

Holly Township
Board of Trustees – Regular Meeting
Minutes of February 15, 2017

Call to Order: Supervisor Kullis called the regular meeting of the Holly Township Board of Trustees to order at 6:30 p.m. At the Holly Township Hall, 102 Civic Drive, Holly Michigan.

Pledge of Allegiance

Roll Call:

Members Present:

George Kullis, Supervisor
Karin Winchester, Clerk
Mark Freeman, Treasurer
Steve Ruth, Trustee
Pat Feeney, Trustee

Others Present:

Mike Deem, Township Planner

Agenda Approval:

- **Clerk Winchester moved to approve the Consent Agenda as submitted. Treasurer Freeman supported the motion. A roll call vote was taken; all those present voted yes; the motion carried by a 5/0 vote.**

CONSENT AGENDA:

1. Agenda Approval.
2. Approval of Regular Meeting Minutes – December 21, 2016.
3. Approval of Financial Statement – December 2016/January 2017.
4. Approval of Bills for Payment – January / February 2017.
5. Routine Reports:
 - A. N.O.C.F.A. Minutes – December 15, 2016 / January 19, 2017.
 - B. Planning Commission Minutes – December 6, 2016.
 - C. Building Permits – December 2016/January 2017.
 - D. Treasurer’s Annual and Quarterly Report – December 31, 2016.
6. Set Public Hearings: None.
7. Communications: Letter dated December 26, 2016 from Headwater Trails re: 16015 Fish Lake Rd.

Public Hearings: 2017-2021 Proposed Recreation Master Plan.

- **Trustee Feeney made a motion to open the Public Hearing. Treasurer Freeman supported the motion. A voice vote was taken; all those present voted yes; motion carried 5/0.**

Public Comment: John Lauve, 200 N. Saginaw, addressed the board to ask they can review the plans, and if the barn foundation was being fixed. He stated he would like to have a theme of Holly being central to parks. Mr. Love would also like to see a sign added to the Shiawassee River, properly naming it. Mike Deem gave a brief overview of the Master Rec Plan, and stated that yes; the foundation was in the plans to be fixed.

- **Clerk Winchester made a motion to close the Public Hearing. Treasurer Freeman supported the motion. A voice vote was taken; all those present voted yes; motion carried 5/0.**

Presentations: Joe Mishler, on Holly Area Veterans Resource Center.
Village of Holly, on 425 Agreement Request.

Joe Mishler is a 501 C3 from the Holly Area Veterans Resource Center, which is located inside the Karl Richter Campus. It serves the needs, questions, problems, and issues of any veterans, homeless veterans or widows. They are a military neutral organization, which started 2 years ago. It provides a Veterans Resource center in a closer location than Saginaw or Detroit. They are open 9am – 3pm Tuesday's and Wednesday's currently. The first Tuesday of the month a Certified Service Officer is on the grounds to help with any claims that need to be filed, or assistance of any nature. There is a successful yoga program open to anyone. The center has already done 2 Vietnam Veteran pinning's so far. They are looking at bringing in a Service Officer in to speak with younger people one evening a month, as it's been requested.

April 27th will be their first Town Hall meeting on Veteran's Issues at 7:00 pm in the Karl Richter Center. July 26th they have an Agent Orange Toxic Exposure Meeting scheduled. They are also working on planning a Women's Veterans Meeting too.

They are currently not doing any fundraising, but are looking at grants; and donations can always help too since everyone is an un-paid volunteer. They've even put up some of their own money to do different things. They are in need of furniture or any donations to help with office supplies. Karl Richter lets them use the building rent free. They are bringing in roughly \$30,000-\$70,000 to the Holly area each month, via benefits received from the V.A. Spread the word to get others to come check it out, there is also a Facebook page in their name. The Township would like to add a link to their Facebook page from the Township website. You would have to go through the County to get an appointment with the Holly location.

Public Comment: Ray Fanning, 11304 Eagle Rd. Davisburg, addressed the board. He is a member of their board, and stated that their budget since opening has been around \$3,600, but that \$1,500 came out of one of the Board members own pockets. \$2,100 was raised by the Moose at a fundraiser, and they owe the \$1,500 back to the member who donated it out of those profits. So they are working with a very small budget. All members are un-paid and they list their donated time as In-kind money, which total about \$70,000/ year. They would like to thank the Township for their help, referrals, and word of mouth.

Village of Holly, on 425 Agreement Request.

Jerry Walker, Village Manager and Ryan Bladzick, formerly the Village President of Holly, presented. The Village council authorized a committee to start looking into this partnership with the Township. The Board made up to oversee this consists of: Jerry Walker, Ryan Bladzick, Jim Perkins – Village President, Deb Musgrave – President Pro Tem, Chris Rankin – Council member, Ryan Shields – Councilman, Mark Freeman – Treasurer of the Township Board, and Dale Smith – former Township Supervisor.

The Act 425 Inter-local Government Agreement is a contractual inter-governmental transfer of jurisdiction from one municipality to another. The terms of the contract all specify how government taxes, services and all other details are handled. It is most commonly executed between a township and a city (since they are independent of each other from a government and taxation basis,) and are commonly used to share tax revenue from a major economic development project, but there are 425 agreements between the Townships and Villages as well.

