

**HOWELL TOWNSHIP REGULAR BOARD
MEETING MINUTES**

3525 Byron Road Howell, MI 48855

November 13, 2023

6:30 P.M.

MEMBERS PRESENT:

Mike Coddington	Supervisor
Sue Daus	Clerk
Jonathan Hohenstein	Treasurer
Matthew Counts	Trustee
Jeff Smith	Trustee
Harold Melton	Trustee
Bob Wilson	Trustee

MEMBERS ABSENT:

Also in Attendance:

Jacob Witte - Township Attorney
David Szymanski – Township Attorney
Tom Landa – Township Attorney
Three people were in the audience.

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

CALL TO THE BOARD:

Treasurer Hohenstein requested to add 5-B Approval of Closed Session Minutes for October 2, 2023

APPROVAL OF THE AGENDA:

November 13, 2023

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

APPROVAL OF BOARD MEETING MINUTES:

October 2, 2023

REGULAR BOARD MEETING MINUTES

Motion by Hohenstein, **Second** by Melton, “**To approve the October 2, 2023 meeting minutes as presented.**” Discussion followed. Motion carried, one dissension.

CLOSED SESSION MEETING MINUTES

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

CORRESPONDENCE:

No additions. No questions.

CALL TO THE PUBLIC:

None

UNFINISHED BUSINESS:

A. Guardian Alarm

Mark from Guardian Alarm spoke about the proposed system upgrades and answered questions from the Board. It was the consensus of the Board to have Guardian look into a few of the options discussed and get the Board an updated quote.

NEW BUSINESS:

A. Township Financial Update – Brent Kilpela

Deputy Supervisor Brent Kilpela gave an update of the Township's financials to the Board and answered the Board's questions. **Motion** by Hohenstein, **Second** by Smith, **"To make a budget amendment to increase the road improvement expense by \$74,000 to account for projects approved from last budget year and completed this budget year."** Motion carried.

Brent also discussed cash flows and the Tooley Road properties the Board has set aside for future parks and a future Township Hall. Board requested Brent bring back possible options for the general fund to compensate the sewer and water fund for the properties.

Motion by Hohenstein, **Second** by Counts, **"To deviate from the Agenda to item 12, closed sessions for Oakland Tactical and Burkhart Ridge."** Roll call vote: Count – yes, Coddington – yes, Melton – yes, Hohenstein – yes, Smith – yes, Wilson – yes, Daus – yes. Motion carried 7-0.

B. Sewer and Water Connection Fees - 2024

Treasurer Hohenstein discussed the sewer and water connection fees and the need for a resolution to set the fees otherwise they will automatically increase by 5% at the end of the year.

Motion by Melton, **Second** by Smith, **"To leave the connection fees at \$5,000 each."** Discussion followed. Motion carried, one dissension.

Motion by Hohenstein, **Second** by Smith, **"To accept resolution 11.23.530, setting the sewer connection fee at \$5,000 as presented."** Roll call vote: Wilson – yes, Hohenstein – yes, Smith – yes, Melton – yes, Coddington – yes, Daus – yes, Counts – no. Motion carried 6-1.

Motion by Hohenstein, **Second** by Smith, **"To accept resolution 11.23.531, setting the water connection fee at \$5,000 as presented."** Roll call vote: Smith – yes, Melton – yes, Hohenstein – yes, Daus – yes, Wilson – yes, Counts – no, Coddington – yes. Motion carried 6-1.

C. Planning Commission and ZBA Re-Appointments

Treasurer Hohenstein discussed the Planning Commission and ZBA seats whose terms end in December of 2023. Discussion followed. **Motion** by Counts, **Second** by Hohenstein, **"To re-appoint Planning Commission members Tim Boal, Paul Pominville, and Robert Spaulding as presented."** Motion carried, one dissension. **Motion** by Counts, **Second** by Melton, **"To re-appoint Ken Frenger and Carol Weaver to the Zoning Board of Appeals as presented."** Motion carried.

