

HARTLAND TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING FINAL MINUTES
April 05, 2022 – 7:00 PM

1. Call to Order

The meeting was called to order by Supervisor Fountain at 7:00 p.m.

2. Pledge of Allegiance

3. Roll Call

PRESENT: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee Petrucci, Trustee O'Connell, Trustee McMullen

ABSENT: None

Also present were Township Manager Robert West, Public Works Director Michael Luce, and Planning Director Troy Langer.

4. Approval of the Agenda

Move to approve the agenda for the April 5, 2022, Hartland Township Board meeting as presented.

Motion made by Clerk Ciofu, Seconded by Trustee O'Connell.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee Petrucci, Trustee O'Connell, Trustee McMullen

Voting Nay: None

Absent: None

5. Call to the Public

No one came forward.

6. Approval of the Consent Agenda

Move to approve the consent agenda for the April 5, 2022, Hartland Township Board Meeting as presented.

Motion made by Treasurer Horning, Seconded by Trustee Germane.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee Petrucci, Trustee O'Connell, Trustee McMullen

Voting Nay: None

Absent: None

- a. Approve Payment of Bills
- b. Approve Post Audit of Disbursements Between Board Meetings
- c. 03-15-2022 Hartland Township Board Regular Meeting Minutes
- d. FY2023 Budget Amendments
- e. SLFRF Terms and Conditions

7. Pending & New Business

- a. Rezoning Application #22-001 (Buti - 2473 Clark Road)

Planning Director Troy Langer stated that this is regarding a property at 2473 Clark Road that is 3.9 acres. Director Langer met with the property owner as the property owner had desired to divide this property. With the property being 3.9 acres in the current zoning of CA (Conservation Agricultural) and that current zoning requiring a minimum lot size of two acres, we could not approve administratively a land division to divide the property. The applicant has

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now requested to rezone this property to an SR (Suburban Residential) which has smaller lot size requirements. The applicant submitted that rezoning request to our Planning Commission (PC) who recommended approval. The rezoning request then went to the Livingston County Planning Commission where they also recommended approval. Tonight, before the Board is a request to rezone CA to SR, along with the resolution to approve the rezoning to SR as requested. Supervisor Fountain inquired as to the applicant if there was anything he would like to add and the applicant stated he had nothing to add to the discussion.

Move to approve the rezoning as outlined in the Staff Memorandum and Resolution for 2473 Clark Road.

Motion made by Treasurer Horning, Seconded by Clerk Ciofu. Roll call vote taken.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee Petrucci, Trustee O'Connell, Trustee McMullen

Voting Nay: None

Absent: None

Motion passed: 7-0-0

b. Site Plan Application #22-003 – Redwood Living Planned Development Final Plan

Supervisor Fountain stated that this is for the Redwood Living Planned Development (PD) Final Plan. Ian Graham from Bergman, Redwood's Civil Engineer came forward on behalf of the applicant. Planning Director Troy Langer gave a brief overview of the Redwood Living application process. Redwood has a proposed PD on approximately 27 acres of the 380 acres of the Hartland Glen Golf Course property. The PD process is a 3-step process, the first step is the conceptual review where the applicant submits a concept plan that goes to the PC and to the Township Board for comments. No formal decision is made, and no formal recommendations are made at that time, just comments are provided back to the applicant. Redwood has done that both to the PC, as well as the Board, for their development proposal. The next phase is called the preliminary phase which involves much more detailed plans showing their street layout, landscaping, grading, building elevation, building materials, and lighting. It is much more detailed and there is quite a bit of cost to develop those plans. Redwood has submitted that and has gone through the preliminary process at the PC, as well as the Board. The last phase of a PD is called the Final PD. This is commonly referred to as the legal phase of the PD. We are no longer looking at site plans but, are looking at the instruments that get recorded for this development. In this case, we are looking at a PD agreement with some easements. They have submitted their PD Agreement and the Hartland Township Attorney has reviewed the agreement and made some suggested changes. The PC reviewed these changes and approved the PD subject to those changes. Most of the changes were technical issues. There were two issues that did come up at the PC for this PD. The first, is the PD Agreement incorporates an easement which would permit an offsite sign that is north of Cundy Rd, south of M-59 on land that is owned by Hartland Glen but is actually not within the Redwood property. The PC had concerns with other signs for potential future development in Hartland Glen. There was some discussion at the PC meeting and ultimately Redwood simply said that they would just remove the easement for now and put the sign on their own property. If they elect at a future date to reach an agreement with the Hartland Glen property to have a unified single sign, they will come back to do an amendment. Director Langer stated that it is difficult to work on limiting one sign when we do not know what is going to happen to the rest of the Hartland Glen property. He also stated that the owner of the property was at that discussion meeting and is also at this meeting tonight. The second issue that came up was in reference to an easement for a lift station which would be immediately south of the Redwood property. One of the items that came up at the PC meeting was in the event that there needs to be some modifications to that easement area for the lift station, per the Livingston County Drain

