

HARTLAND TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING FINAL MINUTES  
August 07, 2024 – 7:00 PM

**1. Call to Order**

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

**2. Pledge of Allegiance**

**3. Roll Call**

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

ABSENT: None

Also, present were Township Manager Mike Luce and Public Work Director Scott Hable.

**4. Approval of the Agenda**

**Move to approve the agenda for the August 7, 2024 Hartland Township Board meeting as presented.**

Motion made by Trustee O'Connell, Seconded by Trustee Petrucci.

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

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 August 7, 2024 Hartland Township Board meeting as presented.**

Motion made by Treasurer Horning, Seconded by Trustee Petrucci.

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

Voting Nay: None

Absent: None

- a. Approve Payment of Bills
- b. Approve Post Audit of Disbursements Between Board Meetings
- c. 07-19-24 Hartland Township Board Regular Meeting Minutes

**7. Pending & New Business**

- a. Remove 2022 Delinquent UB charges from 4708-22-400-018

Treasurer Horning gave a brief overview of the issue stating in 2022 delinquent sewer and water were put on this parcel, but the Utility Department did not know that there was a split on this parcel. The parcel still existed since we do not do mid-year splits, and it would have been active in September when we sent the information to the County. There have been further splits and sales on this parcel since this anomaly, and this was not caught until the County's foreclosure attorney

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stated this was not an existing parcel. The County Treasurer has asked us to remove it from the roll and then she can subsequently remove it at the County level.

**Move to approve the removal of Delinquent Utility charges in the amount of \$17,809.60 from parcel 4708-22-400-018 from the 2022 tax roll.**

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

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

Voting Nay: None

Absent: None

b. Amendment to Fire Authority 2021 Truck Loan

Manager Luce gave a brief overview of the Township's loan to the Hartland Deerfield Fire Authority (HDFA) for the purchase of a fire truck in 2021. The loan agreement called for annual payments at the beginning of each fiscal year. This has put a strain on the HDFA cash flow and in discussions with Fire Chief Adam Carroll and Finance Director Susan Hogan we are requesting to change the amortization schedule to reflect quarterly payments for the loan to ease the financial burden on the HDFA. Payments will be made on May 1, August 1, November 1, and February 1.

**Move to approve the amended installment loan with the Fire Authority as presented.**

Motion made by Trustee Germane, Seconded by Trustee Petrucci.

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

Voting Nay: None

Absent: None

c. Resolution Approving Consent Judgment

Township Attorney Homier joined the meeting via zoom. Supervisor Fountain stated he invited Township Attorney Mike Homier and former Township Manager Bob West to the meeting on the topic pertaining to the Septage Receiving Station (SRS) and REU's. He thanked Attorney Homier and Mr. West for their diligent work on this matter as it has been a long process. He stated, that with Mr. Homier's assistance, we hope this next step will bring closure to this issue. Supervisor Fountain turned the meeting over to Township Attorney Homier. Attorney Homier gave a brief overview of proposed Resolution to approve the Consent Judgment, attached as Exhibit A. The Consent Judgment also has an attachment that is the County's study on the size of an Equalization Basin they are proposing to install. He stated the Equalization Basin is designed to even out the flow of the SRS into the Hartland system. Attorney Homier then provided a brief review of each of the items in the Consent Agreement. A brief discussion was held on the next steps that would occur if we approved the Resolution and the understanding that the County is aware of these proceedings. Attorney Homier recommended a change pertaining to wording in Section F from "Consent Decree" to "Consent Judgment" and the Board concurred with the change. Manager Luce also thanked Bob West for all of his time and effort on this issue as this has been a long, drawn-out process that has taken up a lot of time and we would not be where we are without Mr. West's expertise on this matter. Further discussion was on the effect of a Consent Judgment versus a standard contract, that the original Master Operating Agreement is still in effect with the only changes being what is in the Resolution, the dates various legal actions took place, and clarification of the surcharge program in the Consent Agreement at \$14 per REU for 72 months. Bob West came forward to provide additional details as to dates that certain actions took place. He also stated, as outlined in the Master Operating Agreement, a Dispute Resolution Panel, consisting of a Livingston

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County representative, a Hartland Township representative, and an agreed upon Independent third-party representative were to meet to come up with potential resolution. As a member of the Dispute Resolution Panel, he stated that this did occur, and the proposed recommendations were the basis of the Resolution that is before the Board.

