

LEONI TOWNSHIP OFFICE  
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LEONI TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING MINUTES  
OCTOBER 10, 2023

The Leoni Township Board of Trustees held a Regular Board Meeting on OCTOBER 10, 2023 @ 6:00 PM  
The meeting was held in person and by Zoom. Attendees participated through <http://www.zoom.us>  
Or in person

CALL TO ORDER 6:00 PM

ROLL CALL

MEMEBERS PRESENT: SUPERVISOR LINNABARY, CLERK NORRIS, TREASURER KING, TRUSTEE'S KINCH,  
HORNING, COX, AND HILL

MEMBERS ABSENT: NONE

ATTENDANCE APPX: 39 IN PERSON 4 ZOOM

**CLOSED SESSION:**

MOTION BY LINNABARY, SUPPORT BY COX TO GO INTO CLOSED SESSION FOR DISCUSSION WITH LEGAL  
COUNSEL CULLEN HARKNESS

6:02 PM

VOICE VOTE: 7 AYES

MOTION BY LINNABARY, SUPPORT BY COX TO RETURN TO REGULAR MEETING

6:19 PM

VOICE VOTE: 7 AYES

**PUBLIC COMMENT:**

PUBLIC COMMENT OPENED: 6:19 PM

PUBLIC COMMENT CLOSED: 6:35 PM

**APPROVAL OF AGENDA:**

MOTION BY LINNABARY, SUPPORT BY KING **TO APPROVE THE AGENDA**

VOICE VOTE: 7 AYES

0 NAYS

0 ABSENT

**MOTION PASSED**

**APPROVAL OF ACCOUNTS PAYABLE:**

*MOTION BY LINNABARY, SUPPORT BY COX TO APPROVE \$774,986.89 FROM SEPTEMBER 15, 2023- OCTOBER 12, 2023, ACCOUNTS PAYABLE*

*ROLL CALL VOTE: 7 AYES LINNABARY, NORRIS, KING, HORNING, HILL, KINCH, AND COX  
0 NAYS  
0 ABSENT* **MOTION PASSED**

**CONSENT AGENDA:**

*MOTION BY LINNABARY, SUPPORT BY COX TO APPROVE THE CONSENT AGENDA*

*ROLL CALL VOTE: 7 AYES LINNABARY, NORRIS, KING, HORNING, HILL, KINCH, AND COX  
0 NAYS  
0 ABSENT* **MOTION PASSED**

**PUBLIC HEARING:** RENEWAL OF CENTER LAKE SPECIAL ASSESSMENT

MOTION BY NORRIS, SUPPORT BY KING TO OPEN THE PUBLIC HEARING

*VOICE VOTE: 7 AYES*

OPENED: 6:20 PM

PUBLIC COMMENT: NONE

CLOSED: 6:20 PM

*MOTION BY KING, SUPPORT BY COX TO AUTHORIZE THE TOWNSHIP CLERK TO ADOPT THE RESOLUTION TO APPROVE THE ROLL OF THE DISTRICT PURSUANT TO SECTION 3 OF ACT 188 AND TO UNDERTAKE THE IMPROVEMENTS*

*ROLL CALL VOTE: 7 AYES LINNABARY, NORRIS, KING, HORNING, KINCH, HILL, AND COX  
0 NAYS  
0 ABSENT* **MOTION PASSED**

MOTION BY LINNABARY, SUPPORT BY COX TO CLOSE PUBLIC HEARING

*VOICE VOTE: 7 AYES*

MOTION BY LINNABARY, SUPPORT BY COX TO RETURN TO REGULAR MEETING

*VOICE VOTE: 7 AYES*

**OLD BUSINESS:**

1. **TABLED** FROM OCT 11, 2022 MEETING-APPROVAL FOR MIKE HILL CONCRETE SPECIALISTS TO TEAR OUT AND REPLACE 48' X 58' SQUARE OF BLACKTOP AND A 3' X 53' SECTION OF CONCRETE AT THE LEONI TOWNSHIP HALL IN THE AMOUNT OF \$24,147 TO BE PAID FOR OUT OF THE GENERAL FUND

**RESERVED:**

- 1. BRILLS LAKE SEWER PROJECT-UPDATES-OUT FOR BID
- 2. FENCE AT 6550 ANN ARBOR RD-ZONING VIOLATION LITIGATION-IN COURT
- 3. SUNRISE CT-SPECIAL ASSESSMENT

