

HOWELL TOWNSHIP BOARD REGULAR MEETING

April 10, 2017

Howell Township Hall

6:30. p.m.

MEMBERS PRESENT:

Mike Coddington	Supervisor
Jonathan Hohenstein	Treasurer
Jean Graham	Clerk
Matthew Counts	Trustee
Carolyn Eaton	Trustee
Dar Howard	Trustee
Harold Melton	Trustee

MEMBERS ABSENT:

Also in attendance, Deputy Supervisor Brent Kilpela.

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

CALL TO THE BOARD:

MOTION by Hohenstein, seconded by Howard, **“TO APPROVE THE APRIL 10, 2017 AGENDA AS PRESENTED.”** Motion carried.

APPROVAL OF MINUTES:

MOTION by Howard, seconded by Hohenstein, **“TO APPROVE THE FEBRUARY 13, 2017 REGULAR MEETING MINUTES AS PRESENTED.”** Motion carried. (See February 13, 2017 Meeting Minutes) **MOTION** by Hohenstein, seconded by Milton, **“TO APPROVE THE FEBRUARY 13, 2017 CLOSED SESSION MEETING MINUTES AS PRESENTED.”** Motion carried.

CORRESPONDENCE:

See List.

CALL TO THE PUBLIC:

Regina Momgaldas who has a building at 1892 Hydraulic Dr. addressed the Board concerning the cannabis industry. Ms. Momgaldas talked on the possibly of engaging in a medicinal cannabis state regulated cultivation facility or caregiver suites. She is requesting that the Board consider allowing this type of business in Howell Township. Supervisor Coddington related that the Board does not have any plan on changing the ordinance at this time.

Ana Roca from Blissfield Michigan who is a Ganga Yoga instructor stated she has been using cannabis and yoga to help her with relief from her ailments.

Jamie Goswick from Grand Haven Michigan, stated that Ms. Roca is her business mentor. Ms. Goswick handed out information to the Board, addressing medical marijuana.

Shawn McIntyre from Howell, Michigan is a patient and a licensed care giver. He stated his many injuries and how medical marijuana has helped him where other pharmaceutical medications has not helped him. He would like to see safe access to regulated, tested and taxed, medical marijuana be available.

Rhonda Scott from Holly Michigan is looking for a home in the Howell area. She states that she was a prescription drug addict because of an accident 40 years ago. She now is a medical marijuana user and is off the prescription narcotic drugs. She stated, she believes there needs to be more places that will allow the growing of legal medical marijuana.

Michael Lumetta from the non-profit Michigan Canvass Development Association, passed to the Board an economic impact report on, "Michigan's new medical marijuana system". He stated he didn't think there were any facilities in Livingston County that allow the growing of medical marijuana at this time. He stated that there are several other counties throughout the state that are in the drafting stages of changing their ordinances to allow it. Adam Dale of Howell Michigan wanted to know what it is that they are asking the Board to do. Mr. Lumetta stated that there are different tiers of licenses and will need to know what the community needs are.

Michael Thue from Traverse City Michigan who specialize in CBD, believes that Livingston communities' is doing a dis-service to their communities by not allowing this type of service.

Ron McIntyre from Howell just wanted to confirm what his son Shawn McIntyre stated earlier how medical marijuana has helped him live a more normal life.

Fred Vanburen, Regina Momquadas' spouse is requesting to allow this type of facility in Howell Township. He believes it is a win situation for the Township because it will gain financially from the tax revenue and licenses.

The group also stated that the State of Michigan will start accepting applications in December. There are many steps in completing the process.

UNFINISHED BUSINESS:

- A. CLERK'S SALARY FOR ADDITIONAL DUTIES – Treasurer Hohenstein stated that at the February Meeting it was discussed that Clerk Graham has taken on extra duties of the former accounting clerk that was let go of her position. A resolution to that effect has been drawn up and if accepted, will supersede the prior Clerk Resolution. **MOTION** by Hohenstein, seconded by Howard, **"ACCEPT RESOLUTION #04.17.424 TO ESTABLISH TOWNSHIP CLERK'S SALARY FOR ADDITIONAL DUTIES."** Discussion followed. A roll-call vote was taken: Graham – yes, Eaton – yes, Counts – yes, Coddington – yes, Hohenstein – yes, Melton – yes, Howard – yes. Motion carries 7 to 0.