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Commission (LCDC) requirements, they did not want to have to have the applicant come back and apply to amend this PD agreement. The PC built in to their recommendation that if the LCDC is going to require changes to that easement area, that those would be included in the approval. In front of the Board tonight is a resolution to effectively approve and rezone this 27-acre Redwood property to PD. Supervisor Fountain inquired of Mr. Graham if he had anything to add and Mr. Graham stated he did not. Supervisor Fountain inquired as to whether any future development in this area that wanted to go through the PD process, would have to follow this same process and Director Langer stated they would have to do so. Trustee Germane inquired as to whether municipal sewer is provided to this site. Township Manager Robert West stated that sewer is available, and that water will be available as soon as the current construction project is complete. Director Langer stated the approval of the preliminary plan stated that in the event that municipal water was not available, the applicant would have to come back to the PC to show an alternate source of water that would be acceptable to both the PC and the Board.

Move to approve Site Plan Application #22-003, as outlined in the Staff Memorandum and Resolution, as attached.

Motion made by Trustee Germane, Seconded by Trustee Petrucci. Roll call vote taken.
Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane,
Trustee Petrucci, Trustee O'Connell, Trustee McMullen
Voting Nay: None
Absent: None Motion passed: 7-0-0

c. Resolution: Water and Sewer Surcharge Amendment

Manager West stated that this is a proposed amendment with regards to the water and sewer surcharge policy that currently exists. The Township Board adopted a policy many years ago that indicated a surcharge fee be charged on a daily basis for every nonresidential water connection that goes over their purchased capacity. There is an algorithm used to determine that cost and it is 1/20th of an REU and then that figure divided by 365 for going over one day of the year. Basically, every day that a business goes over their purchased capacity there would be a fee based on that allocation. The daily fees are then added up at the end of the year and the users are issued an invoice for this fee. The Township takes that money that they pay us and we turnaround and buy that specific business additional capacity, so it is actually helping the business to buy the purchased capacity they need over time instead requiring them to purchase this upfront. This amendment being proposed is to cap what an annual surcharge fee would be at one-half of a water and/or one-half of a sewer REU for each business. This will help a few struggling businesses, and historically we have purchased three to five REU's on an annual basis under this program. The proposed amendment will keep this around three REU's. There is minimal impact on the water and sewer fund as this goes back to the businesses to help them come whole on their purchased capacity. Trustee Germane inquired as to when this would take effect if we were to approve this tonight and Manager West stated it would take effect tomorrow, April 6, 2022. The 2021 surcharges have been completed and this policy would provide immediate relief for two major customers. He reminded the board that in 2020 during the COVID pandemic where many businesses were closed, we waived the surcharge fee in an effort to be more business friendly and help our area businesses. Manager West stated that the water meter reads for the surcharge fee is done on a calendar basis and this amendment would be retroactive to January 1, 2021.

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Move to adopt the Water and Sewer Surcharge resolution amending the current policy as presented.