**NEW BUSINESS:**

1. AUTHORIZE F&V TO HIRE WATER TAP SERVICES TO TAP THE FORCE MAIN AT THE MAIN LIFT STATION IN THE AMOUNT OF \$7936.50 INCLUDING A 10% CONTINGENCY. TO BE PAID FOR OUT OF THE MAINTENANCE ALLOWANCE FUND

*MOTION BY LINNABARY, SUPPORT BY NORRIS **TO AUTHORIZE** F&V TO HIRE WATER TAP SERVICES TO TAP THE FORCE MAIN AT THE MAIN LIFT STATION IN THE AMOUNT OF \$7936.50 INCLUDING A 10% CONTINGENCY. TO BE PAID FOR OUT OF THE MAINTENANCE ALLOWANCE FUND*

ROLL CALL VOTE:       7 AYES   LINNABARY, NORRIS, KING, HORNING, KINCH, COX, AND HILL  
                          0 NAYS  
                          0 ABSENT

**MOTION PASSED**

2. AUTHORIZE F&V TO PURCHASE A SCREenco SYSTEMS RT-400 ROCK TRAP FOR THE SEPTIC RECEIVING UPGRADES IN THE AMOUNT OF \$36,400 TO BE PAID FOR THROUGH THE EPA GRANT
- MOTION BY LINNABARY, SUPPORT COX **TO AUTHORIZE** FOR F&V TO PURCHASE A SCREenco SYSTEMS RT-400 ROCK TRAP FOR THE SEPTIC RECEIVING UPGRADES IN THE AMOUNT OF \$36,400 TO BE PAID FOR THROUGH THE EPA GRANT*

ROLL CALL VOTE:       7 AYES   LINNABARY, NORRIS, KING, HORNING, KINCH, COX, AND HILL  
                          0 NAYS  
                          0 ABSENT

**MOTION PASSED**

3. AUTHORIZE MEDICAL MARIHUANA NEW ADULT USE CLASS C GROW LICENSE #66 GRANITE PEAK, PAGE AVE-EXISTING GROW ADDING ADDITIONAL LICENSE

*MOTION BY NORRIS, SUPPORT BY KINCH **TO AUTHORIZE** MEDICAL MARIHUANA NEW ADULT USE CLASS C GROW LICENSE #66 GRANITE PEAK, PAGE AVE-EXISTING GROW ADDING ADDITIONAL LICENSE*

ROLL CALL VOTE:       7 AYES   LINNABARY, NORRIS, KING, HORNING, KINCH, COX, AND HILL  
                          0 NAYS  
                          0 ABSENT

**MOTION PASSED**

4. AUTHORIZE THE RETAINER AGREEMENT FOR CULLEN HARKNESS, HARKNESS LAW FIRM, PLLC. TERM OF THIS AGREEMENT SHALL BE IN EFFECT FROM DECEMBER 1, 2023-NOVEMBER 20, 2025 UNLESS RENEWED BY MUTUAL WRITTEN AGREEMENT OF THE PARTIES AS SET FORTH IN PARAGRAPH 25 OR TERMINATED ACCORDING TO ITS TERMS. HOURLY RATE FOR SERVICES BILLED AT \$170 PER HR

*MOTION BY LINNABARY, SUPPORT BY KING **TO AUTHORIZE** THE RETAINER AGREEMENT FOR CULLEN HARKNESS, HARKNESS LAW FIRM, PLLC. TERM OF THIS AGREEMENT SHALL BE IN EFFECT FROM DECEMBER 1, 2023-NOVEMBER 30, 2025 UNLESS RENEWED BY MUTUAL WRITTEN AGREEMENT OF THE PARTIES AS SET FORTH IN PARAGRAPH 25 OR TERMINATED ACCORDING TO ITS TERMS. HOURLY RATE FOR SERVICES BILLED AT \$170 PER HR*

ROLL CALL VOTE:       7 AYES   LINNABARY, NORRIS, KING, HORNING, KINCH, COX, AND HILL  
                          0 NAYS  
                          0 ABSENT

**MOTION PASSED**

5. AUTHORIZE APPROVAL FOR JERRY SOVA, FOR THE BOYS CO. AWARENESS INC., BE RECOGNIZED AS A NONPROFIT ORGANIZATION OPERATING IN THE COMMUNITY FOR THE PURPOSE OF OBTAINING CHARITABLE GAMING LICENSES

*MOTION BY KING, SUPPORT BY COX **TO AUTHORIZE APPROVAL** FOR JERRY SOVA, FOR THE BOYS CO. AWARENESS INC., BE RECOGNIZED AS A NONPROFIT ORGANIZATION OPERATING IN THE COMMUNITY FOR THE PURPOSE OF OBTAINING CHARITABLE GAMING LICENSES*