- B. SPRING CLEAN-UP DAY – Clerk Graham stated that the clean-up day is May 20, 2017. It was decided not to have having shredding as part of the Clean-Up Day services, as it is too expensive and there are other places where shredding can be done. We are still working on getting someone to take tires. Just about everything else is set.

- C. ROADS CHLORIDE – Treasurer Hohenstein discussed the two bids that were submitted for dust control for 2017. **MOTION** by Howard, seconded by Counts, **"TO CHOOSE CHLORIDE SOLUTIONS FOR DUST CONTROL ON HOWELL TOWNSHIP ROADS FOR 2017."** Discussion followed. Motion carried.

- D. REVISION OF DEFICIT ELIMINATION PLAN – Deputy Supervisor Kilpela went over the plan to eliminate the 592 sewer & water deficit. **MOTION** by Hohenstein, seconded by Counts, **"TO ACCEPT RESOLUTION #04.17.425 TO ELMINATE 592 SEWER & WATER DEFICIT."** Discussion followed. A roll-call vote was taken: Melton – yes, Graham – yes, Coddington – yes, Eaton – yes, Counts – yes, Howard – yes, Hohenstein – yes. Motion carries 7 to 0.

NEW BUSINESS:

- A. FINANCIAL REPORT – Deputy Supervisor Kilpela explained the "Revenue and Expenditure Report", the "Bond Payment Cash Flow Using Budgeted Revenue" and the "Bond Payment Cash Flow Using Historical Average Revenue" reports. The Board thanked Kilpela for his work on these reports.

- B. APPROVAL OF HOWELL AREA FIRE AUTHORITY BUDGET – Supervisor Coddington explained the 2017/2018 Howell Area Fire Authority Budget. **MOTION** by Howard, Seconded by Melton, **TO ACCEPT THE 2017/2018 HOWELL AREA FIRE AUTHORITY ANNUAL BUDGET AS PRESENTED.** Discussion followed. Motion carried.
- C. COMCAST (ORDINANCE 204) – Clerk Graham stated that the Township’s contract with Comcast is up. Discussion took place on options and or lack of options for the Township. **MOTION** by Howard, seconded by Hohenstein, **“TO ACCEPT THE UNIFORM VIDEO SERVICE LOCAL FRANCHISE AGREEMENT WITH COMCAST FOR A PERIOD OF 10 YEARS.”** Discussion followed. Motion carried.
- D. AGREEMENT TO EXTEND LAND PURCHASE (60 VACANT LOTS PINEVIEW VILLAGE) – Clerk Graham explained that Chestnut Development, Steve Gronow, would like to extend the Land Purchase Agreement for property identified as 60 vacant parcels, (Pineview Village) from May 6, 2017 until August 6, 2017. **MOTION** by Hohenstein, seconded by Howard, **“TO EXTEND THE TOWNSHIP’S LAND PURCHASE AGREEMENT WITH CHESTNUT DEVELOPMENT, STEVE GRONOW, FOR THE PINEVIEW VILLAGE PROPERTY.”** Discussion followed. Motion carried.
- E. OAK GROVE MEADOWS PUD AND SITE PLAN EXTENSTION – Supervisor Coddington explained that Allen Edwin Homes is requesting a 1 year extension of the PUD and Site Plan approvals for Oak Grove Meadows. They are finishing up the Amber Oaks project (located on Oak Grove Rd). Amber Oaks was been done in phases. Oak Grove Meadows will also be done in phases and the developer is ready to start the construction of Phase 1. **MOTION** by Counts, seconded by Howard, **“TO ACCEPT THE REQUEST FROM ALLEN EDWIN HOMES/CBL DEVELOPMENT LLC REGARDING OAK GROVE MEADOWS PUD AND SITE PLAN EXTENSION.”** Discussion followed. Motion carried.
- F. ALTERNATE TO THE PLANNING COMMISSIOIN – Trustee Counts explained that we do not currently have an alternate as Board Representative to the Planning Commission. Trustee Counts is the Board Representative but at times is unable to attend because of other obligation. He is requesting to have an alternate in place for when this circumstance happens. Supervisor Coddington asked if anyone on the Board would like to be the alternate. Trustee Eaton volunteered to take this position on. **MOTION** by Counts, seconded by Howard, **“TO HAVE TRUSTEE EATON BE THE ALTERNATE AS BOARD REPRESENTATIVE TO THE PLANNING COMMISSION.”** Discussion followed. Motion carried.
- G. SEWER DEBT FEE AUDIT – Treasurer Hohenstein stated that the Township has received a complaint from a resident that his neighbor is not paying the Sewer Debt Fee that he is paying. Treasurer Hohenstein would like to see at the next Budget Meeting, how critical the Sewer Debt Fee is to the Sewer Operations. Discussion followed about the amount of feet from the tap-in line a house could be and not be charged the Sewer Debt Fee. It was the consensus of the Board to wait until additional information can be gathered on this subject before taking further action.

