

Holly Township  
Board of Trustees – Regular Meeting  
Minutes of November 16, 2016

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**Call to Order:** Supervisor Smith 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:**

Dale Smith, Supervisor  
Karin Winchester, Clerk  
Mark Freeman, Treasurer  
Steve Ruth, Trustee  
Mark Cornwell, Trustee

**Members Absent:**

**Agenda Approval:**

- **Trustee Ruth moved to approve the Agenda as submitted. Clerk Winchester 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 – October 19, 2016.
3. Approval of Financial Statement – September 2016.
4. Approval of Bills for Payment – November 2016.
5. Routine Reports:
  - A. N.O.C.F.A. Minutes – October 20, 2016.
  - B. Planning Commission Minutes – October 4, 2016.
  - C. Building Permits – October 2016.
  - D. Treasurer’s Annual and Quarterly Report – NA.
6. Set Public Hearings: None.
7. Communications: None.

**Public Hearings:** 2017 Community Development Block Grant Application.

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

CDBG funds come from the Federal government, to the County, then to the Townships. There is \$15,256 available. A list of projects is posted along with community services. The Township would like comments from the public on how to spend these funds.

**Public Comment:**

Tina Alvarado, addressed the board requesting funding for Holly Area Youth Assistance. She gave an overview of all of the services they provide.

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

**Presentation:** John Jackson, McKenna and Associates – Regarding the Master Plan Update.

Oakland County approved the plan and found it highly favorable with the depth of the plan and concepts involved. Community input was received also and included. Updates include background studies, existing conditions, goals and policies, and a land use plan.

**Reports:** Supervisor Smith would like to thank everyone for their service and he has enjoyed his past 4 years here, and welcomes the new Board members.

Treasurer Freeman stated the printing of the newsletter was completed, and will be going out with the winter tax bills around December 1.

Trustee Cornwell stated the Planning Commission has been working hard on the Master Plan and are looking at more woodlands preservation and parking lot funding for ordinances. The Planning Commission had overwhelming support for the Central Services hearing. The Planning Commission meetings are important and he hopes they continue getting support. He would also like to thank voters for electing him last time. Welcome to the new members that will be part of the Board and read an exit statement.

**Public Comment on Agenda Items Only:**

Joan Wolfe, from Neighbor to Neighbor, addressed the board.

Bob Hoffman, addressed the board.

**Old Business:**

1. Proposed Amendments to the Outdoor Gatherings Ordinance.

Motion made to postpone the discussion until December meeting, waiting on a report to be received from the Township Attorney.

- **Clerk Winchester made a motion to postpone the discussion until the December meeting. Trustee Ruth supported the motion. A voice vote was taken; all those present voted yes; motion carried 5/0.**

2. Consumers Energy Easement Request.

- **Treasurer Freeman made a motion to postpone the discussion until the December meeting. Clerk Winchester supported the motion. A voice vote was taken; all those present voted yes; motion carried 5/0.**

**New Business:**

1. NOCFA Funding Request.

Doug Smith, Fire Chief, stated that they didn't anticipate a Workers Compensation increase of \$40,000. They have raised funds and got the plan reworked to be a reduced amount, but there is still a \$14,000 shortfall in the budget. They are proposing a \$5,000 kick in from the Village and the Township and they will make up the rest. He would like to amend the Township budget to \$475,000 for this.

- **Clerk Winchester made a motion to amend the NOCFA budget from \$470,000 to \$475,000 for the current budget. Trustee Ruth supported the motion. A roll call vote was taken; all those present voted yes; motion carried 5/0.**

2. Proposed Master Plan Amendments.

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

3. Resolution of Support for National Water Trail on the Shiawassee River – Proposed Resolution 2016-15.

- **Trustee Cornwell made a motion to approve the Resolution of Support for National Water Trail on the Shiawassee River – Proposed Resolution 2016-15. Clerk Winchester supported the motion. A roll call vote was taken; all those present voted yes; motion carried 5/0.**

4. 2017 CDBG Application – Proposed Resolution 2016-16.