ROLL CALL VOTE:       7 AYES   LINNABARY, NORRIS, KING, HORNING, KINCH, COX, AND HILL

0 NAYS  
0 ABSENT

**MOTION PASSED**

6. AUTHORIZE THE BOARD TO AMEND THE ZONING ORDINANCE AS FOLLOWS:
1. AMEND SEC 42-153 OF THE CODE OF ORDINANCES ADD TO SUBSECTION @ SUBPARAGRAPH (16) TO READ (16) COMMUNITY SOLAR ENERGY (CSES/SOLAR GARDEN) AND SOLAR FARM USE
  2. AMEND SEC 42-243 OF THE CODE OF ORDINANCES ADD TO SUBSECTION @ SUBPARAGRAPH (22) TO READ (22) COMMUNITY SOLAR ENERGY SYSTEM (CSES/SOLAR GARDEN) AND SOLAR FARM
  3. AMEND SEC 42-242 OF THE CODE OF ORDINANCES ADD TO SUBPARAGRAPH (8) TO READ (8) COMMUNITY SOLAR ENERGY SYSTEM (CSES/SOLAR GARDEN) AND SOLAR FARM

MOTION BY KINCH, SUPPORT BY NORRIS **TO AUTHORIZE** THE BOARD TO AMEND THE ZONING ORDINANCE AS FOLLOWS:

1. AMEND SEC 42-153 OF THE CODE OF ORDINANCES ADD TO SUBSECTION @SUBPARAGRAPH (16) TO READ (16) COMMUNITY SOLAR ENERGY (CSES/SOLAR GARDEN) AND SOLAR FARM USE
2. AMEND SEC 42-243 OF THE CODE OF ORDINANCES ADD TO SUBSECTION @ SUBPARAGRAPH (22) TO READ (22) COMMUNITY SOLAR ENERGY SYSTEM (CSES/SOLAR GARDEN) AND SOLAR FARM
3. AMEND SEC 42-242 OF THE CODE OF ORDINANCES ADD TO SUBSECTION @ SUBPARAGRAPH (8) TO READ (8) COMMUNITY SOLAR ENERGY SYSTEM (CSES/SOLAR GARDEN) AND SOLAR FARM

ROLL CALL VOTE: 7 AYES LINNABARY, NORRIS, KING, HORNING, KINCH, COX, AND HILL  
0 NAYS  
0 ABSENT

**MOTION PASSED**

7. AUTHORIZE THE RESOLUTION TO CONSOLIDATE LEONI PRECINTS WITH JACKSON COUNTY FOR EARLY VOTING

MOTION BY NORRIS, SUPPORT BY KING **TO AUTHORIZE APPROVAL** TO CONSOLIDATE LEONI PRECINTS WITH JACKSON COUNTY FOR EARLY VOTING

ROLL CALL VOTE: 7 AYES LINNABARY, NORRIS, KING, COX, HORNING, KINCH, AND HILL  
0 NAYS  
0 ABSENT

**MOTION PASSED**

8. AUTHORIZE APPROVAL OF THE SITE PLAN FOR SOUTH CENTRAL CREDIT UNION, 000-14-07-351-001-01, E. SOUTH ST

MOTION BY KING, SUPPORT BY COX **TO AUTHORIZE APPROVAL** OF THE SITE PLAN FOR SOUTH CENTRAL CREDIT UNION, 000-14-07-351-001-01, E. SOUTH ST

ROLL CALL VOTE: 6 AYES LINNABARY, NORRIS, KING, HORNING, COX, AND HILL  
0 NAYS  
1 ABSTAIN KINCH

**MOTION PASSED**

9. AUTHORIZE APPROVAL OF THE SITE PLAN FOR LESTER BROTHERS, 2700 HAWKINS RD., 000-09-29-251-001-02 & 000-09-29-251-001-03

MOTION BY LINNABARY, SUPPORT BY NORRIS **TO AUTHORIZE APPROVAL** OF THE SITE PLAN FOR LESTER BROTHERS, 2700 HAWKINS RD., 000-09-29-251-001-02 & 000-09-29-251-001-03

