



Minutes of **PUBLIC HEARINGS**
Held September 10, 2015

Township of Springfield

Laura Moreau, Clerk

Call to Order: Supervisor Walls called the September 10, 2015 Public Hearing of the Springfield Township Board to order at 6:30 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
Dave Hopper	Township Trustee
Judy Hensler	Township Trustee
Dennis Vallad	Township Trustee

Board Members Not Present

PUBLIC HEARING:

1. 6:30 pm – Dangerous Building Show Cause Hearing – 10700 Clark Road, Davisburg

Supervisor Walls opened the Public Hearing at 6:30 p.m.

Supervisor Walls stated that the purpose of the meeting is to allow the property owner to show cause to the Township Board why the determination of the Dangerous Buildings Hearing Officer to demolish two barns and a house should not be upheld. Notice was mailed to all parties that we have knowledge and addresses for that may have an interest in the property including the tenant. The tax records showed the property owner as Glenn D. Sommers. We are aware that Mr. Sommers is deceased so notice was sent to his wife Zona Sommers. She did receive the notice and is present this evening. In addition to written notices, the property was posted with a copy of the Hearing Notice, one on the house and one on each barn. A hearing was held on July 7, 2015 before the Dangerous Buildings Officer. Following the hearing, a July 12, 2015 letter containing the officer's determination was mailed to Mrs. Sommers declaring both barns and the residence dangerous. The barns were to be demolished by August 15, 2015. The residence was to be repaired to abate the dangerous conditions within 30 days (August 12, 2015) or demolished by September 12, 2015. The barns have not been demolished and the house has not been repaired.



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Mrs. Zona Sommers verified that she received both the July 12, 2015 determination of the Hearing Officer and the notice of this meeting.

Supervisor Walls stated that the Board will consider Mrs. Sommers as the property representative for the Hearing.

Mrs. Sommers agreed.

Supervisor Walls stated that she will be given an opportunity to show cause as to why the Board should not enforce the order of the Hearing Officer following that the Board may decide to enforce the order in whole or part, they may modify the order or they may approve the order. He asked Mrs. Sommers why the Board should not approve the Hearing Officer's order. He is aware that there have been many issues regarding this property but he asked Mrs. Sommers to focus on the Order to Demolish.

Mrs. Sommers agreed that both of the barns need to be taken down. She has been working on that for several months and did not know a demolition permit was needed. She sold the barn closest to the garage in August of 2014 and they took the siding off but had such a problem with bees that they quit the job. She and one of the other property owners contacted several different companies and they were so backlogged that they could not get to it. She called Prose and Purves to ask for written estimates. She is still waiting for a written estimate from Purves; Prose's estimate was \$6,700 to take down both barns and she did not have the funds to do this. Owner Alan Caverly contacted Mrs. Sommers about another contractor that will do the job for the material. He called Mrs. Sommers and told her that he had been to the Building Department and applied for a demolition permit but it would take 3-4 days for it to be issued. Mrs. Sommer is not sure if that permit was issued or when he is going to start.

Supervisor Walls stated that he spoke to the contractor today, he will be able to start the week of September 21st or September 28th at the latest.

Mrs. Sommers stated that the house is a historical house that was built on 160 acres through a land grant from the US Government in 1836. It was lived in by members of the same family until 1983. It is now owned by ten property owners. Mrs. Sommers lives next door on the west side and Wayne Davidson, another property owner, lives on the east side. The renter was served with an eviction notice on 7/31/2015 to be out of the home by 9/15/2015 due to many problems, the renter ran and left many personal belongings behind. Mrs.



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Sommers has not been able to find out what she can do with these personal belongings legally. Mrs. Sommers and her family have spent several days picking up the yard and putting things away and mowing and trimming. Mrs. Sommers is going to contact the renter asking what she wants to do about the personal belongings she left behind. Mrs. Sommers has someone who is interested in renovating the home but she has to be able to get this person inside the home so that he can examine it. Once this person is able to examine the inside, he will decide if he is interested or not. There are three parcels to the farm and the house is on a 25 acre parcel. This person does not want all 25 acres, and it is permissible for her to follow the Township guidelines to split off 2.5 acres with the house for purchase. The upstairs has never been used for renters. Mrs. Sommers is aware that Arlene Badgley, from the Township Assessor's office, has been to the home and has taken pictures but she has not seen those pictures. The upstairs has some plaster down, but there is no destruction. Mrs. Sommers stated that the roof was replaced in July 2014 and she has proof of that. The Mormon Church paid for work on the furnace in January 2015 and she was told it was over \$1,000 and she has a paper document representing that work. Mrs. Sommers summarized the damage to the home and she gave up trying to fix it because the renters would destroy it as fast as she would fix items. She would like to see the home restored and they need time to do it.

Supervisor Walls summarized his discussion with the demolition contractor and confirmed that the renter was supposed to be out by September 1, 2015. The Hearing Officer's Determination was only based on an exterior examination since the Building Official was not able to get inside the house.

Mrs. Sommers stated that he included the roof but she doesn't know why because it was replaced in July 2014. Walls stated the rear portion of the house did not have a new roof.

Supervisor Walls asked if Mrs. Sommers had any idea when she would have possession of the house.

Mrs. Sommers replied she has no idea. She stated that as soon as she gets possession she can get in there and move stuff so she can have a better idea. She could then report back to the Township regarding the restoration of the home.