Motion made by Treasurer Horning, Seconded by Trustee O'Connell. Roll call vote taken.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee Petrucci, Trustee O'Connell, Trustee McMullen

Voting Nay: None

Absent: None

Motion passed: 7-0-0

d. 2022 Gator UTV

Public Works Director Michael Luce gave a brief overview of the proposed purchase of a Gator UTV for use of the Department of Public Works. He stated there were multiple different uses for this vehicle and that this is turnkey unit for Hartland Township that will be used for the maintenance and cleaning of the parks along with water system use. The UTV will be equipped with a plow should we decide to plow park pathways which would allow us to keep trucks off the pathways that we have strived to maintain at the parks. This would also be used at township events such as Winterfest and for Cemetery maintenance that would minimize damage to turf caused by larger vehicles. Manager West stated this purchased would be through the State of Michigan MI Deal pricing and it is ARPA eligible. Trustee McMullen inquired if the vehicle is street legal or would we require a trailer with this purchase. Director Luce stated that as long as these types of equipment are considered farm equipment they can be driven on roads with the proper lights, signals and mirrors. Manager West stated that it will have all of the requirements regarding lights and mirrors to be road worthy. Director Luce stated he would not recommend they be used on major roads but they can be used on back roads to traverse to the various parks. Treasurer Horning inquired as to where the vehicle would be stored and Director Luce stated it would housed inside the water treatment plant or the Township Hall garage.

Move to approve the purchase of a John Deere Gator UTV for a purchase price not to exceed \$31,000 and to direct the Finance Director to initiate a budget amendment, as necessary, to the appropriate fund.

Motion made by Clerk Ciofu, Seconded by Trustee McMullen.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee Petrucci, Trustee O'Connell, Trustee McMullen

Voting Nay: None

Absent: None

e. Type 1 Water Supply Well

Director Luce gave a brief overview of the proposal to install a new 12-inch community supply well. This process is very extensive, and we have been discussing it for over the past year. This is essentially the test well that will go in and eventually become the 12-inch community well. This process will be drawn out for over a year as numerous different things will have to be tested in the water supply to ensure that we will get the volume of water needed. This will be the largest of our wells and would provide the volume of water needed should one of our other wells go down and will provide the water capacity for our water expansion project. Manager West stated as outlined in our Water Reliability Studies the two biggest deficiencies are your filtration and water supply. The filtration is basically iron removal. Our primary focus was to get our additional supply well. In the last Water Reliability Study the State of Michigan flagged this as an item as we were proposing additional development in the township, and they wanted to see a plan for water capacity. The well has been included in the Water Capital Improvement

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Plan (CIP) for some time and has been delayed until development started which is now the case. The test well is the big component of installation of the new well. This has been a four-step process and this is the final step. Once testing is satisfactorily completed it will be approved by the State of Michigan and we will be able to turn on the well. Trustee Germane inquired as to the timetable to complete the well and Manager West stated it would depend on the aquifer analysis and test results, and if all goes well this could be potentially on-line in four to six months. Trustee Germane inquired as to the status of the observation wells after the well is on-line and Manager West stated he understood one of the observation wells will remain, but would require State testing with associated fees that would have an affect on the finances of the township and it may be abandoned at a later date. Trustee Germane also inquired as to signage identifying well head protection areas and Manager West stated we are limited by the State in what we can do with regards to this type of signage.

Move to Approve the proposal from Brown Well Drilling to install a 12-inch community supply well as presented at a cost not to exceed \$230,000.00.

Motion made by Trustee O'Connell, Seconded by Treasurer Horning. Roll call vote taken.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee Petrucci, Trustee O'Connell, Trustee McMullen

Voting Nay: None

Absent: None

Motion passed: 7-0-0

8. Board Reports

Clerk Ciofu – No report.

Treasurer Horning – The Farmers Market is gearing up and only three spots are left in the main market. People are signing up for the whole year because last year they wanted to pay weekly, and they could not get a spot. It starts on May 7, 2022, in the Rural King parking lot at 9:00 a.m. which is the day before Mother's Day so there will be plenty of hanging plants and flowers and things for mom. The Township staff held their 10th annual staff chili cookoff after missing out in 2020 and 2021 due to COVID. We had a 3-way tie for first place until our DPW guys came in late and broke the tie and we had a winner. Dan our Ordinance Enforcement Officer won.

Trustee Germane – No report.

Trustee O'Connell – No report.

Trustee McMullen – No report

Trustee Petrucci – No report.

