

# BOARD OF TRUSTEES

MINUTES - JANUARY 8, 2009

**MEMBERS PRESENT:** Bob Hanvey, Paula Wyckoff, Tammy Beal, Les Andersen, Travis Hodge, Dan Lowe, and Scott Lloyd

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Annette McNamara, Zoning Administrator

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## **CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:02 p.m.

## **PLEDGE TO FLAG**

## **BOARD MEMBERS PRESENT**

The board members introduced themselves.

## **CALL TO THE PUBLIC**

None.

## **APPROVAL OF AGENDA**

Les Andersen asked to have an item added regarding bridges. Les Andersen motioned to approve the agenda as amended. Paula Wyckoff seconded. **Motion carried 7-0.**

## **CONSENT AGENDA**

Les Andersen motioned to approve the consent agenda. Travis Hodge seconded.

**Motion carried 7-0.**

## **FIREWORKS PERMIT POLICY**

Les Andersen motioned to have Bob Hanvey check with the attorney on the procedure to prohibit fireworks displays in the township. Dan Lowe seconded. **Motion carried 7-0.**

## **MARION RETAIL CENTER**

Dan Lowe and Phil Westmoreland discussed progress on this project. Bob Hanvey gave the board members information on Peavy Road meter readings. The deadline is 1/9/09 for the schedule to be submitted to OHM. Les Andersen motioned to send a notice to Mr. Jappaya regarding non-compliance if the schedule received by OHM isn't satisfactory. Tammy Beal seconded. **Motion carried 7-0.**

## **BURNHAM & FLOWER INSURANCE RENEWAL**

Tammy Beal motioned to accept the quote from Burnham & Flower with the optional \$2,500 deductible, for a total amount of \$42,694. Les Andersen seconded. Discussion: Dan Lowe asked about workman's comp and sewer liability and said the township should check on what the City of Howell is doing **(AI #1.)** Roll call vote: Lowe, Lloyd, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Motion carried 7-0.**

## **COUNTY FARM REPAIR INVOICE**

Dan Lowe motioned to withhold remaining payment of \$5,868.58 until the repairs are done. Scott Lloyd seconded. **Motion carried 7-0.**

## **MHOG FUNDING FOR IMPROVEMENTS**

Bob Hanvey asked the board members for feedback regarding the method for making improvements to the system. He passed out a rate sheet with comparisons to other municipalities. No action is required on this item at this time.

## **SUNRIDGE SEWER CLEANING INVOICES**

Lynn Ward, a resident in Sunridge, was present to discuss the recent repairs that were made. Bob Hanvey passed out a sketch. The board members discussed how this problem may have occurred, and what could be done in the future to prevent this type of problem. Dan Lowe said

he's talked with Erv Suida from the City of Howell and said that no Certificate of Occupancy should be issued without the city's approval. Mr. Lowe also said that certain subdivisions should be identified to be sure everything is done correctly. Les Andersen motioned to pay Lynn Ward \$650 from Sewer O&M fund as reimbursement for repairs. Tammy Beal seconded. Roll call vote: Wyckoff, Hodge, Hanvey, Lloyd, Beal, Andersen, Lowe—all yes. **Motion carried 7-0.**

**GREEN SHEET DELIVERY ISSUES**

Dan Lowe motioned to direct the Planning Commission to create an ordinance prohibiting newspaper delivery on the ground, with a \$500 penalty for littering. Les Andersen seconded. **Motion carried 7-0.**

**RESOLUTION FOR MARION TOWNSHIP AND CITY OF HOWELL JOINT PLANNING**

**COMMITTEE** Tammy Beal motioned to adopt the resolution as presented supporting the creation of a joint advisory committee with the City of Howell. Paula Wyckoff seconded. Roll call vote: Beal, Andersen, Hodge, Wyckoff, Lowe, Hanvey, Lloyd—all yes. **Resolution passed 7-0.**

**SCHOOL DISTRICT ELECTIONS**

Les Andersen motioned to approve hosting school elections in November of even years. Travis Hodge seconded. **Motion carried 7-0.**

**BRIDGES**

Les Andersen said he talked with Mike Crain regarding stimulus package funding for bridge repairs based on an article he read in the MTA News. Mr. Crain said projects will probably have to be "shovel-ready" to qualify for funding. Bob Hanvey said OHM did some evaluation of the Jewell Road bridge, and will check with Phil Westmoreland **(AI #2.)**

**CORRESPONDENCE/UPDATES**

Paula Wyckoff said there is a copy of the tax resolution and agreement with Howell Public Schools for summer tax collection in the packet. Bob Hanvey said the city got bids for the Peavy Road pump station and the contract was awarded to Lightning. He also said the city would like to put monitors in the pump stations at a cost of approximately \$500-600 each. Dan Lowe said only three or four pump stations have three-phase. Paula Wyckoff said she sent everyone an email with a link to the HAPRA master plan. The Marion Township Parks & Recreation Committee will meet on Tuesday, January 20 at 6:00 p.m. Tammy Beal said the next Steam Engine meeting is scheduled for Monday, January 19 at 7:00 p.m.

**CALL TO THE PUBLIC**

Lynn Ward, 696 Hewitt, said he is glad to be back in the community after 30 years. He also said the City of Howell crew did a good job on the recent sewer problems. Chris Arsenault from Pfeffer, Hanniford and Palka brought copies of the final audit report. Bob Hanvey said the cash flow analysis will be done soon. He has some concerns on how the repairs at Crystalwood will be handled.

**ADJOURNMENT**

Les Andersen motioned to adjourn at 9:10 p.m. Paula Wyckoff seconded. **Motion carried 7-0.**

**MINUTES - JANUARY 22, 2009**

**MEMBERS PRESENT: Bob Hanvey, Paula Wyckoff, Tammy Beal, Les Andersen, Travis Hodge, Dan Lowe, and Scott Lloyd**

**MEMBERS ABSENT: None**

**OTHERS PRESENT: Phil Westmoreland, OHM**

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**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:02 p.m.

## **PLEDGE TO FLAG**

### **BOARD MEMBERS PRESENT**

The board members introduced themselves.

### **CALL TO THE PUBLIC**

None.

### **APPROVAL OF AGENDA**

Bob Hanvey asked to have an item on HAPRA added to the agenda and to move the Rurik change order up to the first item. Scott Lloyd asked to have an item added regarding the Assessing Department. Les Andersen asked to have discussion on stimulus funding added to Jewell Road Bridges discussion. An item was also added regarding Marion Park #2. Paula Wyckoff motioned to approve the agenda as amended. Les Andersen seconded.

**Motion carried 7-0.**

### **CONSENT AGENDA**

Les Andersen motioned to approve the consent agenda. Paula Wyckoff seconded.

**Motion carried 7-0.**

### **RURIK CHANGE ORDER AND INVOICE APPROVAL**

Tammy Beal motioned to approve the change order and pay the contractor \$32,419.93. Les Andersen seconded. Roll call vote: Wyckoff, Hodge, Hanvey, Lloyd, Beal, Andersen, Lowe—all yes. **Motion carried 7-0.**

Tom Gubala, 4394 Adria, said he was pleased with the work and thanked the board for its help with this project. He said the texture of the asphalt is rougher than before and asked the engineer if it's a cheaper mix. Phil Westmoreland said MDOT has updated specs since the last time it was done, and this should be more durable. Mr. Gubala also asked about the crack sealing. The engineer said while it isn't aesthetically the best, it is necessary. Bob Hanvey said with the board's approval, he will send out a letter to the residents next week (**AI #1.**)

### **HAPRA**

Paula Wyckoff motioned to approve the Howell Area Parks and Recreation Authority five-year master plan. Tammy Beal seconded. **Motion carried 7-0.**

Tammy Beal motioned to amend the HAPRA Articles of Incorporation language as proposed in the handout. Paula Wyckoff seconded. **Motion carried 7-0.**

### **APPOINTMENT OF PLANNING COMMISSION MEMBER**

Bob Hanvey nominated John Lowe to the Planning Commission with a term expiring November 2010. Les Andersen motioned to approve the nomination. Paula Wyckoff seconded.

**Motion carried 7-0.**

### **MARION RETAIL CENTER**

Phil Westmoreland updated the board members on the status of this project. A letter from OHM is included in the packet. He said he talks with the engineers two-three times each day, and will continue to closely monitor progress.

### **JEWELL ROAD BRIDGE/STIMULUS FUNDING**

The board members, at the last meeting, asked Phil Westmoreland for a cost estimate for design of a replacement bridge. Mr. Westmoreland said there is a similar bridge in Ingham County, and the design was approximately \$30,000. Les Andersen passed out some information from MTA regarding the stimulus package. According to Mike Crain from the Road Commission, Livingston County may only receive approximately \$400,000. Jack Lowe asked about a box culvert for the bridge. The board asked Phil Westmoreland to talk with Mike Crain regarding the bridge (**AI #2.**)

### **MHOG FUNDING FOR IMPROVEMENTS**

Bob Hanvey updated the board members on the January 21 meeting. James Keifer has been

appointed bond counsel, and they are looking for a financial advisor for this \$3.5 million project. The MHOG board has asked Tetra Tech to write a new water ordinance for MHOG so that all four townships will have the same ordinance.

### **SUNRIDGE SEWER REPAIRS**

No new information on this item. Dan Lowe was going to talk with Pat Gibbons. Dan Lowe said the township should notify the residents in the subdivision and let them pursue corrections to the problem on their own.

### **ASSESSING**

Scott Lloyd said he received a letter and personal property tax form from the assessor. He came to the office to discuss with her, and she said prior to him being on the board, she wasn't aware of his business. He feels that she's picking on residents and is inconsistent in sending these out. Mr. Lloyd is protesting his 2007 assessment and feels this is harassment. Dan Lowe said she should have better things to do. Bob Hanvey explained the requirement that these forms be sent out and the recipients should complete and return to the township.

### **MARION PARK #2**

Paula Wyckoff said the Marion Township Parks and Recreation Committee met this week. Jack Lowe provided the board members with pictures of a barn that could possibly be moved. He would like to investigate the availability and feasibility of grants. Travis Hodge motioned to authorize \$5,000 for grant writing and site plan for Marion Park #2. Paula Wyckoff seconded. Discussion: Les Andersen said there is a barn on Dutcher Road being constructed by a group of Amish builders and the township could possibly do something similar. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Motion carried 7-0.**

### **CORRESPONDENCE/UPDATES**

Bob Hanvey said he is still working on the Peavy Road pump station. Tammy Beal said a Heritage Days meeting was held on Monday. They would like to have some seed money to continue their efforts. Les Andersen motioned to allow \$5,000 to be transferred from the General Fund without the requirement that it be repaid, and the requirement that no more than \$3,000 per item be spent without board approval. Scott Lloyd seconded. **Motion carried 7-0.** Bob Hanvey said the township has received a request from Mr. Siciliano, attorney for Mr. Lover, asking that the lawsuit be dropped. Mr. Hanvey said the only thing missing from the paperwork is the license agreement between Mr. Brockway and the Hansens for maintenance of the fence. Travis Hodge motioned to authorize the attorney to terminate the lawsuit. Les Andersen seconded. **Motion carried 7-0.**

Bob Hanvey updated the board on the Fire Authority meeting. Bob Hanvey said he received a request from Darakjian to meet on Monday, January 26. Tammy Beal and Paula Wyckoff will also attend. Bob Hanvey passed out information on plastic rain barrels that the township could sell to residents for \$45 each. The board members did not want to pursue this. Tammy Beal said the insurance company visited and is doing a risk management analysis. They will be doing driver's license checks for employees and committee members. Also, new employees will be required to have criminal background checks.

### **CALL TO THE PUBLIC**

Wendall Lybrink, 223 Triangle Lake Road, asked about some of the work that the township has done in the past and why everything isn't put out for bids, specifically the work done on the retention pond at Marion Park #2. Bob Hanvey explained the work for that project was done at no cost to the township by the Operating Engineers. Other opportunities are available and Mr. Lybrink is welcome to attend meetings; however, much of the work is done gratis.

### **ADJOURNMENT**

Tammy Beal motioned to adjourn at 8:55 p.m. Les Andersen seconded. **Motion carried 7-0.**

**MINUTES - FEBRUARY 12, 2009**

**MEMBERS PRESENT:** Bob Hanvey, Paula Wyckoff, Les Andersen, Travis Hodge, Dan Lowe, and Scott Lloyd

**MEMBERS ABSENT:** Tammy Beal

**OTHERS PRESENT:** Phil Westmoreland, OHM

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**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:02 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves. Tammy Beal was absent.

**CALL TO THE PUBLIC**

None.

**APPROVAL OF AGENDA**

Les Andersen asked that Advisory Committees be added as item #11. Les Andersen motioned to approve the agenda as amended. Paula Wyckoff seconded. **Motion carried 6-0.**

**CONSENT AGENDA**

Paula Wyckoff motioned to approve the consent agenda. Travis Hodge seconded.

**Motion carried 6-0.**

**POVERTY EXEMPTION GUIDELINES (INCOME)**

Bob Hanvey explained his suggestion for the guidelines and asked the Board members if they had any additional suggestions or comments. He noted last year it was based on the homestead value. Charles Musson, 333 Triangle Lake Road; suggested the Board look at Brighton Townships guidelines. Bob Hanvey noted the statute has had an asset test for several years. Les Andersen thinks the State of Michigan should provide the guidelines for municipalities to make it equal and fair. The Board members would like more time to look into this.

This agenda item is postponed to the February 26, 2009 meeting.

**BOARD OF REVIEW APPEALS BY LETTER**

Les Anderson motioned to allow Marion Township residents and non-residents with property in Marion Township to file an appeal by letter with the Board of Review that will preserve their right to appeal to the Michigan Tax Tribunal. The letter must arrive at the township by March 10, 2009. Paula Wyckoff seconded. **Motion Carried 6-0.**

**PRELIMINARY REVIEW OF SECTION 6.17 INFRASTRUCTURE & CONCURRENCY**

**STANDARDS** The Board members reviewed the Stormwater General Ordinance and Maintenance Agreement along with Section 6.17 Infrastructure & Concurrency Standards.

The following changes to the General Ordinance were requested.

- 1) Page 1 of 4 Delete Section 2 and renumber remainder of document
- 2) Page 2 of 4 Section 8; delete the letter 'A' from the subsection
- 3) Page 2 of 4 Add 10% as the bond amount

The following changes to Section 6.17 Infrastructure & Concurrency Standards were requested.

- 1) Page 1 of 1 Item #3 delete the word requirement and replace with criteria

Les Andersen motioned to send Section 6.17 Infrastructure & Concurrency Standards to the Livingston County Department of planning, also include the General Ordinance and Maintenance Agreement for reference. Travis Hodge seconded. **Motion Carried 6-0.**

**CELL TOWER LEASE**

Les Anderson motioned to deny acceptance of the Black Dot Wireless proposal made on behalf of Cingular. Travis Hodge seconded. **Motion Carried 6-0.**

### **MARION RETAIL CENTER**

Phil Westmoreland told the Board members he expects to get the revised plans and calculations by Monday; once the plans are approved they should be able to choose a contractor. Dan Lowe is not satisfied with the progress. He said there is 15 to 20 yards of materials that have infiltrated into the system and this could get into the pumps. Phil Westmoreland said cleaning the downstream sewer could be added to the project.