Clerk Moreau asked if the tenant was locked out or still had access to the home.



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Mrs. Sommers replied that she is now locked out.

Treasurer Dubre asked if Mrs. Sommers tried to make contact with the tenant and couldn't, what would she do then.

Mrs. Sommers replied that she has talked with her three times since September 2, 2015.

Treasurer Dubre asked what kind of timeframe Mrs. Sommers was looking for.

Mrs. Sommers replied that she needed at least thirty days to get the tenant's stuff out. She stated that the gentleman who needed to get in and see if he wanted to restore and buy the house is Chad Testor.

Trustee Cooper asked if this individual did not want to buy the home, what would Mrs. Sommers do then.

Mrs. Sommers replied that she didn't know. There are ten owners and they do not have the money to restore it and she supposes that it will have to be torn down.

Clerk Moreau asked if this was the only individual she was aware of that had interest in the home.

Mrs. Sommers replied yes; she had requests for individual items in the home, but not the entire home itself.

Supervisor Walls asked if Mr. Testor wants to purchase the home, is Mrs. Sommers confident that the family can get together to the point that it can be sold.

Mrs. Sommers stated that it is either that or they will lose the whole farm. She stated that she used the balance of the farm fund and her own money to pay the taxes on the house portion because she knows they can't do anything unless the taxes are paid.

Trustee Hensler confirmed that this person would only want 2.5 acres with the house.

Mrs. Sommers concurred; she stated that she has spoken to Supervisor Walls regarding the lot split and she is aware that needs to be done. She stated that she would be asking Mr. Testor to pay the lot split fees.



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Treasurer Dubre stated that the concern is that they are getting into winter and there are many factors that have to come together. The demolition needs to be done by a certain time.

Trustee Hopper asked if the quote was for one or two barns.

Supervisor Walls answered that this is for two barns. The demolition permit is paid for but has not been issued yet.

Mrs. Sommers provided copies of the heat repair to the Board.

Supervisor Walls stated that there were specific things listed in the Dangerous Buildings Hearing Officer's Order and he also included language such that the house should comply with the provisions of the State of Michigan Residential Code. This Code would require repairs more extensive than the list that was included in the order.

Supervisor Walls stated that the barns are deteriorated and the Board has choices to make for both the barns and house structure. He read the ordinance language which outlined those choices. The Board could rule that the Hearing Officer's Order should be upheld giving them 21 days and they could adjourn the Hearing and wait 30 days to see if they could get the potential purchaser in. The order on the barns is demolition and this could be completed within 21 days.

Trustee Vallad asked if the Board could separate provisions of the order.

Supervisor Walls replied that the Hearing Officer did. There is an order on barns and separate demolition date; the house was separate and gave a date by which to repair or demolition.

Board members discussed the timeline required for the demolition of the barns.

Clerk Moreau asked if they were bound to the 21 days for demolition or could they modify it.



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Mr. Need, Township Attorney, stated that the ordinance language says that the owner shall comply with the order within 21 days. If the Board takes that action, the Board should give the 21 days. However, the Township Board may enter onto the property and take all necessary actions to comply with the order. Based upon that, the Board could pose a 21 day deadline as the ordinance requires but if it expires, they could look at the situation and give them additional time if the Board thought they were justified in doing so.

Supervisor Walls moved to approve the Hearing Officer's Order of Demolition on the two barns in accordance with the terms of Springfield Township Code of Ordinances giving 21 days after the Hearing for that to be accomplished. Supported by Clerk Moreau. Vote on the motion. Yes: Cooper, Dubre, Hensler, Hopper, Moreau, Vallad and Walls; No: none; Absent: none. The motion carried by a 7 to 0 vote.

Trustee Cooper stated that regarding the house, if one of the options is to postpone for 30 days, he would recommend doing this. This would give them the chance to bring the prospective buyer in and if that doesn't work, they could proceed with demolition.

Treasurer Dubre asked what he would ask for as proof.

Trustee Cooper answered a signed purchase agreement.

Trustee Cooper stated that it is more important to know that this person thinks it is worth it to fix it up.

Clerk Moreau concurred with Trustee Cooper and she would like to see the house restored. It is going to take 30 days to get in and get access to the home and the tenant fully moved out. She agrees with requiring a purchase agreement.

Supervisor Walls stated that it seems that the intent is to adjourn the hearing for 30 days.

Mr. Need suggested adjourning until the October Board meeting.

Board members concurred.

Mr. Need stated that purchase agreements require all ten owners to sign unless they have Power of Attorney.



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Mrs. Sommers stated that all ten owners agreed to put the entire farm up for sale and it is up for sale now.

Trustee Hopper stated that they could also modify the order after thirty days.

Mrs. Sommers stated that their intent is to secure the house so it is not accessible.

Clerk Moreau moved to adjourn this Show Cause Hearing for the house located at 10700 Clark Road until the October 8, 2015 Township Board meeting at 7:00 pm. Supported by Trustee Cooper. Vote on the motion. Yes: Cooper, Dubre, Hensler, Hopper, Moreau, Vallad and Walls; No: none; Absent: none. The motion carried by a 7 to 0 vote.

Supervisor Walls closed the Public Hearing at 7:09 p.m.

Collin W. Walls, Supervisor

Laura Moreau, Clerk