

HARTLAND TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING FINAL MINUTES  
August 17, 2021 – 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, Trustee Petrucci

ABSENT: None

Also present were Township Manager Robert West, Public Works Director Michael Luce, Planning Director Troy Langer, and Finance Director Susan Dryden-Hogan.

**4. Approval of the Agenda**

**Move to approve the agenda for the August 17, 2021, Hartland Township Board meeting as presented.**

Motion made by Trustee Petrucci, Seconded by Treasurer Horning.

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

Voting Nay: 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 17, 2021, Hartland Township Board meeting as presented.**

Motion made by Trustee Germane. Seconded by Trustee O'Connell.

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

Voting Nay: None

- a. Approve Post Audit of Disbursements Between Board Meetings
- b. Approve Payment of Bills
- c. 07-20-21 Hartland Township Board Regular Meeting Minutes
- d. Code Enforcement Budget Amendment (\$5,382.50)
- e. Approve Permit for Fireworks Display – Hartland High School

**7. Pending & New Business**

- a. Site Plan/PD Application #21-005 Redwood Living Planned Development (PD) – Preliminary Site Plan

Patricia Rakoci and Emily Englehart of Redwood Homes came forward. Planning Director Troy Langer gave an overview of the project and the process. Redwood is proposing a 148 unit apartment complex on the Hartland Glen Golf Course site. It would not consume the entire golf

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course site which is over 380 acres, they are only looking to occupy about 27 acres on the northern portion of that property. This is a Planned Development (PD) and the PD process generally has three steps to it. The first step is the conceptual review where the applicant presents a concept to the Planning Commission (PC) as well as to the Township Board to get feedback from both the PC and the Board and the applicant has done that. The next step is the Preliminary Review and that is a fairly detailed plan with architectural plans, lighting, and landscaping plans and these have been submitted to the PC. There is then a public hearing and the PC held the public hearing in June 2021. The PC did not take action at this public hearing and then brought the plan back in July 2021, when they recommended approval of the proposed project. The applicants are here now based on the recommendation from the PC with the preliminary plan. The next step for the applicant will be the final PD that will come before the PC, as well as the Township Board, assuming they get everything wrapped up at the preliminary stage. Trustee O'Connell inquired as to the future plans for the remaining acreage if this project is only 27 of the 380 acres. Director Langer stated that Redwood will only be using 27 acres. He stated the owner of the property has not submitted any proposed plans for the remaining property, but he has indicated that it would be his desire to have a golf course community on the property. The applicants then provided a brief overview of the apartment project stating there would be around 148 units in the development. They stated that they worked closely with the Planning department and the PC in the development of the site plan. They indicated they spent a lot of time on the look and feel of the plan regarding curved roads, staggering of buildings, placing the front porch of units on Hartland Glen Drive toward the road, and adding pathways throughout the development. They indicated improvements were made to the landscape plan and open space areas for passive recreation. They also indicated they were working with the Planning Department on PC recommendations for changes to the exterior of the units regarding siding, shingles, and stone. There will also be two fountains in the retention basin. Director Langer reviewed the resident's concerns from the public hearing regarding the distance from the development to residents west of the development and the concern of a resident on Cundy Rd. abutting the property. He stated additional screening will be provided by the applicant at this location. The PC also discussed the density of this project in that some percentage of bonus density would be required for this project. There were concerns of some PC members with regards to granting bonus density without changes to the landscaping, driveway width, and the siding issues. The applicant revised the plan to accommodate these items and it was recommended for approval by the PC at the second meeting in July. Trustee McMullen stated she was pleased with the additional landscape screening for the concerned residents on Cundy Road. Trustee Petrucci had a concern with parking spaces for guests to have a place to park. Director Troy Langer stated that the wider driveway will allow for some additional parking and there are a few extra spaces throughout the site. He stated that at the public hearing, the owner of the property offered his golf course clubhouse parking facility for overflow parking if needed. Director Langer stated there is no parking allowed in the street. Clerk Ciofu stated that he had the same issues with the parking but thought that people would still park on the street by pulling up onto the sidewalk area for a short period of time. Trustee Germane inquired as to the difference of open space versus usable open space. Director Langer stated there are open space areas that are not owned by the owner of the unit. Everything outside of the walls of the unit would fall into an open space category. There can be smaller landscaped areas that are in-between walkways or in-between driveways that will count as open space. Then there is another requirement for usable open space. These would be things like parks, pathways, benches where residents of developments can actually use versus just regular open space like the landscaped areas in between buildings that no one would use. Trustee Germane inquired as to the building on the southeast corner of the property and Director Langer stated that this was a sanitary pump station and there would need to be an easement dedicated for that. Trustee Germane also inquired as to the process for granting bonus

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density and Director Langer stated that density for a project is based on the future land use map designation. The PD process allows for a discretionary bonus density to be allowed by the PC and Board. Bonus density for this project was approved based on the changes the applicant made to the driveway width, landscaping, and siding materials. Supervisor Fountain thanked the applicant for all of their hard work in making changes to this project that were beneficial for our community.