### **MHOG FUNDING FOR IMPROVEMENTS**

Bob Hanvey spoke with Art Munsell and Jerry May about placing a water tower on the Eagle property and they had no objection. Bob received a letter from the Saint Joseph Mercy Health System; they have withdrawn their offer to buy property in Marion Township. Placement of a water tower may not be as urgent as previously thought.

### **SUNRIDGE SEWER REPAIRS**

Dan Lowe brought the repair video and Bob will compare it with the post construction tapes. Bob may have to notify the residents of the situation so they can take action to avoid problems.

### **LAWN MOWING & SPRING CLEAN UP BIDS**

The following changes were requested by the Board.

- 1) Include fall in the first line of the cover page
- 2) Page 2 Change 2008 to 2009 in the second to the last sentence
- 3) Page 3 Move Marion Township Community Park No. 1 to the regular basis category
- 4) Page 4 Bid Sheet - Move Marion Township Community Park No. 1 to the Cemetery, Hall & Fire Station list

### **ADVISORY COMMITTEES DISCUSSION**

Les Andersen noted the Michigan Township Association specifies an Advisory Committee should have the following.

- 1) Purpose
- 2) Goals
- 3) Appointments
- 4) Number of committee members
- 5) Length of term
- 6) Timeline reports
- 7) A sunset date when the committees work is done

Les also asked if the Heritage Days should come out of the Parks and Recreation fund or the General Fund. He would also like the Board to consider if the Park Committee should meet these guidelines. Les will put together specifics on the Cemetery Committee, Parks Committee, and the Heritage Days Festival for the February 26, 2009 Board package.

### **CORRESPONDENCE/UPDATES**

#### **Peavy Road Pump Station**

Bob Hanvey said the pump is up and running.

#### **MTA Livingston Meeting**

Michigan Township Association Livingston County Chapter will hold a meeting at the Hartland Township Hall on Wednesday February 18, 2009 at 7:00 p.m. Les Andersen later noted that a representative for the Livingston County Road Commission will be at the meeting to answer questions.

#### **Highland Tribunal Update**

Bob Hanvey gave the Board members an update.

#### **Huron Valley Federal Aid Committee (Stimulus 2009)**

Bob Hanvey explained the function of the committee with regard to the proposed stimulus. He also attended a stimulus 2009 meeting at Orchard, Hiltz and McCliment today and there is a

slim chance Marion Township would receive any funds. The Board members got a handout regarding a Planning and Zoning workshop. Alstott Drive has a problem with the house numbers and road names (south and north). The Board members will have a resolution for the official road name changes at the February 26, 2009 meeting. Mr. Darakjian and his attorney met with Bob, Tammy and Paula; he would like Marion Township to buy the REU's from him. Bill Rogers will be at the Marion Township Hall on Friday, February 13, 2009 starting at 9:00 a.m. to answer any questions. Stuart Mitchell approached the township; he has a 34' x 500' strip of property he would like to sell. There was no interest. There is a piece of property on Cedar Lake for sale. Bob will investigate. A Township Parks and Recreation meeting will be held at the township hall on Tuesday, February 24, 2009 at 6:00 p.m. Paula Wyckoff noted a flyer inviting everyone to a Grand Opening of the Parks and Recreation Internet Cafe. Bob noted the letter from Mike Kehoe regarding Planning Commission or Board member voting only once if they are a Zoning Board of Appeals member also. The Chestnut case is postponed to a date uncertain.

**CALL TO THE PUBLIC**

Jack Lowe gave the Board members an update on the historical barn project.

**ADJOURNMENT**

Les Andersen motioned to adjourn at 8:48 p.m. Travis Hodge seconded. **Motion carried 6-0.**

**MINUTES - FEBRUARY 26, 2009**

**MEMBERS PRESENT:** Bob Hanvey, Tammy Beal, Paula Wyckoff, Les Andersen, Travis Hodge, Dan Lowe, and Scott Lloyd

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Phil Westmoreland, OHM

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**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:00 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves. All were present.

**CALL TO THE PUBLIC**

Bob opened the call to the public. Charlie Musson, 333 Triangle Lake Road; asked if there is information on agenda item #3, Township Committees. Bob said it is in the packet. Barney Cole, 918 Francis Road; asked about the road repairs in front of Bella's Market and who is responsible for fixing it. Bob answered it is the developers responsibility and it will be discussed during the meeting. Bob closed the call to the public.

**APPROVAL OF AGENDA**

Bob would like agenda item #6; Marion Retail Center to be placed at the top of the agenda and the remainder of the items renumbered. Dan Lowe asked to add discussion of Assessor to the agenda. Bob asked if this is a performance review of the Assessor or a complaint. Dan Lowe said not necessarily, he has questions to ask. Dan noted in the Red Book it says that the Supervisor, Bob, is the Chief Assessor and the questions are for Bob also. Bob asked if this could be titled as an individual evaluation of the Assessors performance. Why can't this be talked about during working hours at the hall? Dan Lowe said he wants it on public record that the residents are not being taxed in an equal and fair way. Bob would like this item to be placed after the call to the public just in case it goes into closed session. Dan Lowe motioned to approve the agenda as amended. Scott Lloyd seconded. **Motion carried 7-0.**

## **CONSENT AGENDA**

Paula Wyckoff motioned to approve the consent agenda as amended. Travis Hodge seconded.

**Motion carried 7-0.**

## **POVERTY EXEMPTION GUIDELINES (INCOME)**

Scott Lloyd motioned to approve the poverty guidelines with the fifth paragraph of Bob Hanvey's suggestions for 2009 poverty exemptions deleted and replaced with \$30,000.00 for everyone. Les Andersen seconded. **Motion carried 7-0.**

## **TOWNSHIP COMMITTEES**

Les Andersen motioned to have Jack Lowe, Tammy Beal and Les Anderson work on the rules for Advisory Committees. Tammy Beal seconded. **Motion carried 7-0.** Les Andersen motioned to include Charles Musson to work on the rules for Advisory Committees. Tammy Beal seconded. **Motion carried 7-0.**

## **ALSTOTT STREET RENAMING**

Travis Hodge motioned to adopt the proposed resolution. Paula Wyckoff seconded. **Roll Call:**

**Travis Hodge; yes, Paula Wyckoff; yes, Tammy Beal; yes, Bob Hanvey; yes, Scott Lloyd; yes, Les Anderson; yes, Dan Lowe; yes. Resolution passed 7-0.**

## **MARION RETAIL CENTER**

Phil Westmoreland told the Board members that the three bidders are all capable of handling the project and suggested the Board include specific language in their motion. Mike Powell, Developers Engineer and Cathy Carroll, Northline Excavation (low bidder) are here tonight to answer any questions the Board members have. The Board members had the following questions. Is the contract ready to be signed? Mike Powell answered; it will be ready by next Tuesday. After contract is signed how long before contractor can start; Cathy Carroll said the de-watering will start on 3-6-2009. Will Phil Westmoreland or Mike Powell be on site through the entire project? Mike Powell is writing this into the contract and will discuss this with George Jappaya. Does Mike Crain want Pinckney Road fixed as a part of this project? Phil Westmoreland said Mike Crain will be at the pre-construction meeting and should tell everyone at that time. Cathy Carroll, Northline Excavation explained their plan of attack. Tammy Beal motioned that the agreement with the engineer contractor that is approved by Marion Township is to be signed by March 3, 2009 at 5:00 p.m., if not, on Wednesday March 4, 2009 Marion Township will sign a contract with Northline Excavation to start the project on March 6, 2009 and complete the project by March 24, 2009. Dan Lowe seconded. **Motion carried 7-0.**

Mike Powell asked the Board member to consider paying invoices approved by George Jappaya and OHM with a percentage of the letter of credit Marion Township currently holds. Dan Lowe motioned to allow the letter of credit as payment to the contractor. Paula Wyckoff seconded.

**Roll Call: Dan Lowe; yes, Scott Lloyd; yes, Bob Hanvey; yes, Travis Hodge; yes, Tammy Beal; yes, Paula Wyckoff; yes, Les Andersen; yes. Motion carried 7-0.**

## **CORRESPONDENCE/UPDATES**

### **Heritage Days update**

There is an update in the Board of Trustees package.

### **Highland Tribunal Update**

Bob included the schedule in the packet.

### **Huron Valley Federal Aid Committee/Stimulus 2009**

Bob attended three meetings regarding the stimulus. He gave the Board members a handout of all the projects requested within Marion Township.

**Spring Clean-up** Bob informed the Board members of the possibilities and the Board members were not interested.



### **Chestnut Update**

The tentative court date is March 18, 2009. They would like this completed before Judge Latreille retires.

### **Miscellaneous**

Bob and Paula attended a meeting in Oceola Township regarding the procedures for tax foreclosures. The teen recreation center opens tomorrow. Marion Township now has Ortho Photos from 2008 Representative Bill Rogers will have scheduled hours to meet with the public. Information is available at the township hall. Wayne State University is holding a Business incubator workshop on March 19, 2009 free of charge. Board of Review will begin on Tuesday, March 4, 2009. Bob, Jack and Annette will attend a seminar on Low Impact Development on March 3, 2009 in the morning and a Right to Farm discussion that night. Brown Well drilling submitted a bid to replace the pressure tank for \$925.00; Scott Lloyd will get additional bids. Taxable value is down by 30 million dollars and will affect the township tax revenue by 25 thousand. The Redmon property is for sale and Bob will discuss the option to buy with Mike Kehoe. Tammy noted the next meeting packet will be available on March 9, 2009.

### **CALL TO THE PUBLIC**

None heard.

### **ASSESSOR DISCUSSION**

Dan Lowe asked if the Assessor position is salary or hourly. Bob answered salary. Is the salary based on a 40 hour work week? Bob answered no, a 32 hour work week. Dan Lowe asked if this is written in a contract? Bob said he will have to look into that. Dan Lowe said in three years 10% of the township has been assessed, how were the 10% chosen? Vickie Moellmann, Assessor; personal property was done for the entire township. The real property assessments were started at the southeast end of the township, Section 36 and they moved west. Sections 30, 31 and 29 have been worked on yet they are not completely done. Bob noted the three lakes were done before the systematic process started. Scott Lloyd read from the January report that 232 were completed in 2008. He would like to see a report with monthly and year to date totals. Dan Lowe said at this point 10% of the properties have been assessed in three years. How is that fair and equal to all the residents? 10% are paying updated values and the remainder is not. Why can't the assessors go through the township and get the basics, number of structures on the property and then go back to look at details. The assessing department will review the concept and bring back a report. Travis Hodge said the Assessor brought a proposal to the Board to hire an outside contractor to do the entire township and the board voted it down. Dan Lowe said the other contractors said they could have it done in two years. It has been three years and only 10% has been complete. We should hire a contract assessor and get it all done. The assessing department will review the concept and bring back a report. It is not fair and equal that 10% of the residents are paying what they should and the other 90% isn't. He said nothing has been done with the church property and questioned why. The property is not being used as a church and they should be paying taxes. Bob said pursuing the church would take time and effort, would Dan like this to be a higher priority? Dan Lowe said yes. Scott Lloyd spoke with the State of Michigan; they list the assessment of concrete at \$5.33 per square foot and said this number can vary, Bob Hanvey said a new manual from the State of Michigan came out in 2008. Vickie Moellmann said rates can change depending on the depth of the concrete and reinforcement.

### **ADJOURNMENT**

Tammy Beal motioned to adjourn at 9:00 p.m. Travis Hodge seconded. **Motion carried 7-0.**

**MINUTES - MARCH 12, 2009**

**MEMBERS PRESENT:** Bob Hanvey, Paula Wyckoff, Tammy Beal, Les Andersen, Travis Hodge, and Scott Lloyd  
**MEMBERS ABSENT:** Dan Lowe  
**OTHERS PRESENT:** Phil Westmoreland, OHM  
Annette McNamara, Zoning Administrator  
Vickie Moellmann, Assessor

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**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:00 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

None.

**APPROVAL OF AGENDA**

Bob Hanvey asked to have the order of agenda items changed. Tammy Beal motioned to approve the agenda as amended. Paula Wyckoff seconded. **Motion carried 6-0.**

**CONSENT AGENDA**

Travis Hodge motioned to approve the consent agenda. Les Andersen seconded.

**Motion carried 6-0.**

**ASSESSING**

Bob Hanvey read a letter from Dan Lowe to be included as part of the minutes. Mr. Hanvey also provided the board members with responses to Mr. Lowe's questions. Scott Lloyd asked about the church property. Mr. Hanvey said the township will submit a notice to the owners of the property that the classification of the property has changed, and they can appeal to the Board of Review next March if they choose. Vickie Moellmann said the exempt status will be removed for 2010. The board members reviewed the form submitted by the Assessing Department to be used for a monthly report. Mr. Hanvey said he would like to see the section listed. Ms. Moellmann will make the suggested changes and submit to the board for review at its next meeting.

**PROPOSED TEXT AMENDMENTS #07-08, #01-09, #02-09, PUBLIC LAND REZONING**

**#07-08 THROUGH #14-08** Annette McNamara said these amendments are to allow the proper zoning of cemeteries, parks, schools, etc. to Public Lands rather than Residential. Scott Lloyd asked if the township would be giving up any rights by this rezoning. Bob Hanvey said no. Charles Musson asked if notices had been sent to surrounding property owners. Ms. McNamara said yes, and the notice was also printed in the newspaper. Les Andersen motioned to approve text amendments #07-08, #01-09, #02-09 and Public Land Rezoning #07-08 through #14-08, and return them to the Planning Commission. Paula Wyckoff seconded.

**Motion carried 6-0.**

**LUCY ROAD LLC LICENSE AGREEMENT**

Tammy Beal motioned to have the zoning administrator send the letter, as presented, by certified mail and with a proof of mailing. Les Andersen seconded. **Motion carried 6-0.**

**MARION RETAIL CENTER**

Bob Hanvey updated the board members on the status of this project.