D. G2G – Agreement Renewal

Treasurer Hohenstein discussed the agreement with Oakland County's G2G credit card system that the Township uses to accept credit card payments over the counter. Discussion followed. **Motion** by Hohenstein, **Second** by Melton **"To accept resolution 11.23.532 to authorize over the counter**

credit card sales with Oakland County's G2G system as presented." Roll call vote: Daus – yes, Wilson – yes, Counts – yes, Coddington – yes, Hohenstein – yes, Melton – yes, Smith – yes. Motion carried 7-0.

- E. Zoning Approval Request – Michigan Storage Barns
Trustee Counts discussed the zoning change request. Discussion followed. **Motion** by Counts, **Second** by Hohenstein, **"To approve the zoning request from NSC to IFZ for Michigan Storage Barns as presented."** Motion carried.

CALL TO THE PUBLIC:

None.

REPORTS:

- A. SUPERVISOR: Received questions about the proposed gas station at Burkhart Road and Mason Road.
- B. TREASURER: Discussed the transition to BSA Cloud, working on updating the school collection agreements, and the clean-up day. Consensus of the Board to set clean-up day for May 18th 2024. Discussion followed. Trustee Wilson took exception to Treasurer Hohenstein's letter to Sharpe's Outdoor Services for charging the Township for services not rendered. Discussion followed.
- C. CLERK: Discussed the November election and thanked Deputy Clerk Tanya Davidson for all of her hard work. Discussion followed.
- D. ZONING:
See Zoning Administrator Joe Daus's report
- E. ASSESSING:
See Assessor Kilpela's report
- F. FIRE AUTHORITY:
Supervisor Coddington reported on the Fire Authority
- G. MHOG:
Trustee Counts reported on MHOG
- H. PLANNING COMMISSION:
Trustee Counts reported on the Planning Commission
- I. ZONING BOARD OF APPEALS (ZBA):
Trustee Smith reported on the ZBA
- J. WWTP:
See Treasurer Hohenstein's report. **Motion** by Hohenstein, **Second** by Melton, **"To accept the quote from Cummins to replace the block heater as presented."** Motion carried.
- K. HAPRA:
Clerk Daus reported on HAPRA

L. PROPERTY COMMITTEE:

Treasurer Hohenstein reported on the Property Committee

M. PARK & RECREATION COMMITTEE:

Treasurer Hohenstein notified the Board that the Township's Spark Grant application was not accepted and is not eligible to apply for the third round of the grant.

CLOSED SESSION:

Motion by Hohenstein, Second by Smith, "To go into closed session pursuant to MCL 15.268(e) to discuss ongoing litigation against the Township pending in the United States District Court for the Eastern District of Michigan and on appeal in the United States Sixth Circuit Court of Appeals in Oakland Tactical Supply v. Howell Township." Roll call vote: Hohenstein – yes, Counts – yes, Wilson – yes, Smith – yes, Daus – yes, Coddington – yes, Melton – yes. Motion carried 7-0.

Motion by Hohenstein, Second by Smith, "To go into closed session pursuant to MCL 15.268(e) and (h) to discuss ongoing litigation against the Township pending in the Livingston County Circuit Court in Burkhart Road Associates v. Howell Township." Roll call vote: Coddington – yes, Smith – yes, Daus – yes, Counts – yes, Melton – yes, Hohenstein – yes, Wilson – yes. Motion carried 7-0.

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

Motion by Hohenstein, Second by Melton, "To authorize Township attorneys to engage in settlement discussions regarding Burkhart Road Associates v. Howell Township as discussed in closed session." Motion carried.

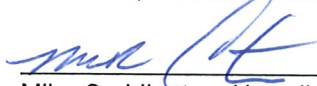
DISBURSEMENTS: REGULAR PAYMENTS AND CHECK REGISTER:

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

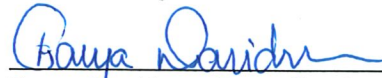
ADJOURNMENT: Motion by Melton, Second by Counts, "To adjourn at this time." Motion carried. The meeting was adjourned at 8:45pm.



Sue Daus, Howell Township Clerk



Mike Coddington, Howell Township Supervisor



Tanya Davidson, Recording Secretary