- **Clerk Winchester made a motion to approve the 2017 CDBG Application – Proposed Resolution 2016-16 as amended to include Holly Area Youth Assistance. Trustee Ruth supported the motion. A roll call vote was taken; all those present voted yes; with the exception of Trustee Cornwell who abstained, motion carried 4/1.**

5. Building Fee Schedule – Proposed Resolution 2016-17.

- **Trustee Cornwell made a motion to approve the Building Fee Schedule – Proposed Resolution 2016-17. Trustee Ruth supported the motion. A roll call vote was taken; all those present voted yes; motion carried 5/0.**

6. Proposed Code of Ordinance Amendment – Section 2-83 Current and Future Employees and Officials.

- **Clerk Winchester made a motion to approve the Proposed Code of Ordinance Amendment – Section 2-83 Current and Future Employees and Officials. Trustee Ruth supported the motion. A roll call vote was taken; all those present voted yes; with the exception of Trustee Cornwell who abstained, motion carried 4/1.**

7. Proposed Code of Ordinance Amendment – Chapter 32 Zoning, Section 32-144 Essential Services.

This is set to go to the Planning Commission for a hearing first. The Board Took No Action.

8. Code Enforcement Officer – Proposed Resolution 2016-18.

- **Treasurer Freeman made a motion to approve the Code Enforcement Officer – Proposed Resolution 2016-18. Clerk Winchester supported the motion. A roll call vote was taken; all those present voted yes; with the exception of Trustee Cornwell who abstained, motion carried 4/1.**

9. Project Coordinator – Proposed Resolution 2016-19.

- **Treasurer Freeman made a motion to Project Coordinator – Proposed Resolution 2016-19. Clerk Winchester supported the motion. A roll call vote was taken; all those present voted yes; with the exception of Trustee Cornwell who voted no, motion carried 4/1.**

10. Planning Commission Request for Ordinance Proposal Funding.

- **Clerk Winchester made a motion to approve the Planning Commission Request for Ordinance Proposal Funding. Treasurer Freeman supported the motion. A roll call vote was taken; all those present voted yes; motion carried 5/0.**

11. New Medical Marijuana Legislation.

The Board Took No Action.

12. Township Owned Property Parcel Combinations.

- **Trustee Ruth made a motion to combine the 2 separate parcels of river properties on Fish Lake Rd. Clerk Winchester supported the motion. A roll call vote was taken; all those present voted yes; with the exception of Trustee Cornwell who abstained, motion carried 4/1.**

- **Treasurer Freeman made a motion to combine the 3 separate parcels into 1. Trustee Ruth supported the motion. A roll call vote was taken; all those present voted yes; with the exception of Trustee Cornwell who abstained, motion carried 4/1.**

**Public Comment – Non-agenda:**

Bob Hoffman, Rose Center Rd. addressed the board.

Timm Smith, 14525 Holly Rd, addressed the board.

Maria Smith, 14525 Holly Rd, addressed the board.

George Kullis, 601 E. Maple, addressed the board.

Tony Engelberg, 115 Cogshall, addressed the board.

Pete Diehl, 241 Beaver Run, addressed the board.

Jim Perkins, 104 Elm St., addressed the board.

Pat Feeney, 210 Franklin, addressed the board.

13. Consider Closed Session to Discuss Attorney Client Privileged Information.

- **Treasurer Freeman moved to go into Closed Session. Clerk Winchester supported the motion. A voice vote was taken; all those present voted yes; the motion carried 5/0.**

The Board went downstairs to meet in closed session Trustee Cornwell did not attend.

- **Treasurer Freeman moved to go out of Closed Session. Clerk Winchester supported the motion. A voice vote was taken; all those present voted yes; the motion carried 5/0.**
- **Treasurer Freeman made a motion regarding the Appraisal, that the Township Attorney be directed to appeal Judge Jarbou’s November 16, 2016 order with the Michigan Court of Appeals and to request any stay that may be necessary to block transfer of the property pending final action by the appeals courts. Clerk Winchester supported the motion. A voice vote was taken; all those present voted yes; motion carried 4/0.**
- **Clerk Winchester made a motion regarding disciplinary action, that the Township attorney be directed and authorized to file any actions or proceedings he determines are available on behalf of the Township regarding the purported appraisal of Louise Braun, dated May 24, 2016, which could include litigation against Ms. Braun by the Township to recover damages, together with disciplinary proceedings before the Michigan State Board of Real Estate Appraisers. Trustee Ruth supported the motion. A voice vote was taken; all those present voted yes; motion carried 4/0.**
- **Trustee Ruth made a motion regarding Enforcement of Consent Judgement, that the Township Zoning Administrator and Code Enforcement Officer be directed to take any and all actions, working in conjunction with the Township Attorney, as needed, to enforce the provisions of the Consent Judgement with the Smiths,**

**including further court action if necessary. Treasurer Freeman supported the motion. A voice vote was taken; all those present voted yes; motion carried 4/0.**

**Adjournment**

Supervisor Smith, hearing no other business, adjourned the meeting at 8:30 pm.

Courtney Bird  
Recording Secretary

Karin S. Winchester  
Holly Township Clerk