## **TOWNSHIP PARK AND RECREATION COMMITTEE**

Paula Wyckoff provided the board members with minutes of the last meeting and a copy of the 2008-09 budget. The board members discussed the term "bid" and how it's used. Charlie Musson said there are bids for contract and bids for price. The term "proposal" might be a better word to use when getting prices. Paula Wyckoff said John Lowe had asked that discussion of committees in regard to funding be tabled until he's able to attend. Les Andersen motioned to authorize \$3,500 from the Park budget for general maintenance, sanitary and trash. Tammy Beal seconded. Roll call vote: Lloyd, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Motion carried 6-0.**

## **TORNADO SIRENS**

Les Andersen motioned to table this item until after the budget discussion. Tammy Beal seconded. **Motion carried 6-0.**

## **BUDGET**

Bob Hanvey said the township has to submit an allocation budget to the County Allocation Committee in April. Mr. Hanvey said the budget does not include a salary increases for 2009-2010, but suggested that the employees be given another paid holiday. The employees could choose which holiday they would take and the office could remain open. There wouldn't be any added expense to the township, but would be a benefit to the employees. Tammy Beal said she would like to include funds for a separate QVF computer. Scott Lloyd said he would like to trim salaries and benefits. Tammy Beal said she met today with a representative from Burnham & Flower who will be presenting some new options to the township for health benefits. Les Andersen said he would like to follow the same procedure as last year with regard to roads—representatives from the township meet with Tim Johnson to determine priorities. He feels that County Farm Road should be a priority.

## **DUST CONTROL**

Les Andersen motioned to accept the proposal from Michigan Chloride Sales LLC for dust control. Scott Lloyd seconded. Roll call vote: Wyckoff, Hodge, Hanvey, Lloyd, Beal, Andersen—all yes. **Motion carried 6-0.**

## **TOWNSHIP COMMITTEES**

This item was tabled until a future meeting.

## **PEAVY ROAD PUMP STATION**

The township received two quotes to wire the pump stations: Crampton for \$575 and Lightening for \$595. The board members selected Crampton and would like to get started with the Peavy Road pump station. Bob Hanvey will provide exact counts at the next meeting of how many stations have three-phase wiring **(AI #1.)**

## **CORRESPONDENCE/UPDATES**

Tammy Beal said the Heritage Days committee will be meeting on Monday, March 16 at 7:00 pm on the lower level. Board packets for the next meeting will be available on Monday, March 23 after 3:00 p.m.

## **CALL TO THE PUBLIC**

Charlie Musson asked the board members where the buck pole should be moved. After discussion, it was decided that Mr. Musson will come back to the board when more progress is made.

## **ADJOURNMENT**

Les Andersen motioned to adjourn at 8:45 p.m. Tammy Beal seconded. **Motion carried 6-0.**

**MINUTES - MARCH 26, 2009**

**MEMBERS PRESENT:** Bob Hanvey, Paula Wyckoff, Tammy Beal, Les Andersen, Travis Hodge, Scott Lloyd, and Dan Lowe

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Phil Westmoreland, OHM  
Annette McNamara, Zoning Administrator  
Vickie Moellmann, Assessor

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**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:00 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

None.

**APPROVAL OF AGENDA**

Dan Lowe asked to have an item added regarding assessing. Les Andersen motioned to approve the agenda as amended. Paula Wyckoff seconded. **Motion carried 7-0.**

**CONSENT AGENDA**

Travis Hodge motioned to approve the consent agenda. Les Andersen seconded.

**Motion carried 7-0.**

**HAPRA 2009-2010 PROPOSED BUDGET**

Debbie Mikula was present, on behalf of the Howell Area Parks and Recreation Authority, to ask for the board's approval of HAPRA 2009-2010 budget. Dan Lowe asked about the increase for Marion and Genoa Townships. Ms. Mikula said the increase is the 4.4% CPI. Paula Wyckoff motioned to adopt a resolution to approve the 2009-2010 HAPRA budget as presented. Travis Hodge seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes.

**Resolution passed 7-0.**

**LAWN MOWING AND SPRING/FALL CLEAN UPS**

Five bids were received and are included in the packets. The board discussed spring and fall clean ups and the importance of having them done. Travis Hodge said he would like to award the job to a township resident if possible. After discussing the bids, Travis Hodge motioned to select the bid from PE's Lawn Care. Les Andersen seconded. Roll call vote: Wyckoff—no; Hodge—yes; Hanvey—yes; Lloyd—no; Beal—yes; Andersen—yes; Lowe—no.

**Motion passed 4-3.**

**HAFB BUDGET**

Travis Hodge motioned to approve the 2009-2010 Howell Area Fire Authority proposed budget as presented. Les Andersen seconded. Roll call vote: Beal, Andersen, Hodge, Wyckoff, Lowe, Hanvey, Lloyd—all yes. **Motion carried 7-0.**

**MARION RETAIL CENTER**

Bob Hanvey and Phil Westmoreland updated the board members on this project. Dan Lowe said he wants the manhole covers to come up and the section should be videotaped.

**PUMP STATIONS**

Bob Hanvey said the City of Howell is proceeding with having the monitor installed by Crampton on the Peavy Road station. He also reported that all of the stations have three-phase except for Neubacher.

### **HERREN ZONING VIOLATION**

Annette McNamara was present to ask for the board's direction on proceeding with this item. Tammy Beal motioned to instruct the attorney to get a court order to enforce the Zoning Board of Appeals decision. Les Andersen seconded. **Motion carried 7-0.**

### **BUDGET**

A memo from Bob Hanvey is included in the packet that discusses minor adjustments to the proposed budget presented last month. He also provided a copy of a statute that says the salary of an elected official cannot be reduced. Tammy Beal provided the board members with information on changes to the health insurance plan that would save the township money. Ms. Beal will schedule a meeting prior to the next board meeting with the representative from Burnham & Flower to discuss the benefits package (**AI #1.**) Mr. Hanvey said he would like the budget hearing to be scheduled for the first board meeting in June rather than the second.

### **FLEXIBLE SAVINGS ACCOUNTS**

Tammy Beal said this option will be available in May. An account can be set up for reimbursement of medical expenses and child care. The Burnham & Flower representative will also be able to answer questions regarding the FSA.

### **2010 CENSUS**

Tammy Beal reported that census workers will begin recording addresses in the area starting April 1. This information is important for the upcoming census enumerators. All census workers will have identification.

### **TORNADO SIRENS**

Travis Hodge said he would like to see an additional siren added if the budget allows. Possible location will be discussed at a later date.

### **TOWNSHIP COMMITTEES**

Les Andersen motioned to accept the advisory committee rules as presented and the committees will pick members for approval by the Board, and advisory committees will follow OMA guidelines. Tammy Beal seconded. Discussion: Paula Wyckoff suggested the word "shall" be changed to "may" in the section related to start-up money for Heritage Days.

**Motion carried 7-0.**

### **BUCK POLE**

This item was postponed until all information is available.

### **MARION TOWNSHIP PARK #2 PROPERTY**

Bob Hanvey updated the board members on the progress of this item. The township is attempting to acquire ten acres adjacent to the township hall property by swapping some land. Mr. Hanvey is still working with the Health Department on related issues.

### **ASSESSING**

Dan Lowe said he wanted to go through the responses that Bob Hanvey provided to his questions regarding the assessing department. Question 1 regarding the contract was answered. Question 2 regarding the church property, he questioned why this wouldn't be addressed until 2010. Mr. Hanvey said the change would be made in 2009 for the 2010 tax year, and if the property owner appeals the change, the case wouldn't be heard until 2010. Mr. Lowe asked if the township could back-date the change. Mr. Hanvey said no. Question 3 regarding how lots are picked—Mr. Lowe said he wants a list. Vickie Moellmann said there is a large map on the wall depicting the lots, but she can provide a list as well. Question #4 regarding number of buildings—Mr. Lowe said he did mean the size of the buildings on a lot, not just the number of buildings. He said it's his understanding that all parcels must be inspected every year. Mr. Hanvey said no, that would be impossible. The requirement is to re-evaluate every parcel each year. Tammy Beal said the assessor asked the board for approval to

hire someone to do the field work, and the board voted no. Travis Hodge said the assessing staff is doing what they were instructed to do. Scott Lloyd said he agrees with Dan Lowe.

**CORRESPONDENCE/UPDATES**

A public notice was received from SEMCOG regarding the stimulus package. Putnam Township sent a copy of the 2009 Master Plan update for review. Les Andersen reminded the board members to submit comments regarding advisory committees.

**CALL TO THE PUBLIC**

Barney Cole, 918 Francis Road, asked for clarification on the statute regarding elected officials' salaries. Bob Hanvey provided him with a copy. Mr. Cole also said if the township is going to favor township residents who bid on lawn mowing, bidders should be told. Charles Musson, 333 Triangle Lake Road, said he appreciates the work done by the board on creation of advisory committees.

**ADJOURNMENT**

Les Andersen motioned to adjourn at 9:05 p.m. Tammy Beal seconded. **Motion carried 7-0.**

**MINUTES - APRIL 9, 2009**

- MEMBERS PRESENT:** Tammy Beal, Les Andersen, Travis Hodge, Scott Lloyd, Bob Hanvey, Paula Wyckoff and Dan Lowe
- MEMBERS ABSENT:** None
- OTHERS PRESENT:** Phil Westmoreland, OHM  
Annette McNamara, Zoning Administrator  
Vickie Moellmann, Assessor

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**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:01 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

Richard Dell, 3105 Norton Rd., was present on behalf of the Board of Review. Mr. Dell provided the board members with rationale for the decisions reached by the Board of Review. He was surprised that the number of petitioners was much less than normal, which he attributes to the work being done by the assessing department to educate residents, information on the website, and the improved assessment notice. He felt the hardship guidelines should be reviewed before next year, as they were too restrictive. Scott Lloyd asked how many hardship cases were heard. Mr. Dell said six to eight, which is two or three more than usual.

**APPROVAL OF AGENDA**

Bob Hanvey asked to have the Buck Pole item moved to the top of the agenda. Tammy Beal motioned to approve the agenda as amended. Paula Wyckoff seconded. **Motion carried 7-0.**

**CONSENT AGENDA**

Les Andersen motioned to approve the consent agenda. Paula Wyckoff seconded.

**Motion carried 7-0.**

**BUCK POLE**

Aaron Regner presented his plans for the buck pole to the board members. Mr. Regner is working to become an Eagle Scout and this would be his service project. Copies of the design and a timeline were included for the board's review. Cheryl Range, 4899 W Coon Lake Rd., suggested the fundraiser information be added to the township's website.

Jack Lowe, 345 Woodcreek Dr., said there is an access problem in the front. He is suggesting the buck pole be constructed so that it can be disassembled on an annual basis. Charlie Musson and Jack Lowe will work with Mr. Regner on this project. Tammy Beal motioned to approve the buck pole project as presented. Paula Wyckoff seconded. **Motion carried 7-0.**

**FINAL REVIEW OF TXT #03-08: SECTION 6.17—INFRASTRUCTURE AND CONCURRENCY STANDARDS AND PROPOSED GENERAL ORDINANCE FOR STORMWATER MANAGEMENT WITH MAINTENANCE AGREEMENT**

Les Andersen motioned to approve TXT #03-08 zoning ordinance as presented. Tammy Beal seconded. **Motion carried 7-0.** Tammy Beal motioned to approve the Storm Water Management general ordinance as presented. Paula Wyckoff seconded. **Motion carried 7-0.** Bob Harvey said both of these ordinances need to be published (**AI #1.**)

**BUDGET**

Budget revisions are included in the packet. Scott Lloyd asked about the amount for state revenue sharing and health care. Les Andersen discussed road projects, and passed out estimates from the road commission to review before the next meeting. Bob Harvey also provided the board members with a copy of the county allocation budget.

**HEALTH INSURANCE**

Tammy Beal said the representative from Burnham & Flower will make a presentation to staff and board members on April 23 at 6:00 p.m.

**TORNADO SIRENS**

There is one siren in the new budget. This item will be discussed during the budget approval process.

**RED FLAG POLICY**

A sample policy from Genoa Township is included in the packet. Tammy Beal motioned to accept the Genoa Township Red Flag Policy in connection with collection of sewer money. A similar policy will be provided at the next meeting for Marion Township (**AI #2.**) Paula Wyckoff seconded. **Motion carried 7-0.**

**PARK COMMITTEE**

Paula Wyckoff noted that the next meeting date in the minutes provided should be April 28.

**MARION RETAIL CENTER**

Phil Westmoreland and Dan Lowe updated the board on this project. Barney Cole, 918 Francis Road, asked who pays for the repairs. Bob Harvey said the developer. Mr. Harvey said the calculations on flow need to be determined, and will work on that with Dan Lowe and Phil Westmoreland (**AI #3.**)

**MARION TOWNSHIP PARK #2 PROPERTY**

Bob Harvey updated the board members on the progress of this project.

**FLEXIBLE SAVINGS ACCOUNTS**

Tammy Beal handed out information on the FSA. The Burnham & Flower representative will answer any questions on this program at the next meeting.

**CORRESPONDENCE/UPDATES**

The board members were reminded that the Burnham & Flower representative will make a presentation on April 23 at 6:00 p.m.

Information on a Low Impact Development Discussion at Green Oak Township Hall will be held on April 30 from 7:00-8:30 p.m. A hearing for Chestnut is scheduled for Monday, April 13 at 1:30 p.m. Paula Wyckoff provided a copy of an email from Livingston County Planning regarding her favorable impression of Marion Township Park #1.

**CALL TO THE PUBLIC**

Charlie Musson, 333 Triangle Lake Road, asked for clarification on his role working with Aaron Regner on the buck pole. Barney Cole, 918 Francis Road, expressed his dissatisfaction with Charter Communications. Cheryl Range, 4899 W. Coon Lake Road, said she has been on the Board of Review for many years and in her experience, the assessor is one of the best and most thorough that she’s worked with. John Lowe, 345 Woodcreek Drive, said he’s waiting for an opinion from Mike Kehoe on the bid scenario Marion Township Park #2. Mr. Lowe would like the bidding to be by invitation only. Advertising and bid specifications for a job of this size would cost more than the project itself. Phil Westmoreland said the City of Lansing has language in the bid packet that local businesses will be given preference. Tammy Beal motioned to hire John Lowe as the project manager for the township property cleanup. Paula Wyckoff seconded. Roll call vote: Lowe—yes; Lloyd—no; Beal—yes; Hanvey—yes; Wyckoff—yes; Andersen—no; Hodge—no. **Motion carried 4-3.** Les Andersen and Scott Lloyd said their “no” votes aren’t because they don’t want Mr. Lowe as project manager.

**ADJOURNMENT**

Tammy Beal motioned to adjourn at 8:25 p.m. Paula Wyckoff seconded. **Motion carried 7-0.**

**MINUTES - APRIL 23, 2009**

**MEMBERS PRESENT:** Bob Hanvey, Paula Wyckoff, Tammy Beal, Les Andersen, Travis Hodge, Scott Lloyd, and Dan Lowe

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Phil Westmoreland, OHM

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**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:00 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

None.

**APPROVAL OF AGENDA**

Bob Hanvey asked to have the item on Marion Retail Center follow the health insurance discussion. Tammy Beal motioned to approve the agenda as amended. Travis Hodge seconded.