REPORTS:

- A. SUPERVISOR:
(Coddington)
 - Stated that nothing out of the unusual to report.

B. TREASURER:

(Hohenstein)

- In the past, the Township has always budgeted a 10% cushion on the road projects. This cushion was not included this year. The Fisher Road project, we have a cost sharing agreement with Oceola Township. Oceola has concerns about the type of gravel being used and is also wanting to replace some culverts that were not included in the original agreement. **MOTION** by Counts, seconded by Graham, **“TO APPROVE A 10% EXPENDITURE TO THE AMOUNT FOR ROAD IMPROVEMENT BUDGET ALREADY IN PLACE.”** Discussion followed. Motion carried.

C. CLERK:

(Graham)

- Livingston County has made the decision to go with Hart for the new election equipment. We do not have the final cost for the new equipment yet.

D. ZONING:

(Prepared by Daus)

- See Land Use Permit Listing.

E. ASSESSING:

(Prepared by Assessor Kilpela)

- See report.

F. FIRE AUTHORITY:

(Coddington)

- Fire Authority Budget. (See item 9B.)
- Discussion on the cost, caused by the wind storm that went through.
- The main station expansion.
- The Retiree Trust Fund.

G. MHOG:

(Howard)

- Paid the bills.
- One of the main well pumps is need of repair.
- Still trying to require land for the Marion Cross County Line.

H. PLANNING COMMISSION:

(Counts) with input from Commissioner Adams and Clerk Graham

- The Kennel Ordinance changes.
- Rezoning from NSC to MFR on a parcel at Burkhart and Mason Rd.
- Rezoning from RSC to MFR on a parcel on Burkhart Rd.
- All three of these are now at the County Planning Commission and then will go the Township Board.

I. ZONING BOARD OF APPEALS (ZBA):

(Howard)

- Approved set-back variance to allow for a barn on Preston Rd.

J. WEBSITE:

(Counts)

- No report.

K. WWTP:

(Hohenstein)

- Submitted a report from the WWTP Meeting with Clerk Graham, Treasurer Hohenstein, Deputy Supervisor Kilpela and Jerry Livernois from the WWTP. The report included issues that need to be fixed at the plant and recommendations how to resolve those issues. **MOTION** by Eaton, seconded by Hohenstein, **“TO APPROVE TO RETRO-FIT THE STATION FOR \$125,000.00 CONTINGENT THAT THE CONTRACT INCLUDES ALL THE COST OF THE UPGRADE.”** Discussion followed. Motion carried 6 to 1.
- Discussion on portable ^potable^ water systems using MHOG, awaiting cost estimates.

L. HAPRA:

(Graham)

- No meeting in March.

