

HARTLAND TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING FINAL MINUTES
July 18, 2023 – 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 McMullen, Trustee O'Connell

ABSENT: Trustee Joe Petrucci

Also present were Township Manager Bob West and Public Works Director Mike Luce.

4. Approval of the Agenda

Move to approve the agenda for the July 18, 2023 Hartland Township Board meeting as presented.

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

Voting Nay: None

Absent: Trustee Petrucci

5. Call to the Public

No one came forward.

6. Approval of the Consent Agenda

Move to approve the consent agenda for the July 18, 2023 Hartland Township Board meeting as presented.

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

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

Voting Nay: None

Absent: Trustee Petrucci

- a. Approve Payment of Bills
- b. Approve Post Audit of Disbursements Between Board Meetings
- c. Approve Payment of Bills
- d. Approve Post Audit of Disbursements Between Board Meetings
- e. 06-20-23 Hartland Township Board Regular Meeting Minutes
- f. Public Works Budget Amendment

7. Pending & New Business

- a. Site Plan with Special Land Use Application #23-006 Grumlaw Church Child Care Center and Amendment to Planned Development Agreement

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Manager West gave a brief overview of the Grumlaw Church Child Care Center stating that the Planning Commission (PC) recommended approval of the Site Plan for the Child Care Center as well as the Amendment to the Planned Development (PD) to eliminate the pathway requirement. Manager West pulled up a map of the site to indicate that along the M-59 frontage there is swamp land to the west of Grumlaw Church and a subdivision to the east of the Church that has internal pathways, which would create two dead ends with no foreseeable future connections. He stated the easement in this area was deeper in the event the MDOT decides to widen M-59 in this area and any sidewalk that is there would have to be removed. Trustee McMullen stated the PC was in agreement with the recommendations for approval and inquired as to potential pathway plans if MDOT were to widen the road. Manager West stated that generally with a project of that size he would believe the scope of the project would probably include some sort of pedestrian pathway, but this would not be a guarantee. We have been the recipient of a couple of sections of pathways installed by MDOT based on the impact of road construction has had on the community in the past.

Move to approve Special Land Use Application #23-006, a request to establish a child care center and amend the Planned Development Agreement as outlined in the staff memorandum dated June 28, 2023.

Motion made by Treasurer Horning, Seconded by Clerk Ciofu.

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

Voting Nay: None

Absent: Trustee Petrucci

b. Rezoning Application #23-001 (Bergin Road and Old US-23)

Manager West stated that this was an application for a rezoning of a property at Bergin Road that was recommend for denial by the PC and subsequently was denied by the Township Board. He stated that anytime a rezoning application comes before the Township Board it must be published in a local newspaper within 30 days of the decision. We did not meet that deadline and therefore this needed to come back before the Board. Treasurer Horning restated that her reason for denying this rezoning the first time was that it did not match our current Zoning Map or the Future Land Use Map.

Move to deny the rezoning as outlined in the Staff Memorandum and Amended Resolution.

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

Voting Nay: None

Absent: Trustee Petrucci

Motion passes: 6-0-1

c. Zoning Amendment #22-001 – Ordinance Amendment to Landscape Requirements to Section 5.7 (Dumpster Enclosure); Section 5.11 (Landscaping and Screening); and Section 5.26 (Signs)

Manager West stated that Zoning Amendment #22-001 was an Ordinance Amendment to our Landscaping Requirements, Dumpster Enclosure Landscaping and Screening, and some Signs. He stated that this was developed over many months and was already recommended for approval by the PC and approved by the Board. We did not meet the 30 day publishing requirement and therefore it has been brought back to the Board for approval.

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Move to approve the Amendment as outlined in the Resolution.

Motion made by Trustee Germane, Seconded by Trustee O'Connell. Roll call vote taken.
Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane,
Trustee McMullen, Trustee O'Connell
Voting Nay: None
Absent: Trustee Petrucci Motion passes: 6-0-1

d. M59 Sidewalk Gap

Manager West gave a brief overview of the M-59 Sidewalk Gap project at San Marino. He stated this project has been part of our pathways master plan to connect the San Marino development to the rest of the community. He stated this is a challenging pathways project as it entails a retaining wall and working around the ITC pole in this area. Manager West stated our engineering consultant has designed the project and it has been approved by MDOT. The project went out to bid and we received four sealed bids. A bid opening was held at the Township Hall and the engineer has reviewed the bids and is recommending approval of the project at \$408,050 including a contingency amount.

Move to approve the bid for the M59 Sidewalk Gap Project from Priess Companies for an amount not to exceed \$408,050.00

Motion made by Clerk Ciofu, Seconded by Trustee McMullen.
Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane,
Trustee McMullen, Trustee O'Connell
Voting Nay: None
Absent: Trustee Petrucci

8. Board Reports

Treasurer Horning - No report.
Trustee Germane - No report.
Trustee O'Connell - No report.
Trustee McMullen - No report.
Clerk Ciofu - No report
Supervisor Fountain - No report.

[BRIEF RECESS]

9. Information / Discussion

a. Manager's Report

Manager West stated he attended the Chamber meeting this morning and had a very informative and healthy discussion with Chamber members. He updated the Board on the Township Hall landscaping stating some of the plants are dying and that we are working with the landscaper and Sue Grissim from the PC to find remedies for this. Manager West stated there is not much to update regarding the Septage Receiving Station other than we had our first legal meeting in which the judge listened to both sides and there was a recommendation for mediation. He stated Livingston County owes a response to our formal complaint and the judge has granted an extension that he believes is to July 26th. Supervisor Fountain stated he and Director West attended this hearing and that the response the County provided to the Master Operating Agreement violations included

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sworn statements from County staff that he believes were not factual, and he stated that they had 30 days to pick a mediator. Director Luce stated that the hearing was on July 6th. Supervisor Fountain stated they now have only about two weeks to provide their responses. Clerk Ciofu inquired as to potential damages that could be available to the Township and Manager West stated the Township Attorney is working on this. He also stated that there was an interpretation difference regarding remaining REU's that may be an issue. Trustee Germane inquired as to negotiations with Genesee County and Livingston County mentioned in the DPW Operations Report. Director Luce stated there have been discussions with Livingston County, Genesee County and Tyrone Township regarding a formal plan for permitting to streamline the process so that developers are not submitting a request to Livingston County and Genesee County and then getting a response back from both that may be different or conflicting.

- b. Closed Session: to consider a periodic personnel evaluation of the Township Manager, at his request under MCL 15.268(a)

Move to go into closed session to consider a periodic personnel evaluation of the Township Manager at his request under MCL 15.268(a).

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

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

Voting Nay: None

Absent: Trustee Petrucci

Motion passes: 6-0-1

Board is in closed session at 7:25 p.m.

Board came out of closed session at 7:50 p.m.

10. Adjournment

Move to adjourn the meeting at 7:50 p.m.

Motion made by Treasurer Horning, Seconded by Trustee McMullen.

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

Voting Nay: None

Absent: Trustee Petrucci

Submitted by



Larry N. Ciofu, Clerk