**Motion carried 7-0.**

**CONSENT AGENDA**

Paula Wyckoff motioned to approve the consent agenda. Travis Hodge seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Motion carried 7-0.**

**HEALTH INSURANCE**

Tammy Beal motioned to approve Blue Cross/Blue Shield Community Blue PPO #12 as presented by Burnham & Flower, effective June 1, 2009. Paula Wyckoff seconded. Roll call vote: Wyckoff—yes; Hodge—yes; Hanvey—yes; Lloyd—yes; Beal—yes; Andersen—no; Lowe—yes. **Motion carried 6-1.**

Tammy Beal motioned to change the office visit and chiropractic co-pays to \$10, and the prescription co-pay to \$10/\$25. Travis Hodge seconded. Roll call vote: Beal—yes; Andersen—no; Hodge—yes; Wyckoff—yes; Lowe—yes; Hanvey—yes; Lloyd—yes. **Motion carried 6-1.**



### **MARION RETAIL CENTER**

Phil Westmoreland updated the board members on this project. Bob Hanvey said there was a recent overflow and a cleaning needs to be done as soon as possible. An estimate from Advanced Underground is included in the packet. Mike Powell was present on behalf of the developer, George Jappaya. Mr. Powell said they are pursuing reimbursement from C.D. Cole's insurance company for the repair work. They would like to request the township's assistance by documenting costs and having OHM write a letter. Mr. Jappaya declined to do the cleaning at this point in time. Les Andersen motioned to authorize the City of Howell to have Advanced Underground do the work, as outlined in the estimate, as soon as possible. The cleaning should be done up to the point where it was cleaned last, videotaped at that point, and proceed only if necessary. Travis Hodge seconded. Discussion: Dan Lowe will follow-up with the City of Howell (AI #1.) Roll call vote: Hanvey, Lowe, Wyckoff, Beal, Lloyd, Hodge, Andersen—all yes.

**Motion carried 7-0.** Mike Powell will work with the township to recover the money. Dan Lowe motioned to send a bill to George Jappaya to include costs incurred as a result of manhole settlement, plus OHM expenses, and support the effort to recover funds from C.D. Cole. Les Andersen seconded. Roll call vote: Hodge, Beal, Andersen, Lowe, Hanvey, Lloyd, Wyckoff—all yes. **Motion carried 7-0.**

### **FLEXIBLE SAVINGS ACCOUNT**

Tammy Beal reminded the board members that this information is due by Monday, April 27. There is a waiver to be signed for those who don't wish to participate. She also passed out a survey regarding prescription drugs.

### **BUDGET**

Bob Hanvey updated the board members on this item and asked for any additional input.

### **TOWNSHIP ROAD PROJECTS**

An estimate from the Livingston County Road Commission is included in the packets. Dan Lowe said he believes that County Farm Road needs to have some ditching and drainage work done, and wait until next year for the repairs. After discussion, the board will request estimates for ditching and also get estimates for limestone on Triangle Lake Road between South Oaks and Pinckney Road.

### **RED FLAG POLICY**

Paula Wyckoff motioned to approve the Marion Township Identity Theft Prevention Program policy and procedure as presented. Tammy Beal seconded. **Motion carried 7-0.**

### **CEMETERY PRESERVATION COMMITTEE**

Les Andersen motioned to approve the volunteers selected for officer positions on the Cemetery Preservation Committee. Paula Wyckoff seconded. **Motion carried 7-0.**

### **HERITAGE DAYS**

Paula Wyckoff motioned to approve the volunteers selected for officer positions on the Heritage Days Committee. Travis Hodge seconded. **Motion carried 7-0.**

### **BUCK POLE**

Tammy Beal motioned to table this item until more information is presented. Paula Wyckoff seconded. **Motion carried 7-0.**

### **MARION TOWNSHIP PARK #2 PROPERTY**

Bob Hanvey updated the board members on the progress of this item. The township is also seeking permission to use the parcel adjacent to the township hall property for expanded parking for the steam engine show.

### **CORRESPONDENCE/UPDATES**

A letter is included in the packet from Jack Lowe asking for approval to have perk tests done, drain field system evaluation at Parker Drive, and to remove trees behind the township hall.

Tammy Beal motioned to authorize the work proposed by Jack Lowe, not to exceed \$250. Paula Wyckoff seconded. Roll call vote: Lowe, Wyckoff, Lloyd, Hodge, Andersen, Beal, Hanvey—all yes. **Motion carried 7-0.**

Bob Hanvey said he talked with the attorney about bidding procedures and the attorney said bids solicited by invitation are acceptable. Tammy Beal motioned to authorize Jack Lowe to solicit bids not to exceed \$3000 for clean-up of the fence row and stumps, and buck pole tree removal. Les Andersen seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Motion carried 7-0.**

Mr. Hanvey updated the board members on the Herren case and said a court date is scheduled for April 12, 2010. Mr. Hanvey said he talked with an appraiser regarding the Highland property. Dan Lowe asked Mr. Hanvey if he received information from the attorney regarding the storm water program. Mr. Hanvey said he hasn't heard anything yet. Mr. Lowe feels there's no sense in participating and Mr. Hanvey said he feels it's worthwhile.

**CALL TO THE PUBLIC**

Barney Cole, 918 Francis Road, said he would like the township to consider Francis Road for repairs. Dan Lowe said he will evaluate and report back to the board (**AI #2.**) Mr. Cole also asked if road repair is included in the amount to be paid by Marion Retail Center. Mr. Hanvey said the Livingston County Road Commission is aware of the situation and there is a bond with the Drain Commission to ensure to integrity of the drains.

**ADJOURNMENT**

Les Andersen motioned to adjourn at 8:35 p.m. Travis Hodge seconded. **Motion carried 7-0.**

**Minutes - MAY 14, 2009**

**MEMBERS PRESENT:** Bob Hanvey, Paula Wyckoff, Tammy Beal, Les Andersen, Travis Hodge, Scott Lloyd, and Dan Lowe

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Phil Westmoreland, OHM

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**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:00 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

None.

**APPROVAL OF AGENDA**

Tammy Beal asked to have Liability Insurance added to agenda as item #17. Les Andersen motioned to approve the agenda as amended. Travis Hodge seconded. **Motion carried 7-0.**

**CONSENT AGENDA**

Paula Wyckoff motioned to approve the consent agenda. Tammy Beal seconded.

**Motion carried 7-0.**

**HOMETOWN VILLAGE OF MARION**

Wendy Donovan, 1300 Hudson Drive, wants to know who owns phase III and if they are responsible for the construction material clean up. There are piles of concrete left and the children are playing on the pile, there is concern for the children's safety. Bob Hanvey told her the lots are owned by the bank and the large 27 acre parcel is owned by the State of Michigan. He asked Dan Lowe if Fonson's would process the concrete. Dan Lowe said yes, it would cost

approximately two to three thousand dollars. The Hometown Homeowners Association is also concerned with illegal dumping at the west end of the site. There was extensive discussion on how to get the concrete removed and who would pay for the removal. Bob Hanvey explained the situation regarding the Homeowners Association taking Marion Township to the State of Michigan Tax Tribunal and the repercussions. The group decided to gather more information and come back before the Board of Trustees in the next couple of weeks.

John Mischi, 4512 Cedar Lake Road, asked if the Hagler violation was included in the consent agenda motion. Bob Hanvey said yes.

### **MARION RETAIL CENTER**

Phil Westmoreland updated the board members on this project. Advanced has not completed the cleaning so there is no final bill.

### **BUDGET**

Bob Hanvey updated the board members on this item and asked for any additional input.

### **TOWNSHIP ROAD PROJECTS**

The Board of Trustees received a copy of the bid for Triangle Lake Road and LCRC traffic counts. Les Andersen told the Board that Tim Johnson, LCRC, suggested the order of brine applications as Triangle Lake Road first, Keddle Road second and Sexton Road third.

The Board of Trustees asked Phil Westmoreland to get bids for the County Farm Road repaving. Les Andersen motioned to approve the first application of brine. Scott Lloyd seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Motion carried 7-0.**

**PROPOSED TXT# 07-08 SECTION 3.02 DEFINITIONS OF FRONT YARD (CORNER LOT FRONTAGE REQUIREMENTS)** Bob Hanvey asked the Board of Trustees if they had any comments. None heard. Les Andersen motioned to approve Section 3.02 Definition of Front Yard. Tammy Beal seconded. **Motion carried 7-0.**

**PROPOSED TXT# 01-09 SECTION 11.01 B # 7 USES PERMITTED IN PUBLIC LAND DISTRICT** Bob Hanvey asked the Board of Trustees if they had any comments. None heard. Les Andersen motioned to approve Section 11.01 B #7 Uses Permitted in Public Land District. Tammy Beal seconded. **Motion carried 7-0.**

**PROPOSED TXT# 02-09 SECTION 7.10 SCHEDULE OF REGULATIONS FOOTNOTE 'e' (CORNER LOT FRONTAGE REQUIREMENTS)** Bob Hanvey asked the Board of Trustees if they had any comments. None heard. Scott Lloyd motioned to approve Section 7.10 Schedule of Regulations Footnote 'e' Definition of Front Yard amendment. Paula Wyckoff seconded. **Motion carried 7-0.**

### **PROPOSED PUBLIC LAND REZONING RZN# 08-08 THRU #14-08**

Dan Lowe objects to the rezoning of the Howell Public Schools property. No one knows what will be done on that property in the future and it is better to leave it as a non-conforming use. Paula Wyckoff motioned to approve RZN# 08-08 thru 13-08. Dan Lowe seconded. Roll call vote: Wyckoff, Hodge, Hanvey, Lloyd, Beal, Andersen, Lowe—all yes. **Motion carried 7-0.**

Les Andersen motioned to approve RZN# 14-08. Tammy Beal seconded. Roll call vote: Beal-yes, Andersen-yes, Hodge-yes, Paula-yes, Lowe-no, Hanvey-yes, Lloyd-yes.

**Motion carried 6-1.**

### **MARION TOWNSHIP PARK COMMITTEE (OFFICERS & VOLUNTEERS)**

Les Andersen motioned to approve Charles Musson as Chair, Beth Schrader as Co-Chair and Paula Wyckoff as Secretary. Travis Hodge seconded. **Motion carried 7-0.**

### **PARK PROJECTS PRIORITIES/BUDGET**

Scott Lloyd motioned to approve \$8,000 for Marion Township Park #1. Paula Wyckoff seconded. Roll call vote: Hanvey, Lowe, Wyckoff, Beal, Lloyd, Hodge, Andersen – all yes.

**Motion carried 7-0.** Travis Hodge motioned to have the advisory committee pursue a site plan, parking lot, pavilion and play equipment. Les Andersen seconded. **Motion carried 7-0.**

**WATERSHED INTERGOVERNMENTAL AGREEMENT**

Bob Hanvey told the Board of Trustees that Mike Kehoe suggested don't sign the agreement, Marion Township can still participate. Bob Hanvey asked the Board if they had any comments. None heard.

**PARKING LOT RESEALING**

Bob Hanvey suggested they wait until after the Heritage Festival.

**FEMA UPDATE**

Dan Lowe called Mr. Fahey and found out the mapping firm has been fired for incompetence and they have been inundated with complaints. He filled out a Letter of Map Amendment and FEMA turned him down. Jack Lowe, Woodcreek, said this letter reinforces what he said in the beginning. Since we joined they can expand their jurisdiction to cover every lake owner. They couldn't expand if Marion Township had not joined. Bob Hanvey noted a bi-annual report is attached.

**WORK CREW**

Bob Hanvey said there was not enough interest.

**LIABILITY**

The following volunteers will be added to the Marion Township policy for June 13, 2009 and June 14, 2009: Howard Manson, Brian Manson, John Manson, Will Manson, Josh Manson, George and Nancy Mitroka, and Ryan Lloyd.

**CORRESPONDENCE/UPDATES**

Mentors are needed for juvenile offenders.

Bob Hanvey said there are concerns about the water quality for the site excavation on Amos Road. Bob took samples to the Health Department and the results will be back in a week. Judge Pikkarainen approved \$6,000 for expert witnesses. Marion Township can appeal or take the money. There is some confusion regarding the appeal by Meyers and it may be extended. There is a deposition for the appraisers in June for the Highland case. HAPRA met at the Marion Township hall Monday night. Heritage Days meeting will be held at the Marion Township hall on Monday, May 18<sup>th</sup>. Charles Musson, 333 Triangle Lake Road: Aaron Regner presented the Buck Pole design and he needs to know the size of the sleeve inserts; we can let him know at the next meeting. MPSC is now in charge of cable complaints. Hometown filed an MTT appeal and we must submit in 21 days. This will be a full tribunal case and the Board of Trustees should decide if they want Attorney Goodman or Mike Kehoe. Dan Lowe motioned to hire Mike Kehoe for the primary Hometown tribunal case with Mr. Goodman as needed. Bob Hanvey seconded. Roll call vote – Hodge, Beal, Andersen, Lowe, Hanvey, Lloyd, Wyckoff – all yes.

**Motion carried 7-0.**

**CALL TO THE PUBLIC**

None heard.

**ADJOURNMENT**

Scott Lloyd motioned to adjourn at 9:40 p.m. Les Andersen seconded. **Motion carried 7-0.**

**MINUTES - MAY 28, 2009**

**MEMBERS PRESENT:** Bob Hanvey, Paula Wyckoff, Tammy Beal, Les Andersen, Travis Hodge, Scott Lloyd, and Dan Lowe  
**MEMBERS ABSENT:** None  
**OTHERS PRESENT:** Phil Westmoreland, OHM

### **CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:00 p.m.

### **PLEDGE TO FLAG**

### **BOARD MEMBERS PRESENT**

The board members introduced themselves.

### **CALL TO THE PUBLIC**

None.

### **APPROVAL OF AGENDA**

Bob Hanvey asked to include MHOG with the Hometown Village agenda item. Tammy Beal motioned to approve the agenda as amended. Paula Wyckoff seconded. **Motion carried 7-0.**

### **CONSENT AGENDA**

Les Andersen said the minutes from April 28 should use the word "limestone" instead of "brine" (Township Road Projects, page 2, paragraph 2.) Les Andersen motioned to approve the consent agenda. Travis Hodge seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Motion carried 7-0.**

### **HOMETOWN VILLAGE/MHOG**

Bob Hanvey updated the board members on the scrap concrete pile situation. He sent an aerial photo to the bank, and Paula Wyckoff also talked with them. They've received two bids and are waiting for approval. Bob Hanvey updated the board members on the water tower sites. The Hometown Village site was not appropriate from an engineering standpoint, and the cost to put it on the Eagles' property was too high. Mr. Hanvey said there are lots in Copperfield, adjacent to the Eagles' site, that are up for tax sale. He explained the process and the steps involved. He feels it would be best to bid the refusal price of \$27,500. Dan Lowe said he thinks the township only needs lots 29 and 30, and there is no fall zone for water towers

### **MARION RETAIL CENTER**

Correspondence from Powell Engineering and OHM is included in the packet.

### **MARION OAKS**

Correspondence from Marion Oaks Development is included in the packet. They requested a Farmland Exemption for the property. They missed the deadline for 2009.