The Village assesses its own tax rate on the new areas and provides Village services to those areas. Taxes other than NOCFA assessment remain unaffected (Library, Parks, etc.) State revenue sharing will increase for the Village, at about a \$20,000 difference, which would decrease by the same for the Township. The Township will continue to assess its 1-mill tax. The Township would collect approximately \$20,000 less from its NOCFA assessment.

Regarding Elections; the Township voting precincts will need to be redrawn to incorporate new voters. Regarding Planning and Zoning; the Village and Township Master Plan will need to be updated. Regarding Infrastructure; the Village would be responsible for overseeing the completion of infrastructure (street capping) in the uncompleted Pulte Subdivisions.

As this is a contract, any element is negotiable before it is approved by both parties. This is the first step in an iterative process where the agreement is refined through Board and public input. Terms of the Agreement: The area being looked at for the 425 Agreement includes: Land located West of the Village, south of Quick Rd, and East of Fish Lake Rd, and the Grange Hall Rd. Corridor. Areas South along Riverside Dr., West of the airport subdivision, and South to the railroad tracks. The affected areas are considered under the jurisdiction of the Village for all intents and purposes.

Grange Hall Road to North Holly Road is a concentrated commercial development corridor, prime for commercial development. Just to the West towards Fenton, there is an area of undeveloped Pulte homes. The Village is mostly built out for residential or commercial development. Most of the Township is rural / agricultural. Generally, new developments are more “Village” than “Township.”

The Term of Agreement will be 25 years. The Opt-out/Renewal - Parties may opt-out with a 60 day notice to the other party. Parties may renew agreement within 60 days of contract termination. Disposition – unless terminated prematurely, affected areas become permanently

incorporated into the Village at expiration of the contract. Revenue Sharing – Village compensates the Township for lost revenue by a diminishing 10 year schedule. NOCFA Assessment – Village will compensate the Township for lost revenue by a diminishing 10 year schedule.

A 425 agreement is nothing new for Holly. There is currently one between the Village and the High school, which is out of Village limits, but the Village provides water and sewer, and police and fire services to the school. Once the agreement has ended, the Village will retain ownership, or incorporate that property into the Village limits. The Village is a sub-unit of Holly Township, and about 2.5 square miles currently. Some services are shared with the Township, others are duplicated. For example, both the Village and the Township have their own Parks & Rec, and Fire Authority services. The Village would like to see a mutually beneficial co-op relationship between the two.

How is the 425 Agreement Adopted? 1. Talk with residents in the affected area and throughout the community, and hold formal or informal public meetings. 2. Each party must hold at least a public hearing; a joint public hearing is permitted. 3. Each party votes to ratify the contract; if approved, a contract is signed, executed and filed with appropriate agencies.

Public Comment: Timm Smith, 14525 Holly Rd, addressed the board to say there are many undeveloped lots in Holly already, why add taxes to current residents that the Village is already responsible for? Mr. Bladzick stated that was good input. Water and sewer services are already in those areas, so there is no additional fee to do this. These Pulte subdivisions are already owned by developers, so any fees would not be added to residents taxes, the developers would be responsible since they own the properties. The residents in these areas can opt in//out of services they want to add such as trash pick-up and police and fire services.

Joe Mishler, 620 Academy Rd, addressed the board, to say that he disagrees. The Pulte subdivision on Academy Road is a danger, people have tampered with the electrical on the undeveloped lots. It's an eyesore and an embarrassment to look at currently.

Trustee Pat Feeney questioned if they have looked at the Academy Rd. development areas to be included in the agreement? Mr. Bladzick answered, yes, but residents need to ask for that area to be incorporated into the Agreement, which they have not done. The residents of the Riverside subdivision have asked to be included. Mr. Feeney stated that this is the first time we have heard from the Village on the 425 Agreement. He spoke with a company that is moving out of the Village and into the Township, and they weren't happy to learn that they may now be back in the Village again. There should have been more public knowledge of what was going on with this deal. He would like someone from the Planning Commission to be added to the Committee because they just wrapped up the Master Plan, and now they will need to have it updated to incorporate all this. Mr. Bladzick stated that they started this early last year, and they did not choose the committee members from the Township. The plan got sidetracked towards the end of the year with the elections, and are back at working together on this.

Planning Commissioner Tony Engelberg addressed the board to say he is in favor of Police and Fire services for the new area of the Village, but will the Village be paying to finish developing the Pulte sub? There are two areas of economic development for the Township, one is the Grange Hall Corridor and the other is Dixie Highway. This is a big concern since the Township just got through creating their Master Plan. As someone who has served on both the Village and Township Planning boards, there are substantial differences to the characteristics of what is important to each side. He is concerned that the next board might opt out of the 425 Agreement, which would then make the zoning non-conforming. Mr. Bladzick stated that the Village would be responsible for paying to finish the Pulte subs, unless a decision is made by the Board to leave it to the developers. The zoning will not change until the Village incorporates the properties into their assets at the end of the 25 year agreement.