**Move to approve the Preliminary Site Plan #21-005 as outlined in the Staff Memorandum, dated August 11, 2021.**

Roll Call Vote Taken

Motion made by Treasurer Horning, Seconded by Clerk Ciofu.

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

Voting Nay: None Motion passes 7-0-0

b. Amendment to Sewer Bond Refunding Resolution R21-011

Finance Director Susan Dryden-Hogan was present and gave a brief overview of the Sanitary Refunding Bonds. This is an amendment to the Bond Resolution that was passed back in June 2021 for us to do the refunding. At that time we gave ourselves the option to either do a public sale or do a negotiated sale. We have made the determination we are going to do a negotiated sale. The legal counsel for the underwriter wants us to have this amendment done for the preliminary official statement which is basically the publication of how we will now sell the bonds. There is no additional cost to us, it does not change the timeline in which we are going to sell the bonds, and it is just a formality. Joe Colaianne of Clark Hill was present and stated that his firm represents Hartland Township in matters dealing with the bonds. Mr. Colaianne stated that there should be significant savings with refunding the bonds. Refunding is basically refunding current bonds that are able to be called at this time. There are usually call dates when you issue bonds over a period of time. These bonds have been issued previously and now, due to the rates that we see currently, refunding these bonds is going to result in significant savings. He stated in a negotiated sale, we usually look at potential banks that would want to purchase these bonds. In this case, from the financial advisor's perspective, utilization of an Underwriter will result in significant savings. In discussions with the Underwriter's counsel the idea was to clarify, in a resolution, the reference to the use of an Underwriter, rather than just banks. The Resolution before the Board is to clarify that an Underwriter is being used for this sale.

**Move to approve the Amending Bond Resolution as attached for the 2021 Sanitary Sewer Refunding Bonds, Series 2021.**

Roll call vote taken

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 Motion passes 7-0-0

c. Hartland Woods Public Road SAD - Resolution of Intent

Public Works Director Michael Luce gave a brief overview of the Resolution of Intent for Hartland Woods to establish a special assessment for their roads. Hartland Township was approached by multiple residents in Hartland Woods that they would like to have their roads resurfaced. A resident went out and initiated a petition, and around 82% of that subdivision came back in favor of repaving of the roads. The Resolution of Intent is just to establish the intent to do a special assessment. There will be four separate meetings with two public hearings in this process. Manager West stated that this is the first of four resolutions that will come before the

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Board along with the two public hearings that will be held. He stated that this is the third attempt to get this project off the ground and the first time they have been able to collect enough signatures in support. This initiative dates back to around 2014, when the first petitions went out and they were unsuccessful at that time. The second attempt was impacted and stopped because of COVID situation. Hartland Township will basically act as the fiduciary in this process and will manage the project to a degree. These are public roads, and the work will be done, contracted, and scoped by the Livingston County Road Commission (LCRC). Manager West stated that the LCRC is contributing to the cost as they are paying for all of the engineering and project management. At this point, he is recommending exploring a bonding for this project given that the \$639,325 impact to our capital fund balance would bring it to a significantly low level. Bonding costs have been included in this price and this will be a 2022 construction project. He stated that based on the bids that LCRC is receiving we may actually see a slight savings on this project as these numbers are actually a little bit higher than what the LCRC is seeing for 2022 projects at this time. There is very aggressive bidding on this, and this project may start at the end of the next school year to avoid impacting school busses on the road. Treasurer Horning stated that this is her subdivision, and she will abstain from voting to be fair, but commended the work of Katie Pilon in the petition drive. Treasurer Horning inquired as to the previous discussions we had regarding using General Funds for this project. Manager West reported that this would be more than half of the funds balance in the General Funds account and during those previous discussions the project cost estimates were lower, and the fund balance was higher. He stated we could go either way on funding and we would be monitoring this situation prior to making the first payment around the fall of next year. Treasurer Horning also inquired as to the Resolution language that there would be no formal drain improvements even though this is a concern of the residents. She stated there has been no maintenance since 1996 and there has been a buildup of a lip that holds all the water on the road. Manager West stated that the LCRC has requested this language be included in all of our road projects because they are not allowed to go outside the right of way. Formal drainage improvements are generally drain improvements that are eligible to establish a drainage district to the Livingston County Drain Commission. This usually gets into private property issues and there should not be any expectations for this project that they will be going into resident's yards to improve the drainage through the whole neighborhood. The LCRC is aware of the drainage issues with the road and will inherently improve any drainage associated with the roadways and the road surface as well as any ditching within the right of way. Trustee Germane stated that the roads have been poor since the beginning, and it has been exasperated through the years with poor maintenance and he inquired as to whether spending a little more to have these improvements engineered would be beneficial. A brief discussion was held on engineering and the costs and Manager West will discuss this with the LCRC to try and include the engineering as a specific optional line item in the cost estimates.

