



Minutes of **PUBLIC HEARING**
Held **October 8, 2015**

Township of Springfield

Laura Moreau, Clerk

Call to Order: Supervisor Walls called the October 8, 2015 Public Hearing of the Springfield Township Board to order at 7:00 p.m. at the Springfield Township Civic Center, 12000 Davisburg Rd., Davisburg, MI 48350.

Roll Call:

Board Members Present

Collin W. Walls	Township Supervisor
Laura Moreau	Township Clerk
Jamie Dubre	Township Treasurer
Marc Cooper	Township Trustee
Judy Hensler	Township Trustee
Dave Hopper	Township Trustee

Board Members Not Present

Dennis Vallad	Township Trustee
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PUBLIC HEARING:

1. 7:00 pm – Dangerous Building Show Cause Hearing – 10700 Clark Road, Davisburg

Supervisor Walls opened the Public Hearing at 7:00 p.m.

Supervisor Walls summarized the Hearing that was held on September 10, 2015, the Township Board supported the Hearing Officer’s order and ruled that the barns would be demolished within 21 days. That period has passed and the barns are not demolished. The second part dealt with the house and the adjournment leading to this evening’s meeting to allow the property owners to have time to get a purchase agreement executed for the house. He asked Ms. Sommers if the tenant still had items in the house.

Ms. Zona Sommers, 10730 Clark Road, appeared before the Board in this matter. Ms. Sommers replied that the tenant still has everything in the house. Ms. Sommers has a court date on Tuesday, October 13th regarding the tenant. She stated that yesterday a police officer and an attorney showed up at the house because the tenant is now suing Ms. Sommers but she does not know what this is in regards to.

Supervisor Walls asked if Mr. Chad Testor looked at the home.

Ms. Sommers replied yes, on Tuesday. Mr. Testor told her that the house was sound but he wanted to talk to one of his partners and he wanted to talk to Greg Kazmierski so he could find out what needed to be done and when it needed to be done by.



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Supervisor Walls answered that Mr. Kazmierski could not tell him this information. If Mr. Testor wants to know what needs to be done on the house, he needs to talk to Craig Strong, Building Official.

Ms. Sommers stated that she has not heard from Mr. Testor. She showed the home to another gentleman who told her it was too big of a job. She would like the Board to wait on the decision until she finds out what happens in court on Tuesday, October 13th.

Supervisor Walls asked how this court decision would affect the Board's action.

Ms. Sommers replied she didn't know if it would make a difference or not. It would give her more time to get in touch with Mr. Testor.

Clerk Moreau asked what the court appearance on Tuesday was about.

Ms. Sommers replied that it was regarding the tenant getting evicted.

Trustee Hensler asked if Ms. Sommers did get an offer to purchase from Mr. Testor, could all of the property owners agree to sell it.

Ms. Sommers answered that if they didn't, they would lose the whole farm. The ones that she has talked with have agreed.

Treasurer Dubre asked how many she had talked with.

Ms. Sommers replied three.

Ms. Kerry Garchow, property owner, introduced herself to the Board. She stated that all of the property owners have already signed an agreement to sell the property with a real estate broker so she does not see a problem selling it.

Ms. Sommers stated that they are working on the barns.

Supervisor Walls confirmed that he talked to the contractor and his plan is to be there next week. He plans to be done by the end of next week and no later than the following week. Supervisor Walls provided pictures in Board packets that were taken Monday, October 6, 2015.

Mr. Greg Need stated that he assumes the hearing to be held on Tuesday, October 13th would be the first step in any eviction that would allow the tenant to show some evidence to the judge as to why they should not be evicted or their tenancy be terminated. He clarified that this is just a guess because he does not have details of this particular case.

Supervisor Walls stated that he can't see any benefit to waiting until after the hearing because any action would be postponed a month or requiring a special meeting.



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Treasurer Dubre clarified with Mr. Need that usually a tenant is given ten days to remove their personal belongings after a hearing of this type.

Clerk Moreau added that the tenant hearing is not holding up the potential sale of the home because they were able to get the potential buyer in the home.

Supervisor Walls clarified that by definition the home is dangerous and unsafe. The windows are broken and the building is open to the elements. There is siding off of the building and there are holes in the soffit.

Treasurer Dubre stated that she feels bad about the situation but if they postpone it, they are not going to have a definitive end to the Board's purpose here. It will just prolong what already exists. If there was a signed purchase agreement, the decision could be conditional. She hasn't heard anything tonight that says this situation is going to rectify itself in any way. It is dangerous and they have to take action to safeguard the area around it.

Ms. Sommers stated that if the Board's decision is for her to tear it down and someone wants to buy it tomorrow, can she do anything about the sale?

Clerk Moreau stated asked if they make that decision tonight, are the wheels in motion and there is no way to turn them back?

Mr. Need stated that this is really not the case. One of the options would be to affirm the Building Officer's order and this gives the property owner 21 days. Following this, the Township can take action. Given the issues with ownership and the tenant, they would not recommend that they immediately do anything. He would recommend filing a complaint in the circuit court to affirm the Hearing Officer's order and this will take some time. At any point in this proceeding, if they have a buyer or any evidence that the proceeding should be postponed or dismissed they could do that. If they postpone for 30 days tonight, they would be starting the same process, only 30 days later. This action could move things along, but also is flexible enough so that if they got a buyer, then they could stop the proceedings.

Ms. Sommers stated that the prospective buyer told her that the structure was solid and it just needs cosmetic repairs.

Clerk Moreau agreed with Mr. Need and his suggestion. Treasurer Dubre concurred.

Supervisor Walls moved that the Township Board determines that the house at 10700 Clark Road is substantially destroyed by deterioration, neglect, vandalism or other cause, that the cost of repair will be greater than the value of the structure and confirms the demolition order of the Hearing Officer and orders the property owner to comply with the demolition order within 21 days. Supported by Treasurer Dubre. Vote on the motion. Yes: Cooper, Dubre, Hensler, Hopper, Moreau and Walls; No: none; Absent: Vallad. The motion carried by a 6 to 0 vote.



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Supervisor Walls closed the Public Hearing at 7:20 p.m.

Collin W. Walls, Supervisor

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