### **PREMIER FARMS WATER TEST**

Water test information for this site from MHOG is included in the packet.

### **BUDGET**

Updated revenue sharing information is included in the packet. The budget public hearing will be held at the next board meeting. The Livingston County Allocation Board granted 1.3 mils, .825 after the Headlee reduction.

### **ROAD PROJECTS**

Phil Westmoreland said he should have amounts for County Farm paving project by early next week. Tammy Beal said that Barney Cole asked whether the township had looked at Francis Road. Dan Lowe said he felt it just needed regrading. He also said that Tim Johnson said they have four days scheduled for ditching on County Farm.

### **TOWNSHIP PARK #2 PROPERTY**

Tammy Beal said two proposals for the driveway work have been received, and we're waiting for one more. John Lowe said the cost should be between \$6,000-7,000. Les Andersen motioned to authorize John Lowe to arrange to have the park driveway work done by the lowest of the three bidders. Tammy Beal seconded. Roll call vote: Wyckoff, Hodge, Hanvey, Lloyd, Beal, Andersen, Lowe—all yes. **Motion carried 7-0.**

**HUNTER'S SAFETY CLASS**

Tammy Beal motioned to allow HAPRA to use the township hall for 2009. Les Andersen seconded. **Motion carried 7-0.**

**CHESTNUT**

Bob Hanvey updated the board members on the status of this item. He also updated the board on Highland.

**PLANNING COMMISSION APPOINTMENT**

Bob Hanvey recommended that the board appoint Jean Root to a three-year term on the Planning Commission. Tammy Beal motioned to approve Bob Hanvey's recommendation to appoint Jean Root to the Planning Commission for a three-year term ending May 2012. Les Andersen seconded. **Motion carried 7-0.**

**PARKING LOT RESEALING**

Tammy Beal said the work is scheduled for the Friday after Heritage Days. It was discussed that some overbanding is needed. Les Andersen motioned to authorize \$2,000 for overbanding of parking lot. Phil Westmoreland will mark, and check the price per foot. Travis Hodge seconded. Dan Lowe said Phil should check the price per foot from last year. Roll call vote: Beal, Andersen, Hodge, Wyckoff, Lowe, Hanvey, Lloyd. **Motion carried 7-0.**

**CORRESPONDENCE/UPDATES**

**CALL TO THE PUBLIC**

Information on the recent electronic recycling event from the county's DPW/Solid Waste Coordinator is included in the packet. Tammy Beal reminded everyone that the new health insurance is effective June 15, 2009.

**ADJOURNMENT**

Travis Hodge motioned to adjourn at 8:00 p.m. Les Andersen seconded. **Motion carried 7-0.**

**MINUTES - JUNE 11, 2009**

**MEMBERS PRESENT:** Bob Hanvey, Paula Wyckoff, Dan Lowe, Scott Lloyd, Tammy Beal, Les Andersen, and Travis Hodge

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Phil Westmoreland, OHM  
Chris Arsenault, Pfeffer, Hanniford & Palka

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**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:06 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

**APPROVAL OF AGENDA**

Bob Hanvey asked to have Marion Oaks added as item #21. Les Andersen motioned to approve the agenda as amended. Paula Wyckoff seconded. **Motion carried 7-0.**

**CONSENT AGENDA**

Tammy Beal motioned to approve the consent agenda. Les Andersen seconded.

**Motion carried 7-0.**

**PUBLIC HEARING—TRUTH IN TAXATION MILLAGE RATE (0.8216)**

Bob Hanvey opened the public hearing. The millage rate is the same as last year, 0.8216.

This is the amount authorized by the county's Allocation Board. Bob Hanvey closed the public hearing on the millage rate.

**PUBLIC HEARING—2009-2010 BUDGET**

Bob Hanvey opened the public hearing for the 2009-2010 budget. Bruce Love, Cedar Lake Road, asked who makes up the budget. Mr. Hanvey said the supervisor, clerk and treasurer. The proposed budgets are passed out to the trustees for review and comment. Mr. Love said he thinks the trustee salaries should be lowered now that there are two additional trustees, and the salaries have stayed the same. Mr Hanvey said the voters elected to have two additional trustees. Dan Lowe said he agrees that four trustees are unnecessary, but it can't be changed. Dutch Weber, 3072 Cedar Lake Road, said the board can vote to not pay fringe benefits or make trustees participate in the cost. Les Andersen said the township has changed health insurance policies and everyone does pay a portion of the premium. The budget public hearing was closed at 7:59 p.m.

**APPROVAL OF MILLAGE RATE**

Tammy Beal motioned to adopt a resolution to set the 2009-2010 millage rate at 0.8216. Travis Hodge seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Resolution passed 7-0.**

**ADOPT/AMEND 2008-09 BUDGET**

Les Andersen motioned to table approval of budgets until the next meeting. Dan Lowe seconded. **Motion carried 7-0.**

**APPROVAL OF 2009-2010 BUDGET**

The amended 2009-2010 budget will be presented at the June 25, 2009 meeting.

**PLANNING COMMISSION BUDGET**

Public Act 33 requires the Planning Commission to prepare a budget. Bob Hanvey asked what work beyond the retainer fee the township planner should be asked to do. Travis Hodge motioned to have work by the consultant put before the township board for approval. Paula Wyckoff seconded. **Motion carried 7-0.**

**PUMP STATIONS**

Travis Hodge motioned to install 3-phase monitors at the remaining pump stations. Les Andersen seconded. Roll call vote: Wyckoff, Hodge, Hanvey, Lloyd, Beal, Andersen, Lowe—all yes. **Motion carried 7-0.**

**MEETING SCHEDULE/HOLIDAY HOURS**

Tammy Beal motioned to allow employees to choose either July 2 or July 6 as the paid holiday; employees will work 24 hours and be paid for 32 hours for one of the weeks. Travis Hodge seconded. **Motion carried 7-0.**

Dan Lowe motioned to have the Board of Trustees meetings begin at 7:30 p.m. and approve the remainder of the schedule as presented. Scott Lloyd seconded. Roll call vote: Beal—no; Andersen—yes; Hodge—no; Wyckoff—no; Lowe—yes; Hanvey—yes; Lloyd—yes.

**Motion carried 4-3.**

**CELL TOWER TREES**

Dan Lowe said the zoning administrator asked him to discuss this item with the board. The trees surrounding the cell tower are dead and she's been unable to get them to cooperate. Bob Hanvey said he will contact them (**AI #1.**)

**MARION RETAIL CENTER**

A status update from the Livingston County Road Commission is included in the packet.

**HOMETOWN VILLAGE**

Dan Lowe talked with the bank and said they don't care whether the township and/or neighbors

want the concrete cleaned up. Bob Hanvey said he would call them (**AI #2.**) Mr. Hanvey also said the township has filed a response to the tribunal, but it's not scheduled yet.

#### **TOWNSHIP ROADS**

Barney Cole, 918 Francis Road, asked about having repairs done on his road. He said when the road was done, it wasn't done to specifications. Les Andersen said the Road Commission feels there are other roads, such as Triangle Lake, Sexton and Keddle, that have a higher priority. Charlie Musson, 333 Triangle Lake Road, said his road was dusty immediately after the dust control application. Les Andersen motioned to have an additional dust control treatment on Triangle Lake Road from South Oaks to D-19. Paula Wyckoff seconded. Roll call vote: Hanvey, Lowe, Wyckoff, Beal, Lloyd, Hodge, Andersen—all yes. **Motion carried 7-0.**

#### **PARKING LOT RESEALING**

Phil Westmoreland said the township paid \$825 last year for crack overbanding. The price is the same as last year, 1500 feet at 55 cents per foot. Dan Lowe authorized Phil Westmoreland to have overbanding done for \$825 and to negotiate a price for resealing. Les Andersen seconded. **Motion carried 7-0.**

#### **LIQUOR LICENSE TRANSFER**

Tammy Beal said there is a letter from the Michigan Liquor Control Commission regarding the transfer of a liquor license from Big John, Inc. (Howell Party Store) to J.K. Blessings, Inc. (Jonna's.) No action is required by the board.

#### **TOWNSHIP PARK #2 PROPERTY**

Paula Wyckoff said the road has been finished and is ready for Heritage Days.

#### **HERITAGE DAYS**

Tammy Beal said Heritage Days is this weekend and she still needs volunteers for Saturday and Sunday mornings. Les Andersen volunteered to work on Sunday morning.

#### **JUNE 1, 2009 ZBA REPORT**

Dan Lowe said the Zoning Board of Appeals heard one variance request for a pole barn in a front yard. Due to the location of the house and topography, the variance request was granted. Brent Walker, 2050 Fisk Road, said he wants to build a front porch, but cannot meet the setback requirements. The porch will cost approximately \$500 and he feels the \$400 application fee is too steep. Mr. Hanvey said that while he feels Mr. Walker's request is reasonable, the statute doesn't allow any board but the ZBA to grant a variance. The board discussed various options. Travis Hodge suggested having the ZBA meet twice a year with no application fee—those who wanted to wait for the "free" meeting could do so. Board members didn't feel that basing the cost of the application on the cost of the project could be done.

#### **MARION OAKS**

A copy of a letter from the township attorney to Thomas Kalas is included in the packet. The attorney suggested language for an amendment to the consent judgment. Paula Wyckoff motioned to authorize the supervisor and clerk to sign an amendment to the consent judgment if Marion Oaks agrees to the terms. Les Andersen seconded. **Motion carried 7-0.**

#### **CORRESPONDENCE/UPDATES**

A letter from SEMCOG is included in the packet asking for comment on a project submitted by the Livingston County Sheriff's Department. Chestnut's motion for an extension to file was granted. Bob Hanvey said he attended two days of depositions on Highland to prepare for the hearing on July 7-9. The next board packet will be available on June 22.

#### **CALL TO THE PUBLIC**

Les Andersen said the MTA newsletter had an interesting article on Delhi Township.

#### **ADJOURNMENT**

Les Andersen motioned to adjourn at 9:53 p.m. Paula Wyckoff seconded. **Motion carried 7-0**



**MINUTES - JUNE 25, 2009**

**MEMBERS PRESENT:** Bob Hanvey, Paula Wyckoff, Dan Lowe, Scott Lloyd, Les Andersen, and Travis Hodge

**MEMBERS ABSENT:** Tammy Beal

**OTHERS PRESENT:** Phil Westmoreland, OHM  
Chris Arsenault, Pfeffer, Hanniford & Palka  
Annette McNamara, Zoning Administrator

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**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:02 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT:** The board members introduced themselves.

**CALL TO THE PUBLIC**

Kristina Lovrenich, 596 Hewitt, was present to request that the board enforce the bylaws for Sunridge with regard to sidewalks and trees. She said the developer (Mitch Harris) refuses to comply. She has contacted the Michigan Attorney General, whose office said the township should enforce the restrictions for the common areas. Andrew Lovrenich, 596 Hewitt, said Mitch Harris won't turn the association over to the homeowners, and he's collecting association dues of approximately \$22,000. The dues money should be used for the development; however, services have decreased. Dan Lowe suggested the homeowners set up an escrow account for association dues rather than send it to Mitch Harris. Mr. Lovrenich said they've only just received a copy of the 2008 budget; dues are paid yearly in January. Mrs. Lovrenich said the entranceway isn't mowed and the grass is very tall. Les Andersen related a similar incident in Oceola Township and said the advice the residents were given there was to hire an attorney. Bob Hanvey said the township could have influence on trees in the common area, but not the individual parcels. Dan Lowe motioned to withhold future land use permits for Sunridge until the sidewalks in the open space that are required according to the PUD agreement are in place, and the trees in the common areas are planted. Les Andersen seconded. **Motion carried 6-0.**

**APPROVAL OF AGENDA**

Bob Hanvey asked to have Parks Approvals added as item #21, and MDA Fundraiser as item #22. Les Andersen motioned to approve the agenda as amended. Paula Wyckoff seconded. **Motion carried 6-0.**

**CONSENT AGENDA**

Travis Hodge motioned to approve the consent agenda. Paula Wyckoff seconded. Roll call vote: Lowe, Lloyd, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Motion carried 6-0.**

**ADOPT/AMEND 2008-09 BUDGET**

Les Andersen motioned to adopt a resolution approving the 2008-09 General Fund budget amendments by activity. Paula Wyckoff seconded. Roll call vote: Wyckoff, Hodge, Hanvey, Lloyd, Andersen, Lowe—all yes. **Resolution passed 6-0.**

**APPROVAL OF 2009-2010 GENERAL FUND BUDGET**

Scott Lloyd motioned to adopt a resolution to approve the General Fund proposed budget for fiscal year 2009-2010 by activity. Les Andersen seconded. Roll call vote: Andersen, Hodge, Wyckoff, Lowe, Hanvey, Lloyd—all yes. **Resolution passed 6-0.**

**APPROVAL OF 2009-2010 MISCELLANEOUS BUDGETS**

Water Special Revenue Fund: Travis Hodge motioned to adopt a resolution to approve the Water Special Revenue Fund proposed budget for fiscal year 2009-2010 by activity. Les

Andersen seconded. Roll call vote: Hanvey, Lowe, Wyckoff, Lloyd, Hodge, Andersen—all yes.

**Resolution passed 6-0.**

Water New User: Scott Lloyd motioned to adopt a resolution to approve the Water New User proposed budget for fiscal year 2009-2010 by activity. Paula Wyckoff seconded. Roll call vote: Hodge, Andersen, Lowe, Hanvey, Lloyd, Wyckoff—all yes. **Resolution passed 6-0.**

Sewer Fund: Scott Lloyd motioned to adopt a resolution to approve the Sewer Fund proposed budget for fiscal year 2009-2010 by activity. Travis Hodge seconded. Roll call vote: Lowe, Wyckoff, Lloyd, Hodge, Andersen, Hanvey—all yes. **Resolution passed 6-0.**

Cemetery Fund: Travis Hodge motioned to adopt a resolution to approve the Cemetery Fund proposed budget for fiscal year 2009-2010 by activity. Paula Wyckoff seconded. Roll call vote: Lowe, Lloyd, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Resolution passed 6-0.**

Private Road Fund: Les Andersen motioned to adopt a resolution to approve the Private Road Fund proposed budget for fiscal year 2009-2010 by activity. Scott Lloyd seconded. Roll call vote: Wyckoff, Hodge, Hanvey, Lloyd, Andersen, Lowe—all yes. **Resolution passed 6-0.**

Parks Fund: Paula Wyckoff motioned to adopt a resolution to approve the Parks Fund proposed budget for fiscal year 2009-2010 by activity. Les Andersen seconded. Roll call vote: Andersen, Hodge, Wyckoff, Lowe, Hanvey, Lloyd—all yes. **Resolution passed 6-0.**

Flexible Savings Plan: Paula Wyckoff motioned to adopt a resolution to approve the Flexible Savings Plan proposed budget for fiscal year 2009-2010 by activity. Scott Lloyd seconded. Roll call vote: Hanvey, Lowe, Wyckoff, Lloyd, Hodge, Andersen—all yes. **Resolution passed 6-0.**

**MARION RETAIL CENTER**

Phil Westmoreland said the township needs to verify that the manhole that was leaking has been fixed—he will have it checked next week. The other three items that are required are bolt down the covers, TV the line, and get a maintenance/guarantee bond. Mr. Westmoreland said it should probably be cleaned from the drain to Francis Road. Bob Hanvey said the usage is still 20% higher than it should be. Northline felt they might have a problem getting a bond; John Lowe said that Mr. Jappaya can get the bond. Mr. Hanvey also said a paving project contractor came to the office to discuss a change in the site plan. The Livingston County Road Commission is not happy with the runoff. Mr. Hanvey will also talk with Pat Gibbons regarding the seal at the Peavy pump station (**AI #1**).