**Move to approve the Resolution for Consent Judgement as presented with an amended in paragraph F. changing Consent Degree to Consent Judgement.**

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 McMullen, Trustee O'Connell, Trustee Petrucci  
Voting Nay: None  
Absent: None Motion passes: 7 – 0 - 0

Township Attorney Mike Homier left the meeting at 7:30 p.m.

d. Fire Station Master Planning and Millage / Budget Discussion

HDFFA Chief Adam Carroll came forward to present the final draft of the Fire Station Facilities Plan. He stated when we last met, we discussed some options, opportunities, and needs at the Main Station and then generically across the Township in developing a Master Plan for the Fire Stations. He stated that based on travel times and call volumes levels, when they reach certain levels in a area, it is wise to have a presence in that area to provide a reasonable level of emergency service to the residents in that area. This is the basic approach that was taken for the development of the Plan with the utilization of the data from the ESCI study. He gave a brief overview of the ESCI study and then reviewed the basics of the Fire Station Facility Plan, highlighting where we are at currently, the methods and criteria we looked at to identify a suitable location, the benchmarks we would compare ourselves to, and where we see ourselves in the future. He reviewed the stations in general and explained the difficulties in determining how much property would be needed. He further discussed the multi-functional training area needs, both for outdoor and indoor training, including space for a local Emergency Operations Center (EOC). A brief discussion was held on federal, state, and county level communications in local emergency situations and the County EOC location. Chief Carroll then gave a brief overview of travel times to emergencies and the anticipated response times in determining a station location. He then presented information on the call volumes in the M-59/US-23 corridor, and the potential reduction in response times and the increase in population covered within a four-minute time frame of a potential new station location. He then reviewed the recommended actions of the Fire Station Facilities Plan. He stated in the long term that a fully built-out Hartland would require five fire stations, and we should explore any potential property acquisition opportunities for this if they arise for this long-term plan. A brief discussion was held on the next steps regarding the Plan.

Chief Carroll then gave a brief overview of the HDFFA Capital Fund program and the issues they are having in getting this to be reasonably self-sustaining. The current issue relates to the increase in material costs of specific fire service items. He stated they are considering a Capital Millage or some other dedicated funding for this issue. He stated a millage would probably be around 0.5 mills to fully fund the Capital Fund. He stated that this would not be related to the previous discussion on a new fire station, but was for capital equipment, such as trucks, hoses, turn-out gear, etc. A brief discussion was held on the timing of this Capital Fund millage and the potential Fire Operating millage renewal. Trustee Petrucci led a brief discussion on the current Operating millage, current inflation issues, and the budget funding for the next two years when the Operating millage will be up for renewal in 2026. Further discussion was held on increasing taxable values, additional developments in the Township, and Deerfield's contributions as it relates to HDFFA funding.

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Manager Luce stated he, Chief Carroll, and Finance Director Hogan are working on expenses and funding issues for the HDFA.

A brief discussion was held on the fire station ownership, funding for a new station, and potential options regarding future ownership and funding issues. A brief discussion was also held on future use of Station 61 should we move forward with a new station.

e. 2024 Road Millage Renewal

Manager Luce gave a brief overview of the current ten-year Road Millage that is expiring this year. He explained the benefits that we have received with regards to cost sharing projects with the Livingston County Road Commission (LCRC) using our road millage funds. He stated the original Road Millage was 1.5 mills which has been rolled back due to the Headlee amendment to 1.4222 mills. The Road millage renewal will be for ten years through 2033 at the current rate of 1.4222 and will be subject to further Headlee Amendment rollbacks during this period. He stated we have been working with the LCRC in identifying potential roads that would be included in the millage such as the potential paving of Pleasant Valley and Bergin roads. He stated the significant increase in paving costs will have an impact on the potential road improvement plan. He reviewed the Hartland Township Safer Road Plan Millage Summary highlighting the additional projects we were able to complete in working with the LCRC on shared cost road projects in the initial Road Millage. He then briefly reviewed the potential Hartland Township Road Project projections for the ten-year Road Millage renewal. A brief discussion was held on several roads in the projected new Road Millage and whether passer ratings were part of the discussion of potential projects, and Manager Luce stated they were considered. A brief discussion was held regarding communicating to residents the number and cost of additional projects that were completed in the original Road Millage. In addition, Manager Luce stated that Road Millage funds are used to try to alleviate pressure and traffic off the M-59 corridor, and that Road Millage funds are not used for any subdivision paving. Subdivision paving is done through a Special Assessment District process which the Township would help facilitate if a subdivision would want to pave their roads. A brief discussion was held on the amount of funds that would be generated from the millage if approved.