Supervisor Kullis would like to clarify that this was not kept a secret to the public. There have been discussions and meetings listed on the agendas of both sides throughout the process, which are all public. The Board is looking forward to having an open, honest and transparent government. We will be updating the website and this will help residents to see what's in the works. It is the responsibility of the residents to keep up with this information, and provide input and feedback as they deem necessary.

Jesse Torres, 708 Mary Ann, addressed the board to ask if the point of the 425 Agreement is to provide Police and Fire services to the new area? Also, since it seems to be a recurring topic; once you pave over an area, those trees will never come back. Mr. Bladzick stated that was correct, but the police and fire services are only one factor of it.

Pete Diehl, 241 Beaver Run, addressed the board to say he is a resident of Riverside South. He asked what services will the Township get in return, and will there be a tax increase to residents? How is it beneficial to residents? Mr. Bladzick responded that they will receive all the public services the Township has access to, and that the Village pays mills for. Garbage services can be extended to the area. Yes, there will be a millage increase; it will go up to the current Village rate which is about 13.5 mills for the Summer, Winter and Village taxes. Mr. Diehl stated they can select their own trash pick-up company currently, which is a nice perk that the Village residents don't have. The State police have been doing a great job of patrolling the area, and we have had no problems. He doesn't see how this benefits the citizens. The water is already there, he likes that they can pick their trash company, and the County already paves the roads.

Planning Commissioner Ted Gurski addressed the board to say that maybe this meeting could be moved to a bigger location such as the Karl Richter Auditorium, so that the public can ask and answer more questions. The more input received on this matter, the better.

Reports: Supervisor Kullis gave thanks to Jim Perkins, Village President. They are both newly elected, and are working together to move forward. They are purging documents and getting updated. He has been to several conferences and trainings and looks forward to more.

Treasurer Freeman stated that the Quarterly Township Treasurer’s Report is in the packet. Last day to pay taxes without a penalty was February 14. You can pay taxes at the Township until the end of February, with a 3% penalty. March 1st, all delinquent taxes will be sent to Oakland County, which you will pay at the County location.

Trustee Feeney stated that the Woodlands ordinance will be coming in front of the Board. He believes the Commissioners did an excellent job at what they’ve written and in putting it together.

Public Comment on Agenda Items Only: Jesse Torres, 708 Mary Ann, addressed the board.

Tim Jagielo would like to introduce himself as the Media Editor for the Tri-County Times, who does photo and video. If anyone needs his services, please contact the Times.

Old Business: NA.

New Business:

1. 2017-2021 Proposed Recreation Master Plan – Proposed Resolution 2017-01.

- **Clerk Winchester made a motion to approve the 2017-2021 Proposed Recreation Master Plan – Proposed Resolution 2017-01. Treasurer Freeman supported the motion. A roll call vote was taken; all those present voted yes; motion carried 5/0.**

2. Proposed Amendments to Holly Township Code of Ordinances – Amending Chapter 32 Zoning, Article XI Off-street parking and Loading, Section 32-421, 422,423, 424, and Section 32-192.

Mike Deem stated that they’ve amended the document to remove minimum parking requirements, and added maximum requirements. They’ve reviewed the current standards and updated them to match the existing standards. Low impact design standards will need to be used by companies that want to move into Holly. This gives businesses flexibility, but maintains the characteristics and Up North in Oakland County feel.

- **Trustee Feeney made a motion to approve Proposed Amendments to Holly Township Code of Ordinances – Amending Chapter 32 Zoning, Article XI Off-street parking and Loading, Section 32-421, 422,423, 424, and Section 32-192. Clerk Winchester supported the motion. A roll call vote was taken; all those present voted yes; motion carried 5/0.**

3. 2016-2017 Budget Amendments – Proposed Resolution 2017-02.

- **Clerk Winchester made a motion to approve the 2016-2017 Budget Amendments – Proposed Resolution 2017-02. Trustee Feeney supported the motion. A roll call vote was taken; all those present voted yes; motion carried 5/0.**

4. Legal Services – Proposed Resolution 2017-03.

The Township Board of Trustees will be retaining the firm Foster Swift Collins & Smith P.C. as the Holly Township Attorneys pursuant to the June 2, 2014 proposal updated with their current rates; effective today.

- **Trustee Ruth made a motion to approve Legal Services – Proposed Resolution 2017-03. Treasurer Freeman supported the motion. A roll call vote was taken; all those present voted yes; motion carried 5/0.**

5. Holly Academy 5K Run – Proposed Resolution 2017-04.

This is to help the Academy to apply to the Road Commission for the road closure permit for this event.

- **Clerk Winchester made a motion to approve Mark Freeman’s appointment as the Township Board Liaison to the Zoning Board of Appeals. Trustee Ruth supported the motion. A roll call vote was taken; all those present voted yes; motion carried 5/0.**

Public Comment – Non-agenda:

John Lauve, 200 N. Saginaw, addressed the board.

Angie Lemon, 116 College St., addressed the board.

Adjournment

Supervisor Kullis, hearing no other business, adjourned the meeting at 8:40 pm.

Courtney Bird
Recording Secretary

Karin S. Winchester
Holly Township Clerk