**TOWNSHIP ROADS**

Les Andersen motioned to authorize Phil Westmoreland to talk with the Livingston County Road Commission about the County Farm Road project. Travis Hodge seconded. **Motion carried 6-0**

**TOWNSHIP SALARIES**

Les Andersen motioned to adopt a resolution approving the Supervisor's salary of \$33,300. Paula Wyckoff seconded. Roll call vote: Hodge, Andersen, Lowe, Hanvey, Lloyd, Wyckoff—all yes. **Resolution passed 6-0.**

Paula Wyckoff motioned to adopt a resolution approving the Clerk's salary of \$33,300. Les Andersen seconded. Roll call vote: Lowe, Wyckoff, Lloyd, Hodge, Andersen, Hanvey—all yes. **Resolution passed 6-0.**

Scott Lloyd motioned to adopt a resolution approving the Treasurer's salary of \$33,300. Travis Hodge seconded. Roll call vote: Lowe, Lloyd, Hanvey, Wyckoff, Andersen, Hodge—all yes.

**Resolution passed 6-0.**

Bob Hanvey motioned to adopt a resolution approving an annual salary of \$7,416 for each of the four trustees. Paula Wyckoff seconded. Roll call vote: Wyckoff, Andersen, Hodge, Hanvey, Lloyd, Lowe—all yes. **Resolution passed 6-0.**

Les Andersen motioned to adopt a resolution approving staff salaries as provided in handout. Paula Wyckoff seconded. Roll call vote: Andersen—yes; Hanvey—yes; Lloyd—yes; Lowe—no; Hodge—yes; Wyckoff—yes. **Resolution passed 5-1.**

#### **REIMBURSEMENT FOR EMPLOYEES NOT TAKING INSURANCE**

Les Andersen motioned to adopt a resolution to keep the opt-out reimbursement at the same amount and to amend the handbook verbiage and review annually. Paula Wyckoff seconded. Roll call vote: Hanvey—yes; Lowe—yes; Wyckoff—yes; Lloyd—no; Hodge—no; Andersen—yes. **Resolution passed 4-2.**

#### **PRELIMINARY REVIEW OF TXT #06-08—SECTION 6.07: ACCESSORY USES AND STRUCTURES**

Annette McNamara said if preliminary approval is granted, the language will be sent to the county for review and comment. It will come back to the township board for final approval. Paula Wyckoff motioned to send TXT #06-08 to the Livingston County Planning Department for review and comment. Les Andersen seconded. **Motion carried 6-0.**

#### **CELL TOWER TREES**

Bob Hanvey and Dan Lowe met with an attorney representing AT&T and the trees have been replaced. Bob Hanvey took pictures of some of the trees that aren't tall enough and are not planted properly. Dan Lowe said he spoke with the attorney and discussed \$350 per tree.

#### **HOMETOWN VILLAGE**

The concrete has been removed. Dan Lowe attended a portion of the HVM homeowner's meeting this week. Bob Hanvey met with the representative who said they would withdraw the MTT case—nothing's been heard from the tribunal. Mr. Hanvey said Phase 3 is up for right of refusal purchase for the township in July, and the public auction is July 22. The minimum bid at public auction is \$370,000; almost all of it is interest and principal on sewer and water special assessments. He feels the township should bid the minimum amount. Mr. Lowe asked if there would be association dues on the 95 lots. Mr. Hanvey said he's not sure.

#### **MARION OAKS**

Bob Hanvey reported that nothing's been heard from the attorney. The Wilsons are cutting the hay.

#### **PRIVATE ROAD SAD INTEREST RATES**

Travis Hodge motioned to reduce the Love's Creek SAD interest rate from 8% to 5%. Paula Wyckoff seconded. Roll call vote: Hodge—yes; Lloyd—abstained (owns two lots); Lowe—yes; Wyckoff—yes; Hanvey—yes; Andersen—yes. **Motion carried 5-0 (1 abstention.)**

Les Andersen motioned to reduce Brent Drive SAD interest rate from 8% to 5%. Dan Lowe seconded. Roll call vote: Lloyd, Lowe, Wyckoff, Hanvey, Andersen, Hodge—all yes. **Motion carried 6-0.**

#### **PARKING LOT RESEALING**

The work was scheduled for Friday, June 19 but wasn't done. The township will pay for the overbanding, not the striping or sealing.

#### **TOWNSHIP PARK #2 PROPERTY**

Bob Hanvey said Mr. Mitroka was supposed to visit during Heritage Days, but he hasn't talked with him. John Lowe presented information on a gazebo, conventional construction vs. pre-engineered. The price range is \$15,000-\$17,000 for a 20-25' structure. Scott Lloyd said they would like to do something before fall. Mr. Lowe will get estimates on two sizes.

#### **HERITAGE DAYS**

The meeting has been scheduled in July to discuss next year's event. Mr. Hanvey said there were approximately 450 car loads each day.

#### **FIRE BUDGET**

Travis Hodge motioned to adopt a resolution approving the Howell Area Fire Authority 2008-09

budget amendments as presented in Resolution #02-09, approved by the Fire Authority Board at its June 17, 2009 meeting. Les Andersen seconded. Roll call vote: Lowe, Andersen, Lloyd, Hanvey, Hodge, Wyckoff—all yes. **Resolution passed 6-0.**

**FIRE HALL LEASE**

Travis Hodge motioned to adopt a resolution to approve the HAFA fire station lease for fiscal year 2009-2010. Paula Wyckoff seconded. Roll call vote: Andersen, Hanvey, Lloyd, Hodge, Wyckoff, Lowe—all yes. **Resolution passed 6-0.**

**COPPERFIELD UNIT**

A handout is in the packet regarding property acquisition costs. Bob Hanvey motioned to adopt a resolution to purchase Lots 26 through 30 for the minimum bid price at the right of refusal sale. Paula Wyckoff seconded. Roll call vote: Wyckoff—yes; Lloyd—yes; Hodge—no; Lowe—yes; Andersen—no; Hanvey—yes. **Resolution passed 4-2.**

**PARKS APPROVALS**

Paula Wyckoff said the Parks Advisory Committee met this week and would like to purchase field marking machine and paint at a cost of \$168.46. Les Andersen motioned to approve \$168.46 for a field marking machine and paint for the township park. Scott Lloyd seconded. Roll call vote: Lowe, Hanvey, Andersen, Hodge, Lloyd, Wyckoff—all yes. **Motion carried 6-0.** Les Andersen motioned to appoint the Communication Committee to take responsibility for the horseshoe pits. Scott Lloyd seconded. **Motion carried 6-0.**

**MDA FUNDRAISER**

Travis Hodge said the Fire Department has requested support from the township board for a boot drive for MDA. Les Andersen motioned to support the effort of the Fire Department for a charity boot drive. Paula Wyckoff seconded. **Motion carried 6-0.**

**CORRESPONDENCE/UPDATES**

A letter from Jean Root, Planning Commissioner, is included in the packet. Bob Hanvey said he would like to postpone action on the Planning Commission budget until he can provide a copy of PA 33 of 2008 for the next meeting. The board discussed costs of a master plan update, and Annette McNamara said that Kathleen Kline-Hudson from Livingston County Planning said they would help with the maps. Bob Hanvey updated the board members on the Chestnut case. The pumps for the pump stations will be ordered as soon as possible.

**CALL TO THE PUBLIC**

None.

**ADJOURNMENT**

Travis Hodge motioned to adjourn at 10:05 p.m. Paula Wyckoff seconded. **Motion carried 6-0**

**MINUTES - JULY 9, 2009**

**MEMBERS PRESENT: Bob Hanvey, Paula Wyckoff, Dan Lowe, Scott Lloyd, Les Andersen, Travis Hodge, and Tammy Beal**

**MEMBERS ABSENT: None**

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**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:30 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

None.

## **APPROVAL OF AGENDA**

Tammy Beal motioned to approve the agenda as presented. Paula Wyckoff seconded. **Motion carried 7-0.**

## **CONSENT AGENDA**

Les Andersen motioned to approve the consent agenda. Tammy Beal seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Motion carried 7-0.**

## **CELL TOWER TREES**

Bob Hanvey and Dan Lowe received an email from Mark Daneman from AT&T about a settlement agreement for \$3,000-3,500. Dan Lowe will contact Mr. Daneman about contracting directly with him to replace the trees (**AI #1.**)

## **MARION RETAIL CENTER**

A letter from OHM is included in the packet regarding the televising of the recently completed sewer repair. OHM is no longer recommending final acceptance, until the joint is sufficiently repaired. Bob Hanvey said he informed Mike Powell and Northline, and no one has a copy of the video yet. Advanced Underground said the work could be done for approximately \$1200. There's also a lot of grease in the system; Dan Lowe believes that the high school never cleaned the grease trap and will investigate (**AI #2.**)

## **HOMETOWN VILLAGE**

Bob Hanvey provided the board members with a handout. He reviewed the process for buying this property and the various options. Les Andersen asked if he had received information on whether these lots would be part of the condo association, but Mr. Hanvey has not received anything yet. Mr. Andersen said he has reservations on restrictions and the PUD agreement. There are funds in the sewer and water reserve fund, the property does have an approved site plan, and the board can modify the special assessments and have some control over the REUs. Tammy Beal motioned to authorize the purchase of Hometown Village of Marion Phase 3 at \$373,000, with the condition that a special meeting would be scheduled prior to July 22 for issues that may arise. Scott Lloyd seconded. Roll call vote: Wyckoff—yes; Hodge—no; Hanvey—yes; Lloyd—yes; Beal—yes; Andersen—no; Lowe—yes. **Motion carried 5-2.**

## **TOWNSHIP ROADS**

Dan Lowe said he hasn't received anything from the Livingston County Road Commission yet regarding County Farm Road repairs. Mr. Lowe also asked when the next chloride application is scheduled. Tammy Beal said next week. Mr. Lowe doesn't feel another application is necessary at this time and will contact Tim Johnson from the LCRC on Friday to discussion scheduling (**AI #3.**)

## **TOWNSHIP PARK #2 PROPERTY**

John Lowe gave the board members a photo of a corn crib at Kensington that could be an alternative to the larger structure. Tammy Beal suggested checking for constructions plans on the internet that are approved by an architect. Mr. Lowe will bring exact prices for the various structures to the next meeting.

## **PLANNING COMMISSION ITEMS**

**Howell School Board:** The Planning Commission would like Carlisle/Wortman Associates to draft a letter to the Howell School Board suggesting no private commercial uses take place at Parker High School. Paula Wyckoff motioned to authorize \$125 for Carlisle/Wortman to do research on the township's role and draft a letter for the board to send. Dan Lowe seconded. Roll call vote: Beal, Andersen, Hodge, Wyckoff, Lowe, Hanvey, Lloyd—all yes.

## **Motion carried 7-0.**

**Marion Township Master Plan:** The Livingston County Planning Department will not be able to help the township with the master plan update, so the only bid is from Carlisle/Wortman.

John Lowe suggested the zoning administrator could do much of the work and then have Carlisle Wortman provide input on an hourly basis. Bob Hanvey motioned to table this item. Travis Hodge seconded. Dan Lowe said all that should be done are minor changes.

**Joint Resolution with Howell City:** Travis Hodge motioned to adopt a resolution encouraging the Michigan Department of Transportation to plan for improvements to the I-96/D-19 interchange (#2009-00) as presented. Paula Wyckoff seconded. Roll call vote: Hanvey, Lowe, Wyckoff, Beal, Lloyd, Hodge, Andersen—all yes. **Motion carried 7-0.**

**PLANNING COMMISSION BUDGET**

A handout with the statutes is provided in the packet. An ordinance is needed first, and the board can budget funds for the Planning Commission or have the Planning Commission come to the board for approval on expenses. John Lowe would like the Planning Commission to review the ordinance before approval. Les Andersen motioned to have staff work with Bob Hanvey and John Lowe on the ordinance. Travis Hodge seconded. **Motion carried 7-0.**

Bob Hanvey motioned to remove the Carlisle/Wortman master plan item from the table. Tammy Beal seconded. **Motion carried 7-0.**

Les Andersen motioned to postpone action on Carlisle/Wortman master plan proposal for services until the Planning Commission drafts a budget plan. Tammy Beal seconded. **Motion carried 7-0.**

**COPPERFIELD UNIT**

Bob Hanvey said the township has sent out the offer on this property, and progress is being made.

**CHESTNUT**

Information regarding an offer from Steve Gronow, Chestnut, is included in the packet. The board members agreed to decline Mr. Gronow's offer.

**CORRESPONDENCE/UPDATES**

Pump Stations: Bob Hanvey said he hasn't talked with Pat Gibbons regarding the seal. He asked to have this item postponed until the next meeting.

Highland: Bob Hanvey and Tammy Beal updated the board members on the past three days spent at the tax tribunal. Judge Kimball R. Smith III will be issuing a ruling. Tammy Beal said a Heritage Days wrap-up meeting will be held on Monday, July 13 at 7:00 p.m.

**CALL TO THE PUBLIC**

Donna Zawonski, 309 Granite Drive, asked the board about the three lawsuits. Bob Hanvey briefly explained details of each one.

**ADJOURNMENT**

Les Andersen motioned to adjourn at 9:05 p.m. Tammy Beal seconded. **Motion carried 7-0.**

**MINUTES - JULY 23, 2009**

**MEMBERS PRESENT:** Bob Hanvey, Paula Wyckoff, Dan Lowe, Scott Lloyd, Les Andersen, Travis Hodge, and Tammy Beal

**MEMBERS ABSENT:** None

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**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:30 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

### **CALL TO THE PUBLIC**

Lynn Ward, 696 Hewitt: Mr. Ward was present to respond to concerns raised at the June 25 meeting regarding Sunridge. He believes the developer is attempting to comply with the site plan. The Sunridge homeowners have an association meeting scheduled for next month. Mr. Ward offered his assistance to the board with future issues regarding Sunridge.

Darrel Thornberry, 2271 Crystal Crossing: Mr. Thornberry was present to discuss concerns with gravel trucks driving through Crystalwood. Chris Viergever, 294 Wood Point, was also present as the association president.