**Move to approve the Road Millage Renewal Resolution and Ballot Language as presented.**

Treasurer Horning read the Ballot language into the minutes as follows:

Shall the tax limitation on all taxable property within Hartland Township, Livingston County, Michigan, be increased and the Township be authorized to levy annually a millage in an amount not to exceed 1.4222 mills (\$1.4222 on each \$1,000 of taxable value), which is a renewal of the millage rate that expired in 2023, for ten (10) years, 2024 to 2033 inclusive, for the purpose of constructing, preserving, improving, repairing, and maintaining roads and bridges in the Township, including grading, storm water drainage and chloride treatment? The estimate of the revenue the Township will collect in the first year of levy (2024) if the millage is approved and levied by the Township is approximately \$1,372,400

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 McMullen, Trustee O'Connell, Trustee Petrucci Roll call vote taken  
Voting Nay: None  
Absent: None Motion passed: 7 - 0 - 0

**8. Board Reports**

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Trustee Germane - No report

Trustee O'Connell - Thanked the Hartland voters for coming out to vote and distributed information to the Board for consideration for the Veteran's Memorial.

Trustee McMullen - Thanked the voters for coming out to vote in the inclement weather.

Trustee Petrucci - Also thanked the voters for the opportunity to run for re-election in November and stated he will continue to do the best job he can for the people of Hartland Township.

Clerk Ciofu - Provided an update on the August 6, 2024, Primary Election stating we had 13,074 eligible voters in Hartland of which 3599 turned out to vote for a turnout rate of 27.5% (County wide was 28.23%) which is lower than the 40% turnout we saw in 2020. We issued 3308 Absentee Voter Ballots of which 2388 were returned for a 71% return rate. We also had 167 voters during the nine-day Early Voting period which was significantly higher than the 58 we had at the February Presidential Primary..

Treasurer Horning - Congratulated the Board members for moving forward to the November Election and stated we will miss Trustee Germane regarding his decision to not run for re-election and thanked the voters of Hartland for reinforcing that they hopefully think we are doing a good job and that we will continue to do what's best for the Hartland residents.

Supervisor Fountain - No report.

Trustee Germane was excused at 9:05 p.m.

[BRIEF RECESS]

## 9. Information / Discussion

### a. Manager's Report

Trustee McMullen stated she volunteered at a New Hope Center for Grief Support event in Northville for children who have lost a loved one where then come up with projects to help them positively manage their grief and help them get through a difficult time. Erik Hipple has participated for the past two years and the Northville Police and Fire Department also assist in the program. She inquired as to whether the Board would be interested in supporting a project such as this. She stated she is meeting with a Director of New Hope to get more specifics on how a township could be involved in the program. The consensus of the Board was we would be willing to look at this. Trustee McMullen will bring back more information to a future meeting. Manager Luce updated the Board on the EGGLE unfunded mandate to verify that Hartland Township has no lead lines in its water system. Even though lead lines have not been in use since 1997 and the inception of our water system was in 2001, EGLG is still requiring us to verify we have no lead lines. We have approximately 124 residences that we will have to verify this year. This would entail filing a form for each residential home, digging up the connection, verifying there is not a lead line on either side of the curb stop with pictures, and then restoring the areas. The Board would like to track the costs of this and send a Resolution to our State Representative for an explanation. Manager Luce gave a brief update on the former Big Boy site stating a potential car wash has a purchase agreement for the property and seems to be moving forward. He explained the process for allocating REU's to a development once a developer goes through the Planning process by paying the required fees. Mr. Car Wash went through this process at the Burger King site and was allocated REU's for their potential development. Moving forward, the property they considered is now under contract with another developer and we could reallocate these REU's to the Big Boy site if they move forward. Manager Luce restated that the Burger King property is under contract with a developer along with the former Walgreens site. He stated the Citizens Survey discussion will be on the next Board meeting agenda. Manager Luce stated he and Public Works Director Scott Hable have met

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with Sue Grissim on the M-59 medians landscaping plan and with Horizon Landscaping on the Veteran's Memorial project. He stated the Veteran's Memorial Committee will meet again next week. He stated we are looking for the monument verbiage and requested the Board to do some research and submit suggestions for the Veterans Committee. He also stated that the Hartland Township/Hartland Chamber Collaborative meeting will be Thursday August 8th at 9:00 a.m. at the Township Hall, and that he will also be involved the mediation on the DMV legal water main legal issue on Thursday.

10. Adjournment

**Move to adjourn the meeting at 9:25 p.m.**

Motion made by Trustee Petrucci, Seconded by Trustee McMullen.

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

Voting Nay: None

Absent: Trustee Germane

Submitted by



Larry N. Ciofu, Clerk