CALL TO PUBLIC:

John Mills, 1750 Oak Grove Rd – 1) Stated that he owns 17 properties within Howell Township, Cohoctah Township and Howell City. He would like to know the process of how reassessments are done on properties. (It was recommended to talk with Township Assessor Kilpela.) 2) He would like to know if someone makes an offer on a piece of Township owned property, who deals with that? (The Board.) 3) He addressed his concerns about the property behind 1907 Oak Grove Road. It has a lot of water standing on it. (The drain has been plugged but the drain commission knows about it and is working to clear it.) 4) He wanted to know if the Township has a contact person from Comcast who deals with Preston Road. (Will try to give him a number.) 5) He asked, if an entity comes in and wants to be on the agenda, is there a fee for that? (No, unless they request a Special Meeting. Fee is \$900.00.) He then recommend to the Cannabis group of people, to ask to be placed on the agenda. 6) He also wanted to know about the barge for the WWTP that was discussed at an early meeting.

Michael Lumetta from the non-profit Michigan Canvass Development Association stated that another township that is handling the medical marijuana issue, has the township board and the planning commission working together.

Michael Thue from Traverse City Michigan wanted to reiterate the importance of medical marijuana and dealing with this in a timely matter. The control is in Board’s hands. The Planning Commission cannot go forward without the Board’s approval. This is potential profit for the Township.

John Mills, 1750 Oak Grove Road says he has seen several people in pain, and that medical marijuana has helped them. The drug companies and their lobbying in Washington are suppressing this medicine. He also stated that the Federal Government and the State Governments need to be on the same page.

Rhonda Scott from Holly Michigan believes that over half of the states have some form of legalization of medical marijuana.

Alex Hansen from Amber Oaks stated that Amber Oaks will be having a sub-wide garage sale on June 8th – 11th and a seconded garage sale in August.

Fred Bender asked what the process of getting on the agenda. (Send a written letter to the Clerk and specify what it is you want on the agenda.)

CLOSED SESSION:

MOTION by Counts, seconded by Hohenstein, **“TO ENTER INTO CLOSED SESSION FOR DISCUSSION OF TOWNSHIP PROPERTIES AT 8:48 P.M.”** A roll-call vote was taken: Graham – yes, Eaton – yes, Howard – yes, Hohenstein – Melton – yes, Coddington – yes, Counts – yes. Motion carried 7 to 0.

RE-ENTER INTO REGULAR SESSION:

MOTION by Eaton, seconded by Howard, **“TO ENTER BACK INTO REGULAR SESSION AT 9:05 P.M.”** Motion carried.

PROPERTY SALE RESOLUTION:

MOTION by Eaton, seconded by Counts, **“TO APPROVE RESOLUTION #04.17.423 FOR THE SALE OF PROPERTY AND SIGNER REGARDING THE CHANGES TO THE PROCEDURE OF PROPERTY SALES AS DISCUSSED IN CLOSED SESSION.”** Discussion followed. A roll-call vote was taken: Melton – yes, Coddington – yes, Graham – yes, Howard – yes, Eaton – yes, Counts – yes, Hohenstein – yes. Motion carried 7 to 0.

DISBURSEMENTS: REGULAR AND CHECK REGISTER:

MOTION by Counts, seconded by Howard, **“TO APPROVE THE REGULAR DISBURSEMENTS THROUGH APRIL 5, 2017 AND CHECK REGISTER AS PRESENTED, ALSO ANY CUSTOMARY AND NORMAL PAYMENTS FOR THE MONTH.”** Discussion followed. Motion carried.

ADJOURNMENT: **MOTION** by Hohenstein, seconded by Counts, **“TO ADJOURN.”** Motion carried. The meeting adjourned 9:07 p.m.

Approved: _____ X _____

Jean Graham
Howell Township Clerk

As Presented: _____

As Amended: _____

As Corrected: _____ X _____

Mike Coddington
Howell Township Supervisor

Dated 05.08.2017 _____

Signed: _____
Debby Johnson,
Recording Secretary