Bob Hanvey provided background information to the board members. He said the easement between Crystalwood and Mr. Lowe is a private agreement and the township has no authority. Mr. Thornberry said the agreement also says the rights of both parties must be respected. Ms. Viergever said bank's legal counsel is reviewing the easement agreement and they will follow legal counsel's advice. Dan Lowe said the agreement is reciprocal and if the homeowners interfere with his use of the easement, he will plug the sewer line.

### **APPROVAL OF AGENDA**

Scott Lloyd said he didn't receive backup material for all agenda items. Tammy Beal said that some items are for discussion and there are no backup materials. Some of the agenda items are from previous meetings and board members should get the material from those meeting packets. Les Andersen motioned to approve the agenda. Travis Hodge seconded. **Motion carried 7-0.**

### **CONSENT AGENDA**

Paula Wyckoff motioned to approve the consent agenda. Les Andersen seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Motion carried 7-0.**

### **CELL TOWER TREES**

Dan Lowe talked with Mark Daneman from A&T, who will be writing something up to send to the township. No action required at this time.

### **RAFFLE RESOLUTION**

An email request was received from Megan Predmesky of the National Golf Scholarship Association asking for the township board to pass a resolution recognizing the group as a non-profit in the community. Daniel Thomas, a township resident and president of the group, was present. The event is scheduled for September 26 and needs the resolution as soon as possible. Mr. Thomas provided a copy of the organization's 501(c) 3 license.

Tammy Beal motioned to adopt a resolution, as provided, recognizing the National Golf Scholarship Association as a non-profit group in the community for the purpose of a raffle, subject to review and approval from the township attorney. Les Andersen seconded. Roll call vote: Wyckoff, Hodge, Hanvey, Lloyd, Beal, Andersen, Lowe—all yes. **Resolution passed 7-0.**

Bob Hanvey motioned to adopt a resolution, as provided, recognizing the National Golf Scholarship Association as a non-profit group in the community for the purpose of a poker night, subject to review and approval from the township attorney. Les Andersen seconded. Roll call vote: Beal, Andersen, Hodge, Wyckoff, Lowe, Hanvey, Lloyd—all yes. **Resolution passed 7-0.**

### **MARION RETAIL CENTER**

Greg Marker from OHM was present to update the board on this project. A letter was sent three weeks ago, but hasn't been answered. Bob Hanvey will give Greg the DVD of the inside of the sewer pipe that shows a leak to copy for Mike Powell and George Jappaya. Dan Lowe will talk with Dan from Advanced Underground on Friday morning and let them know that no more cleaning should be done until the pipe is grouted **(AI #1)**.

**TOWNSHIP ROADS**

A letter from OHM regarding County Farm road repairs is included in the packet. Bob Hanvey said there is a time advantage with having OHM do the project and a cost advantage with having the Livingston County Road Commission do the project. Les Andersen would like the LCRC to do the project. Tammy Beal said the LCRC still needs to fix the bump and the township still owes them \$5000. Dan Lowe said if the work had been done properly, there wouldn't have been a bump. Les Andersen motioned to adopt a resolution to select the Livingston County Road Commission to do the County Farm road repairs. Travis Hodge seconded. Discussion: Dan Lowe said he would be more comfortable if OHM were doing inspections. Greg Marker said he feels they have a positive relationship with the LCRC and should be able to work something out. Roll call vote: Hanvey—yes; Lowe—yes; Wyckoff—yes; Beal—yes; Lloyd—no; Hodge—yes; Andersen—yes. **Resolution passed 6-1.**

**HOMETOWN VILLAGE**

Bob Hanvey updated the board members on this item. The township successfully bid on the parcel at the recent auction. Mr. Hanvey asked the board members to take a look at the parcel; he's concerned about the slopes on the stockpile of materials. Dan Lowe said it might cost approximately \$5,000 to reduce the slope. Les Andersen asked about the association fees, and Mr. Hanvey said this parcel is not part of the association. Mr. Lowe said the parcel should be put up for sale as soon as possible; Mr. Hanvey said he'd like the board to make decisions regarding REUs first.

**COPPERFIELD UNIT**

The low minimum bid sale is tentatively scheduled for September 10.

**DARAKJIAN**

Bob Hanvey provided the board members with two handouts. Ian Schonscheck has approached the township about releasing the lien on a vacant 12-acre parcel in exchange for a lien on a two-acre parcel with a house. Mr. Hanvey was asking for the opinion of the board members. After discussion, Mr. Hanvey will ask Mr. Schonscheck to make another offer after the City of Howell approves the split.

**CORRESPONDENCE/UPDATES**

Tammy Beal provided information in the packet on White Oak Township's park and suggested the board members look at the park. Karl Bohn has asked the board members to sign a letter to be sent to his hometown in Germany congratulating them on the town's 650<sup>th</sup> birthday. There will be a public hearing at 7:15 p.m. prior to the next board meeting on August 13. Board packets will be available on August 6. The township declined Steve Gronow's recent offer and Mr. Gronow has filed an appeal. Bob Hanvey updated the board members on the Highland case. Mr. Hanvey will invite Neal Goodman to the next board meeting (**AI #2.**)

**CALL TO THE PUBLIC**

None.

**ADJOURNMENT**

Les Andersen motioned to adjourn at 9:05 p.m. Tammy Beal seconded. **Motion carried 7-0.**

**MINUTES - AUGUST 13, 2009**

**MEMBERS PRESENT: Bob Hanvey, Paula Wyckoff, Dan Lowe, Scott Lloyd, Les Andersen, Travis Hodge, and Tammy Beal**

**MEMBERS ABSENT: None**

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### **CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:30 p.m.

### **PLEDGE TO FLAG**

### **BOARD MEMBERS PRESENT**

The board members introduced themselves.

### **CALL TO THE PUBLIC**

None.

### **APPROVAL OF AGENDA**

Tammy Beal asked to have Cemetery Fence added as item #16. Travis Hodge motioned to approve the agenda as amended. Paula Wyckoff seconded. **Motion carried 7-0.**

### **CONSENT AGENDA**

Les Andersen motioned to approve the consent agenda. Paula Wyckoff seconded. Roll call vote: Hanvey, Lowe, Wyckoff, Beal, Lloyd, Hodge, Andersen—all yes. **Motion carried 7-0.**

### **HAPRA MASTER PLAN**

Travis Hodge motioned to adopt a resolution approving the HAPRA master plan as the township's master plan. Paula Wyckoff seconded. Roll call vote: Hodge—yes; Beal—yes; Andersen—yes; Lowe—no; Hanvey—yes; Lloyd—yes; Wyckoff—yes. **Resolution passed 6-1.**

### **LOVE'S CREEK/SESAME DRIVE**

Scott Lloyd said as a property owner on Love's Creek, he would abstain from voting and sit in the audience as part of the public forum. Larry Grunn, 3969 Love's Creek, said he would like his private road to have repairs done as maintenance, similar to Rurik. He would like a special assessment district created to fund the project. Scott Lloyd asked how many property owners there are. Bob Hanvey said 49 or 50, and Paula Wyckoff said 48 individuals are billed for snow plowing. The board discussed the options. The board can vote to start an SAD without a petition, and those who oppose can start a petition. If 20% of the owners oppose the SAD, then the township would have to go through the petition process. Mr. Lloyd said he would like a petition done. Two public hearings need to be held, and Mr. Hanvey will check to see if the hearings can be held consecutively (**AI #1.**) Mr. Grunn said the costs for OHM are high. Travis Hodge asked if OHM was used for Rurik; Mr. Hanvey said yes. Bob Hanvey motioned to schedule a public hearing without a new petition for Love's Creek/Sesame Drive for the first board meeting in September, get notices out as soon as possible, and determine the role of the engineer. Tammy Beal seconded. Roll call vote: Lowe—yes; Wyckoff—yes; Lloyd—abstain; Hodge—yes; Andersen—yes; Beal—yes; Hanvey—yes. **Motion carried 6-0** (1 abstention).

### **DARAKJIAN**

Ian Schonscheck, 51331 Pontiac Trail, Wixom, was present on behalf of this project. Marion Meadows LLC owns 60 acres north of the railroad tracks, and Howell Industrial Center LLC owns 30 acres south of the tracks. He discussed with the board a purchase agreement with Regal Recycling to purchase 12 acres. He has applied for a land division with the City of Howell. They are suggesting transferring the mortgage to a two-acre parcel with a house. Mr. Brockway from Regal Recycling said he needs parking area for this employees and the 12 acre parcel would be suitable. Dan Lowe said he would prefer a lease agreement. Bob Hanvey motioned to discuss with attorneys the viability of moving the mortgage from the 12 acres without a residence and replacing \$200,000 as junior mortgage on the former Miechiels' property. All liens would be removed from 12 acres, and put the mortgage on the Miechiels' property with no REUs. Paula Wyckoff seconded. Roll call vote: Beal—no; Lowe—yes; Lloyd—yes; Hanvey—yes; Wyckoff—yes; Andersen—yes; Hodge—yes. **Motion carried 6-1.**

### **CELL TOWER TREE SETTLEMENT**

Bob Hanvey said he had concerns about the settlement & release from AT&T, and has forwarded it to the township's attorney.

### **MARION RETAIL CENTER**

Bob Hanvey updated the board members on this project. The leak is fixed, and the sewer from Francis Road to the pump station has been cleaned. There was grease only to just north of the Best Western. Dan Lowe will contact Advanced Underground to confirm what work was done **(AI #2.)**

### **HOMETOWN VILLAGE**

Bob Hanvey updated the board members on the purchase of this parcel. Dan Lowe asked when the land would be put up for sale. Bob Hanvey said there are some items to consider prior to listing the property. Dan Lowe asked about access to Peavy Road. Bob Hanvey said the road commission needs to be consulted, and will check on access through the Meadows **(AI #3.)** Bob Hanvey, Les Andersen and Dan Lowe will form the committee to work on this project.

### **JONNA'S MARKET**

Bob Hanvey reported that Jonna's Market (formerly Howell Party Store) has been moved to the City of Howell through a 425 agreement.

### **ROADS**

Bob Hanvey said he told Mike Craine from the road commission to proceed with the County Farm Road project.

### **COPPERFIELD UNIT**

Bob Hanvey reported that the money for purchase of this property has been returned because the procedures for auction weren't done correctly. It won't be available to the township for another year.

### **CHESTNUT**

Mr. Gronow has filed an appeal and the Court of Appeals has consolidated it with the rezoning.

### **TORNADO SIREN**

Tammy Beal motioned to authorize placement of a tornado siren in the area of Schafer Road and Pinckney Road (marked with 615 on map.) Paula Wyckoff seconded. Roll call vote: Wyckoff—yes; Hanvey—yes; Beal—yes; Lloyd—yes; Hodge—yes; Lloyd—yes; Andersen—no.

**Motion carried 6-1.**

### **GENERAL GROUNDS MAINTENANCE**

John Lowe updated the board members on various projects that should be done, such as repairing the culvert tube, lower level parking area, areas with poison ivy and poison oak, etc. Mr. Lowe will determine a dollar amount and report at the next meeting. Tammy Beal will check with other townships on how these types of projects are managed **(AI #4.)** Tammy Beal motioned to approve payment of \$390 invoice from John Lowe. Paula Wyckoff seconded. Roll call vote: Beal, Andersen, Hodge, Wyckoff, Lowe, Hanvey, Lloyd—all yes. **Motion carried 7-0.**

### **PARK #2**

John Lowe presented the board members with photos of various gazebos. The board members discussed the options. Tammy Beal motioned to select the gazebo from Amish Country Gazebos. Motion failed—no second.

Les Andersen motioned to authorize John Lowe to proceed with purchasing the gazebo from Miracle of Michigan for \$16,780, if the timeline to build this season can be met, and to include second phase of the road. John Lowe will check with the company on whether the posts are powder coated. Paula Wyckoff seconded. Discussion: Scott Lloyd asked whether the roof would have shingles; Mr. Lowe said it's metal. Roll call vote: Hanvey—yes; Lowe—yes; Wyckoff—yes; Beal—no; Lloyd—yes; Hodge—yes; Andersen—yes. **Motion carried 6-1.**

**CEMETERY FENCE**

Tammy Beal said that Charlie Musson and Bob Brown helped erect a sign at Lakeside. She would like the board to approve \$250 to replace the fence at Harger. Tammy Beal motioned to authorize \$250 to replace the fence at Harger Cemetery. Les Andersen seconded. Roll call vote: Hodge, Beal, Andersen, Lowe, Hanvey, Lloyd, Wyckoff—all yes. **Motion carried 7-0.**

**CORRESPONDENCE/UPDATES**

Paula Wyckoff said she received an email regarding vandalism at Township Park #1. An article by Dan Meisler in the Ann Arbor Business Review is included in the packet. A handout from Standard & Poor’s is included in the packet, and the township’s rating has increased.

**CALL TO THE PUBLIC**

None.

**ADJOURNMENT**

Travis Hodge motioned to adjourn at 9:48 p.m. Scott Lloyd seconded. **Motion carried 7-0.**

**MINUTES - AUGUST 27, 2009**

**MEMBERS PRESENT:** Bob Hanvey, Paula Wyckoff, Dan Lowe, Scott Lloyd, Les Andersen, Travis Hodge, and Tammy Beal

**MEMBERS ABSENT:** None

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**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:30 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

None.

**APPROVAL OF AGENDA**

Dan Lowe asked to have the invoice from Advanced Underground moved from the consent agenda to item #13. Les Andersen motioned to approve the agenda as amended. Paula Wyckoff seconded. **Motion carried 7-0.**

**CONSENT AGENDA**

Tammy Beal motioned to approve the consent agenda as amended. Paula Wyckoff seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes.

**Motion carried 7-0.**

**LOVE’S CREEK/SESAME DRIVE**

Bob Hanvey said only two letters opposing the SAD have been received. Two public hearings will be held on September 10; two letters have been sent to owners and information will be published twice in the newspaper. Scott Lloyd said he would abstain from discussion because he’s a property owner. Tammy Beal motioned to adopt a resolution scheduling a hearing on the creation of Love’s Creek/Sesame Drive road maintenance special assessment district, as provided in the packet. Paula Wyckoff seconded. Roll call vote: Wyckoff—yes; Hodge—yes; Hanvey—yes; Lloyd—abstain; Beal—yes; Andersen—yes; Lowe—yes. **Resolution passed 6-0** (1 abstention.) Tammy Beal motioned to adopt a resolution scheduling a hearing on assessment roll for Love’s Creek/Sesame Drive road maintenance special assessment district, as provided in the packet. Paula Wyckoff seconded. Roll call vote: Beal—yes; Andersen—yes; Hodge—yes; Wyckoff—yes; Lowe—yes; Hanvey—yes; Lloyd—abstain.