**Move to approve the Resolution of Intent for Hartland Woods Road Improvements SAD.**

Motion made by Clerk Ciofu, Seconded by Trustee Petrucci.

Roll call vote taken

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

Voting Nay: None

Abstained: Treasurer Horning

Motion passes 6-0-1

d. Settlers Park Sealcoating

Director Luce gave a brief overview of Settler's Park pathways sealcoating proposal including

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the condition of the paths and the current preventative maintenance processes in place. He stated he reached out to multiple communities and received pricing from various companies between six cents to fourteen cents per square foot. He contacted three companies with our project and only received one response at ten cents per square foot. There is limited available companies that can get this done before snowfall this year, and the only response came from Preiss Companies who we have dealt with in the past for sealcoating and they have done a very good job for us. This project will entail trimming the edges of the pathway, blowing away the debris and then sealcoating, for all of the pathways in Settler's Park. Manager West stated that the cost is related to quantity of pathways and the scope of the work. Trustee McMullen inquired as to the how they would fill in the cracks as stated in the memo. Director Luce stated that this was not a crack sealing project, but a sealcoating project. Manager West stated we are very proactive in the hot tar crack sealing as once water gets under the path significant problems will occur.

**Move to approve the sealcoating of the Settlers Park pathway and the attached contract with Preiss Companies for an amount not to exceed \$48,000.**

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

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

Voting Nay: None

10. Board Reports

Trustee O'Connell – no report.

Trustee McMullen – no report.

Trustee Petrucci – reported that the Hartland-Deerfield Fire Authority received a \$22,265 grant from Firehouse Subs to purchase eight sets of bunker gear, which are the outfits they wear in going into a fire.

Clerk Ciofu – no report.

Treasurer Horning – Stated that the Farmer's Market has sold out most every booth for the whole summer, the Senior Center provides music every week, and it has been nice to see Board members in attendance and participating in the event. It is held every Saturday from 9am to 2pm through mid-October and she stated the corn came in last week but it sells out early.

Trustee Germane – Reported that there has been a remediation system for sulfolane operating in the township for a little over three years now. It had been shut down for monitoring purposes for about the last six months, but there is one well that the concentrations are not dropping. The remediation system has been restarted and will likely remain in operation for the remainder of the year to try and get this project closed.

Supervisor Fountain – no report.

[BRIEF RECESS]

10. Manager's Report

Manager West stated that we will be updating the Board photographs for our website at the next meeting so formal or semi-formal attire is required. The Partners in Progress meeting will be held on August 25, 2021, at the Settler's Park Pavilion at 6:30pm. Manager West stated that he had the attorneys teleconference scheduled for this time so he would finish his Manager's Report after the closed session.

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11. Information / Discussion

- a. Closed Session: To review the written legal opinion of the Township Attorney, subject to attorney-client privilege, in accordance with the Open Meetings Act, MCL 15.268(e)

**Move to go into closed session to review the written legal opinion of the Township Attorney, subject to attorney-client privilege, regarding Clyde Land/Hartland Glen and Mayberry Homes in accordance with the Open Meetings Act, MCL15.268(e) and to include Finance Director Susan-Dryden Hogan.**

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 Motion passes 7-0-0

Board is in closed session at 8:03 p.m.

Board came out of closed session at 9:16 p.m.

10. Manager's Report (continued)

Manager West led a brief discussion regarding the motorcycle noise complaint. Discussion was held on decibel levels, measurement of decibel levels, calculation of excessive decibels levels, property owners within one quarter mile, number of complaints, the property owner's measures to control sound and dust, and the discussions of Manager West and Supervisor Fountain with the main complainant. Supervisor Fountain spoke with the complainant about meeting with his neighbor and discussing the situation. Trustee McMullen stated she lives very close to the complainant, and she stated she can hear the noise, but it is not that loud. Manager West will put together a list of all the steps the Township has taken to research and resolve the issue and will provide this to the complainant.

12. 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 Germane,  
Trustee McMullen, Trustee O'Connell, Trustee Petrucci  
Voting Nay: None

Submitted by



Larry N. Ciofu  
Clerk