARY 2025	327.23
01/08/2025	59004085(E)	CONSUMERS ENERGY	2571 OAKGROVE RD DEC 2024	145.51
01/08/2025	59004086(E)	CONSUMERS ENERGY	391 N BURKHART RD DECEMBER 2024	25.67
01/08/2025	59004087(E)	DTE ENERGY	271 E HIGHLAND DEC 2024	58.31
01/22/2025	59004088(E)	DTE ENERGY	1009 N BURKHART JAN 2025	234.89
01/22/2025	59004089(E)	DTE ENERGY	2571 OAKGROVE JAN 2025	636.59
01/22/2025	59004090(E)	DTE ENERGY	391 N BURKHART JAN 2025	254.41
01/22/2025	59004091(E)	DTE ENERGY	3888 OAKGROVE JAN 2025	239.07
01/22/2025	59004092(E)	DTE ENERGY	2700 TOOLEY JAN 2025	414.07
01/22/2025	59004093(E)	DTE ENERGY	1222 PACKARD JAN 2025	11,672.31
01/22/2025	59004094(E)	DTE ENERGY	2559 W GRAND RIVER JAN 2025	272.19
01/22/2025	59004095(E)	DTE ENERGY	1216 PACKARD JAN 2025	27.83
01/22/2025	59004096(E)	DTE ENERGY	1034 AUSTIN CT JAN 2025	526.79
01/22/2025	59004097(E)	DTE ENERGY	1575 N BURKHART JAN 2025	712.37
01/22/2025	59004098(E)	DTE ENERGY	271 E HIGHLAND JAN 2025	70.81
UTYCK TOTALS:				
Total of 30 Checks:				236,287.47
Less 0 Void Checks:				0.00
Total of 30 Disbursements:				<u>236,287.47</u>
REPORT TOTALS:				
Total of 107 Checks:				2,410,666.58
Less 0 Void Checks:				0.00
Total of 107 Disbursements:				<u>2,410,666.58</u>

Agrees with Invoice Register BK

CHECK REGISTER FOR HOWELL TOWNSHIP
For Check Dates 01/01/2025 to 01/31/2025

Check Date	Bank	Check Number	Name	Check Gross	Physical Check Amount	Direct Deposit	Status
01/10/2025	GEN	DD6064	BRENT J. KILPELA	5,304.95	0.00	3,973.29	Open
01/10/2025	GEN	DD6065	CAROL A. MAKUSHIK	2,665.74	0.00	1,750.79	Open
01/10/2025	GEN	DD6066	SUSAN K. DAUS	1,601.65	0.00	1,257.57	Open
01/10/2025	GEN	DD6067	TANYA L. DAVIDSON	2,547.30	0.00	1,839.61	Open
01/10/2025	GEN	DD6068	MICHAEL CODDINGTON	1,409.33	0.00	934.16	Open
01/10/2025	GEN	DD6069	JONATHAN C. HOHENSTEIN	5,195.72	0.00	3,288.85	Open
01/10/2025	GEN	DD6070	TERESA M. MURRISH	1,947.75	0.00	1,448.73	Open
01/10/2025	GEN	DD6071	MARNIE E. HEBERT	2,004.82	0.00	1,681.15	Open
01/24/2025	GEN	DD6072	BRENT J. KILPELA	5,304.95	0.00	3,973.29	Open
01/24/2025	GEN	DD6073	CAROL A. MAKUSHIK	2,769.61	0.00	1,829.83	Open
01/24/2025	GEN	DD6074	MATTHEW E. COUNTS	508.92	0.00	448.36	Open
01/24/2025	GEN	DD6075	SHANE FAGAN	508.92	0.00	448.36	Open
01/24/2025	GEN	DD6076	ROBERT K. WILSON	508.92	0.00	448.36	Open
01/24/2025	GEN	DD6077	SUSAN K. DAUS	1,601.65	0.00	1,257.56	Open
01/24/2025	GEN	DD6078	TANYA L. DAVIDSON	2,098.36	0.00	1,548.29	Open
01/24/2025	GEN	DD6079	TIMOTHY C. BOAL	588.92	0.00	518.84	Open
01/24/2025	GEN	DD6080	CHARLES J. FRANTJESKOS JR	80.00	0.00	70.48	Open
01/24/2025	GEN	DD6081	MICHAEL W. NEWSTEAD	80.00	0.00	70.48	Open
01/24/2025	GEN	DD6082	WAYNE R. WILLIAMS JR	80.00	0.00	73.88	Open
01/24/2025	GEN	DD6083	MICHAEL CODDINGTON	1,409.33	0.00	934.17	Open

CHECK REGISTER FOR HOWELL TOWNSHIP
For Check Dates 01/01/2025 to 01/31/2025

Check Date	Bank	Check Number	Name	Check Gross	Physical Check Amount	Direct Deposit	Status
01/24/2025	GEN	DD6084	JONATHAN C. HOHENSTEIN	4,144.31	0.00	2,669.22	Open
01/24/2025	GEN	DD6085	TERESA M. MURRISH	1,987.50	0.00	1,475.00	Open
01/24/2025	GEN	DD6086	MARNIE E. HEBERT	2,042.32	0.00	1,710.44	Open
Report Total:				46,390.97	0.00	33,650.71	
Number of Checks				23			
Total Physical Checks				0			
Total Check Stubs				23			