ROLL CALL VOTE: 6 AYES LINNABARY, NORRIS, COX, HORNING, KINCH, AND HILL  
1 NAY KING  
0 ABSENT

**MOTION PASSED**

10. AUTHORIZE APPROVAL OF THE SITE PLAN FOR CONSUMERS ENERGY, 195 ANDREW PARK DR., 000-09-29-453-002-00

*MOTION BY LINNABARY, SUPPORT BY KINCH **TO AUTHORIZE APPROVAL OF THE SITE PLAN FOR CONSUMERS ENERGY, 195 ANDREW PARK DR., 000-09-29-453-002-00***

ROLL CALL VOTE:       6 AYES   LINNABARY, NORRIS, KING, HORNING, KINCH, AND HILL  
                          0 NAYS  
                          1 ABSTAIN COX                               **MOTION PASSED**

11. AWARD THE FIFTH STREET SIDEWALK CEMENT PROJECT

*MOTION BY KINCH, SUPPORT BY COX **TO AWARD THE FIFTH STREET SIDEWALK CEMENT PROJECT TO MH CONCRETE IN THE AMOUNT OF \$3400***

ROLL CALL VOTE:       6 AYES   LINNABARY, NORRIS, KING, COX, HORNING, AND KINCH  
                          0 NAYS  
                          1 ABSTAIN HILL                               **MOTION PASSED**

12. AUTHORIZE SUPERVISOR LINNABARY THE ABILITY TO SIGN THE NEGOTIATED SETTLEMENT AGREEMENT FOR THE EGLE VIOLATIONS AT THE WWTP

*MOTION BY COX, SUPPORT BY KINCH **TO AUTHORIZE SUPERVISOR LINNABARY THE ABILITY TO SIGN THE NEGOTIATED SETTLEMENT AGREEMENT FOR THE EGLE VIOLATIONS AT THE WWTP WOULD NOT BE PAID WITH GF DOLLARS***

ROLL CALL VOTE:       6 AYES   NORRIS, KING, COX, HORNING, KINCH, AND HILL  
                          0 NAYS  
                          1 ABSTAIN LINNABARY                               **MOTION PASSED**

**PUBLIC COMMENT:**

PUBLIC COMMENT OPENED     6:57 PM  
PUBLIC COMMENT CLOSED    7:06 PM

**DISCUSSION:**

**ALL DISCUSSION ITEMS WERE DISCUSSED DURING THE WORK SESSION**

MOTION BY LINNABARY TO **ADJOURN**, SUPPORT BY COX AT 7:16 PM  
MOTION CARRIED BY VOICE VOTE-AYE FOR ALL **MOTION PASSED**  
**MEETING ADJOURNED AT 7:16 PM**

CINDY NORRIS, CLERK

**ADDITION TO THE MINUTES FROM OCTOBER 5, 2023 WORK SESSION**

ITEM ADDED TO THE AGENDA THAT WAS MADE A MOTION AND VOTED ON AT THE WORK SESSION DUE TO TIME CONSTRAINTS IN COMPLETING THE TRANSACTION BEFORE THE BOARD MEETING

NEW BUSINESS

13. AMEND THE 2023-2023 GENERAL FUND BUDGET TO INCLUDE AN ADDITIONAL TRANSFER TO THE PUBLIC SAFETY FUND IN THE AMOUNT OF \$842,576. AMEND THE 2023-2024 PUBLIC SAFETY BUDGET TO INCLUDE AN ADDITIONAL TRANSFER FROM THE GENERAL FUND TO THE PUBLIC SAFETY FUND IN THE AMOUNT OF \$842,576 AND AN EXPENDITURE IN THE AMOUNT OF \$842,576 FOR THE PURCHASE OF A NEW FIRE TRUCK AND TO AUTHORIZE THE PAYMENT OF THAT INVOICE

*MOTION BY NORRIS, SUPPORT BY COX **APPROVAL TO** AMEND THE 2023-2024 GENERAL FUND BUDGET TO INCLUDE AN ADDITIONAL TRANSFER TO THE PUBLIC SAFETY FUND IN THE AMOUNT OF \$842,576. AMEND THE 2023-2024 PUBLIC SAFETY BUDGET TO INCLUDE AN ADDITIONAL TRANSFER FROM THE GENERAL FUND TO THE PUBLIC SAFETY FUND IN THE AMOUNT OF \$842,576 AND AN EXPENDITURE IN THE AMOUNT OF \$842,576 FOR THE PURCHASE OF A NEW FIRE TRUCK AND TO AUTHORIZE THE PAYMENT OF THAT INVOICE*

ROLL CALL VOTE:       7 AYES   LINNABARY, NORRIS, KING, COX, HORNING, KINCH, AND HILL  
                              0 NAYS  
                              0 ABSENT

**MOTION PASSED**