Supervisor Fountain – Stated that May 6, 2022, is the Hartland Township Cemetery Cleanup Day. If anyone is interested in assisting, please contact the Public Works Department. Large Item Cleanup Day has also been scheduled and if anyone needs information on that please contact the Public Works Department.

[BRIEF RECESS]

9. Information / Discussion

a. Manager's Report

Manager West reported that the pipe for the water main extension should be delivered to the site this Friday. Manager West stated that at our next work session we would be discussing roads as we have road construction starting on M-59, and work will be done on US-23 from

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Spencer Road to Clyde Road. MDOT has released little information on the timing of the US-23 construction, but traffic will be diverted onto old US-23 during this time. We have reached out to LCRC regarding gravel roads to get around this construction and what it would cost to limestone these roads. We are trying to get out press releases to the public, but we are not getting much information from MDOT. These issues will be discussed at the next Board work session along with a potential road millage renewal, and an SAD road policy. The Admin Committee discussed SAD costs and we may want to develop a signature policy requirement based on SAD costs. Other future work session items will be held on M-59 landscaping and Township Hall landscaping. Manager West stated he will not be at the next Board meeting.

b. 2022 Police Protection Discussion

Manager West gave a brief overview of a police coverage cost share proposal with the schools. He stated that the schools were looking for 8-hour police coverage during the school year, but the Livingston County Sheriff (LCS) would only entertain year-round coverage due to staffing issues. We approached the schools on a year-round 12-hour cost share police coverage which would provide township coverage before and after school and during the summer months. This is not a resource officer for the schools, but a physical police presence in the Township. This officer would be roaming the township and would respond to direct calls from the township and the schools. The approach would be to get the officer involved in the community and schools on a daily basis. Manager West presented cost structures for 8 hours/day and 12 hours/day and a cost allocation between Hartland Township, Hartland Consolidated Schools and Charyl Stockwell Academy, who were also interested in this proposal. Police coverage cost would be a fixed fee based on a prorated cost of a full-time officer. We would get all of the resources of the LCS, generate ticket revenue to help offset costs, and we could use liquor inspection fees to also offset these expenses. The LCS only wants to deal with one entity, so the Township will pay the full amount of the contract and bill the schools for their appropriate portion. Manager West stated in the last Citizens Survey the residents overwhelmingly supported additional police protection, up until we asked if they would support a police millage. This proposal would allow us to get 12 hour/day coverage that would be under what we were paying for 8 hour/day coverage in the past. There will be a physical location for this officer in the township and will have a dedicated car assigned to the township. If all parties can reach an agreement, we would like to start this in August with the new school year. Supervisor Fountain gave a brief overview of discussion with the LCS regarding having this officer being part of the schools and community. After further discussion it was consensus of the Board to have Supervisor Fountain and Manager West go forward with pursuing a cost sharing 12-hour/day police coverage program with Hartland Schools and Charyl Stockwell Academy.

c. Hartland Deerfield Fire Authority CIP Discussion

Manager West gave a brief overview of the current 2021-2025 Township Fire Capital Improvement Plan. Hartland Deerfield Fire Chief Adam Carroll gave a brief overview of the addition/remodel of Station 61. He stated that he ballparked the amount to be \$3.8 million but felt this was high estimate to be on the safe side. Manager West stated if we are considering the Station 61 expansion, we would want to delay various project on the CIP plan. Discussion was held on the building improvement needs/requirements, scheduled CIP projects, a potential new substation, cash flow funding options, a ballot proposal for a millage for the expansion, and possibly having a survey done and/or holding a public hearing on the issue. The Board discussed the pros and cons of each of the issues and after the discussion the Board indicated

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that a potential site visit by the Board should be considered and that Manager West should continue discussions with Chief Carrol with regards to firming up cost estimates, laying out the various funding options, and determining the best method to ensure the public supports this proposal.

10. Adjournment

Move to adjourn the meeting at 8:40 p.m.

Motion made by Trustee O'Connell, Seconded by Treasurer Horning.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee Petrucci, Trustee O'Connell, Trustee McMullen

Voting Nay: None

Absent: None

Submitted by



Larry N. Ciofu, Clerk