

Holly Township
Board of Trustees – Regular Meeting
Minutes of September 15, 2021

Call to Order: Supervisor Kullis called the regular meeting of the Holly Township Board of Trustees to order at 6:30 p.m. Located at the Karl Richter Campus, Holly Area Schools Board Room, 920 E. Baird St, Holly, Michigan 48442.

Pledge of Allegiance.

Roll Call:

Members Present:

George Kullis, Supervisor
Karin Winchester, Clerk
Mark Freeman, Treasurer
Steve Ruth, Trustee
Derek Burton, Trustee

Agenda Approval:

- **Clerk Winchester made a motion to approve the agenda as presented. Trustee Burton supported the motion. A roll call vote was taken, all those present voted yes; the motion was carried by a 5/0 vote.**

Consent Agenda:

CONSENT AGENDA:

1. Approval of Meeting Minutes – August 18, 2021.
2. Approval of Financial Statement – August 2021.
3. Approval of Bills for Payment – September 2021.
4. Receipt of Routine Reports:
 - A. N.O.C.F.A. Minutes – August 17, 2021.
 - B. Planning Commission Minutes – None.
 - C. Building Permits – August 2021.
 - D. Treasurer’s Annual and Quarterly Report – None.
5. Communications: None.

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

Public Comment: On Agenda Items Only. None.

Public Hearing: None.

Communications: None.

Old Business: None.

New Business:**1. Township Properties.**

The township has several properties some of which were obtained by tax forfeiture and some for investment. It is a great time to sell property and the board should look at listing them.

- **Clerk Winchester made a motion to enter into discussions with the Township Real Estate agent Dennis Niec of Berkshire Hathaway regarding the potential listings of Township Properties. Treasurer Freeman supported the motion. A voice vote was taken, all those present voted yes; the motion was carried by a 5/0 vote.**

Reports:

Trustee Burton reported that the planning commission approved the Special Use/Site Plan for Shannon Fasteners with changes. He discussed an article in Township Focus Magazine that discussed ARPA funds and the revenue loss calculator available online on both the MTA and the Treasury's ARPA page.

Supervisor Kullis provided the Farmstead project timeline for the barn, the contract has been signed and work is expected to commence Saturday, September 18, 2021. We had a request from Mary Blanchard for the Falk Rd Landfill to be on the agenda. Agenda items are for items that require board action. The items were not anything the board can take action on and the township does not have jurisdiction. He did, however, submit the documents to the Attorney for review and he read the letter into the record from the Township Attorney which read as follows:

Dear Mr. Kullis:

Re: Agenda Item Request Former Falk Road Landfill, Holly, Michigan/Holly Hills Mobile Home Park

As you know, I have reviewed environmental issues along Falk Road over the past twenty months for the Township. You have asked whether the Township should take up three issues recently identified by a Township resident. In my view, the Township has limited control over the issues raised. It would have little ability to act on the issues that the resident wants to discuss.

As a practical matter, the Township's control over the mobile home development has been limited over time due to a historical consent decree and the fact that the state mobile home commission has approved the development's plans. The Township, however, has raised concerns where appropriate with the state mobile home commission, and it has communicated with state agencies like EGLE and local agencies like the local county health department, whose authority and jurisdiction over the issues being raised are more direct. Issues concerning water supply system forms and past wastewater treatment violations are matters that are best suited for consideration by EGLE. That is also true in terms of the former landfill, as EGLE has pressed and worked with the Village of Holly to look at landfill contamination issues. In my view, Senator Ruth Johnson's oversight of EGLE has been instrumental in having EGLE look at Falk Road concerns. Any continuing concerns about flooding and storm water runoff from the landfill within EGLE's purview as well. I am not convinced that EGLE has ignored or will ignore these issues.

The issues being raised are best reviewed by EGLE and other regulatory agencies which have the direct authority and jurisdiction to act on the issues. In my legal opinion, the Township presently does not have the basis legally or factually to control and act on these matters or to seek legal relief.

If you have questions, please advise.

Very truly yours,

FOSTER SWIFT COLLINS & SMITH PC

Charles E. Barbieri

Public Comment:

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

John Yuhn, 15460 Falk Rd., addressed the board.

Pat Feeney, 210 Franklin St., addressed the board.

Jacob Crevier, 507 Ash St., addressed the board.

Adjournment:

Supervisor Kullis adjourned the meeting at 7:16.

Nicole Edwards, Recording Secretary

Karin S. Winchester, Clerk