**Resolution passed 6-0** (1 abstention.)

### **DARAKJIAN**

Bob Hanvey updated the board members on this item. Dan Lowe said that he and Scott Lloyd visited the 12-acre parcel and it is not swamp. He feels it's more valuable than the 2-acre parcel.

### **VINES ROAD**

Dave Blackmar, 4989 Vines Road, was present to discuss this situation. He previously sent an email to the board members describing the problem and possible solutions. He passed out a revised estimate of \$2,192. Dan Lowe said he talked with Ken Recker from the Livingston County Drain Commissioner's office. Bob Hanvey said the township could possibly justify spending township money on private property because it impacts Vines Road. Dan Lowe said that Ken Recker thought this area eventually discharges into Cedar Lake. Mr. Hanvey said possibly the project could be funded by an SAD through Public Act 188, which the township could contribute to—he will follow up with the Drain Commission on this **(AI #1.)**

Mr. Blackmar said Tim Johnson from the LCRC said a similar situation was corrected in Putnam Township recently. Les Andersen motioned to postpone this item for additional information. Scott Lloyd seconded. **Motion carried 7-0.**

### **TOWNSHIP ROADS**

Bob Hanvey said he hasn't heard anything from the road commission about County Farm Road.

### **PARKER HIGH**

Bob Hanvey reported that he is a member of the marketing committee and the first meeting was held. There is an email address, [parkermarketing@howellschools.com](mailto:parkermarketing@howellschools.com), for those who wish to make comments or suggestions.

### **CELL TOWER TREE SETTLEMENT**

A revised agreement was received from the attorneys on 8/26/09 and will be included in the next board packet. There is more specific language regarding screening.

### **MARION RETAIL CENTER**

Bob Hanvey reported the flow is back down to the baseline, and work needs to be done on the billing amount.

### **COPPERFIELD UNIT**

Bob Hanvey said the MHOG board will still pursue this property with the bank—no action required at this time.

### **GENERAL GROUNDS MAINTENANCE**

Information from other communities and how they handle grounds maintenance is included in the packet. John Lowe said he will have information for the next meeting. Tammy Beal said the fence at Harger Cemetery is done, and Mr. Brown has volunteered to do the fence at Lakeside Cemetery. The materials are still on sale and it would cost approximately \$700. Les Andersen motioned to approve funding for the Lakeside Cemetery fence. Travis Hodge seconded. Roll call vote: Hanvey, Lowe, Wyckoff, Beal, Lloyd, Hodge, Andersen—all yes.

**Motion carried 7-0.**

### **TOWNSHIP PARK #2**

John Lowe presented the board members with information on a gazebo from Amish Country Gazebos. This gazebo is vinyl as opposed to powder coated. The gazebo would also be available four weeks sooner. Tammy Beal motioned to select the 24' octagon gazebo from Amish Country Gazebos for \$16,500, and an additional \$5,000 for permits, electrical, and concrete. Paula Wyckoff seconded. Roll call vote: Hodge—yes; Beal—yes; Andersen—no; Lowe—yes; Hanvey—yes; Lloyd—yes; Wyckoff—yes. **Motion carried 6-1.**

**ADVANCED UNDERGROUND INVOICE**

Dan Lowe said he and Scott Lloyd looked at the manhole covers and 1/2 of them haven't been opened. D-19 to the concrete bridge has been jetted out, but still 1/2 full of sand, and north of the bridge hasn't been touched. Dan Lowe will contact Dan from Advanced Underground to discuss and report at the next meeting **(AI #2.)** Les Andersen motioned to postpone payment of the invoice until more information is received. Travis Hodge seconded. **Motion carried 7-0.**

**CORRESPONDENCE/UPDATES**

A letter that was recently sent to approximately 600 residents regarding sump pumps and water softeners is included in the packet. The township has received 12-15 responses. Dan Lowe said they need to be disconnected. They could be dye tested to see where they're discharging. Bob Hanvey said he checked on the exit to Peavy Road from The Meadows. This exit is for emergency purposes only and should be kept locked. Bob Hanvey said the brief Chestnut filed was done in a deficient manner and they have 14 days to correct. Mr. Hanvey reported that the offer made to Highland was rejected. The board was not interested in further negotiations, and will have to wait for the court's decision. The website has now had over 100,000 hits. The website also has a new feature, Lost and Found. Les Andersen said he attended the Livingston MTA chapter meeting. There was discussion about legislation that would help reduce the damage to townships from developers abandoning projects funded by special assessments. Bill Rogers, State Representative, will be at the Lil' Chef in Brighton from 8:00-10:00 am on Friday, August 28.

**CALL TO THE PUBLIC**

Karen Leitch from Mitch Harris was present to ask that the hold on land use permits be lifted. The concrete is in place for the sidewalks. Bob Hanvey said the trees in the playground area would eventually block the view, and the residents don't want trees to screen the playground. Dan Lowe motioned to allow land use permits to be issued without the trees being planted. Les Andersen seconded. **Motion carried 7-0.** Ms. Leitch said she sent a letter on August 20, which will be included in the next board packet.

A resident asked about a possible street light at the Peavy/Mason intersection. Mr. Hanvey said that's M-155, a state highway, and MDOT has jurisdiction.

**ADJOURNMENT**

Tammy Beal motioned to adjourn at 8:50 p.m. Scott Lloyd seconded. **Motion carried 7-0.**

**MINUTES - SEPTEMBER 10, 2009**

**MEMBERS PRESENT:** Bob Hanvey, Paula Wyckoff, Scott Lloyd, Les Andersen, Travis Hodge, Tammy Beal, and Dan Lowe (arrived at 7:36 pm)

**MEMBERS ABSENT:** None

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**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:31 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

None.

**APPROVAL OF AGENDA**

Paula Wyckoff asked to have the buck pole item moved to #3 and Tammy Beal asked to have "office modification" added as item #16. Tammy Beal motioned to approve the agenda as amended. Paula Wyckoff seconded. **Motion carried 6-0.**

### **CONSENT AGENDA**

Les Andersen motioned to approve the consent agenda. Paula Wyckoff seconded. **Motion carried 6-0.**

### **BUCK POLE**

Aaron Regner was present to update the board members on this project. He's raised about \$350 through fundraising, but there are additional supplies needed. Scott Lloyd motioned to authorize funds to complete this project, up to \$400. Paula Wyckoff seconded. Discussion: Les Andersen asked if the funds would come from the General Fund or Parks. Bob Hanvey said General Fund. Paula Wyckoff said if Mr. Regner raises more money, part of it could be paid back. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Motion carried 7-0.**

### **LOVE'S CREEK/SESAME DRIVE PUBLIC HEARING ON THE DISTRICT**

Bob Hanvey opened the public hearing on the Love's Creek/Sesame Drive district. He said one bid was used as the basis for the notice, and a bid packet has been done by OHM.

### **LOVE'S CREEK/SESAME DRIVE DISCUSSION**

John San Gregorio, 3255 Sesame Drive, asked if the scope is known. Phil Westmoreland said patching and overlay with double chip seal on the entire road.

Arnold Jagt, 3321 Sesame Drive, asked how much of the cost is engineering expense. Bob Hanvey said approximately \$12,000, which includes the bid packets, construction services, reviewing bids and making recommendation, marking the road, and some on-site construction inspection. Additional costs are mailing notices and multiple publications in the newspaper. Mr. Hanvey said the most the amount can increase without another public hearing is 10%, but the cost can decrease. Sharon Turnbull, 2901 Sesame Drive, asked if there would be a weight limit on the roads. Mr. Hanvey explained they are private roads, and the township has no authority to impose or enforce weight limits. Larry Diedrick, 3371 Sesame Drive, said it would be beneficial to the roads if the residents all used one rubbish hauler rather than three.

Gary Turnbull, 2901 Sesame Drive, asked if those who oppose would have to submit written request tonight. Bob Hanvey said yes, 20% would be required; currently, there is 5.24%.

Stephanie Shinabery, 3090 Sesame Drive, asked about access to property during the project, and how long the project will take. Phil Westmoreland said there will always be access to the property, with the exception of some very brief (1-2 hours) times while work is being done.

The project should take less than a week from start to finish, weather permitting.

James Shinabery, 3090 Sesame Drive, asked Mr. Westmoreland for his opinion on the current condition of the road. Mr. Westmoreland said it won't get any better, and a bad winter could accelerate the deterioration. Dan Lowe said he agrees with Mr. Diedrick's statement about the garbage trucks. Tracy Turnbull, 3031 Sesame Drive, said only a few residents have a different rubbish service and she hopes they will reconsider to preserve the road.

Mr. Westmoreland reviewed the schedule for the project. If approved tonight, he'll put the project out tomorrow. The bids will be opened September 22, contract awarded September 24, notice to proceed sent to winning bidder October 8, construction starts October 12, work completed by November 6, and project finalized by November 13.

Mr. Jagt asked about a drainage guarantee. Mr. Westmoreland said he could ask them for a little more crown in the road. Mr. Diedrick said there are some ditches that are 4" higher than the edge of the road. Sharon Turnbull said it would also be helpful if residents put mailboxes where there's supposed to be, so the mail carrier doesn't have to leave the road.

Bob Hanvey closed the public hearing at 8:05 p.m. With the opposing letters turned in, the total is 8.9% so the project can go forward. Scott Lloyd said as a property owner, he would abstain from voting. Tammy Beal motioned to adopt a resolution to create the Love's Creek/Sesame Drive Road Maintenance Special Assessment District. Travis Hodge seconded. Roll call vote: Wyckoff—yes; Hodge—yes; Hanvey—yes; Lloyd—abstain; Beal—yes; Andersen—yes; Lowe—yes. **Resolution passed 6-0** (1 abstention.)

#### **LOVE'S CREEK/SESAME DRIVE PUBLIC HEARING FOR ASSESSMENT ROLL**

Bob Hanvey opened the public hearing for the Love's Creek/Sesame Drive assessment roll. He said the allocation is based on the number of contiguous parcels owned. An objection to the way the cost is allocated preserves the owner's right to object with the Michigan Tax Tribunal within 35 days. Mr. Hanvey asked if there were any objections—none heard. Mr. Hanvey closed the public hearing at 8:10 p.m. Travis Hodge motioned to adopt a resolution to approve the roll for Love's Creek/Sesame Drive Road Maintenance Special Assessment District. Paula Wyckoff seconded. Roll call vote: Beal—yes; Andersen—yes; Hodge—yes; Wyckoff—yes; Lowe—yes; Hanvey—yes; Lloyd—abstain. **Resolution passed 6-0** (1 abstention.)

Mr. Hanvey said there is 5% interest on the assessment, which will be on the winter tax bill. The balance can be paid off anytime. If payment in full is made between November 1 and December 1, the tax bill will be recalculated.

#### **VINES ROAD**

Bob Hanvey said he talked with Ken Recker and a SAD can be done for this project under PA 188. Mr. Recker will send a map delineating the benefitted area. Charlie Musson asked why the township would want to do this. Mr. Hanvey said in this case, he feels it should be township. Tammy Beal motioned to postpone action on this item. Paula Wyckoff seconded. **Motion carried 7-0.**

#### **DARAKJIAN**

Bob Hanvey reported that there hasn't been any action on this item, and asked to have it removed from the agenda until another request is received.

#### **MARION RETAIL CENTER**

Information on the costs associated with the project is included in the packet. After discussion, Dan Lowe motioned to bill the property owner for the entire amount. Les Andersen seconded.

**Motion carried 7-0.**

#### **ADVANCED UNDERGROUND INVOICE**

Dan Lowe said he's talked with Advanced, but the person who did the work has been out of town. He will call on Friday. He said the work needs to be done by next Tuesday. Travis Hodge motioned to authorize Dan Lowe to negotiate with Advanced Underground. Les Andersen seconded. **Motion carried 7-0.**

Travis Hodge motioned to authorize Dan Lowe to identify and hire another contractor if necessary. Les Andersen seconded. Roll call vote: Hanvey, Lowe, Wyckoff, Beal, Lloyd, Hodge, Andersen—all yes. **Motion carried 7-0.**

#### **TOWNSHIP ROADS**

Bob Hanvey said he talked with Jodie Tedesco, who indicated a price of about \$40,000. Mike Craine hasn't called back yet. Mr. Hanvey will get additional details from the road commission and report at the next meeting (**AI #1.**)

#### **PARKER HIGH**

Bob Hanvey reported the second meeting of the marketing committee was held. A questionnaire will be posted online, and comments and suggestions are welcome.

**CELL TOWER TREES**

A proposed agreement is included in the packets, and has been approved by both attorneys. Dan Lowe motioned to authorize the supervisor and clerk to sign the agreement. Paula Wyckoff seconded. **Motion carried 7-0.**

**SUMP PUMP/WATER SOFTENER DISCHARGE**

Bob Hanvey reported that in response to the township’s recent letter, several residents have contacted us asking for options. The township has been faxing copies of a brochure from the Livingston County Health Department. Follow-up should be done in a few months.

Dan Lowe said he feels the problem is in the Groveland/Mystic Meadow area. He will ask Pat Gibbons to check for spikes during heavy rains (AI #2.)

**TOWNSHIP PARK #2**

John Lowe updated the board members on this project.

**OFFICE MODIFICATION**

Tammy Beal said due to the fact that she needs another computer in her office, and during election times there isn’t enough room in her office, Mr. Hanvey has agreed to move into one of the conference rooms in the old building. The deputy clerk will move into his office. Ms. Beal also asked the board for permission to create a doorway between the two offices. No objections were heard.

**CORRESPONDENCE/UPDATES**

A letter from Karen Leitch of Mitch Harris Building Company is included in the packet at her request.

**CALL TO THE PUBLIC**

Barney Cole, 918 Francis Road, asked where the grease in the pipe was located. Dan Lowe said just past the Best Western; most was by Schroeder Park. The school has cleaned the grease trap. Mr. Cole also asked about the prioritizing of roads for repair. He said Francis Road used to be number one, but now is number three. Les Andersen said the foreman for the LCRC determines that. Mr. Andersen will ask Tim Johnson to take another look at Francis Road (AI #3.)

**ADJOURNMENT**

Les Andersen motioned to adjourn at 9:05 p.m. Scott Lloyd seconded. **Motion carried 7-0.**

**MINUTES - SEPTEMBER 24, 2009**

**MEMBERS PRESENT:** Bob Hanvey, Paula Wyckoff, Scott Lloyd, Les Andersen, Travis Hodge, Tammy Beal, and Dan Lowe

**MEMBERS ABSENT:** None

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**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:30 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

None.

**APPROVAL OF AGENDA**

Les Andersen motioned to approve the agenda as presented. Tammy Beal seconded. **Motion carried 7-0.**



## **CONSENT AGENDA**

Paula Wyckoff motioned to approve the consent agenda. Tammy Beal seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Motion carried 7-0.**

## **VINES ROAD**

Included in the packet is an email from Dave Blackmar from Vines Road. Mr. Blackmar is withdrawing his request for assistance from the township with regard to drainage.

## **ADVANCED UNDERGROUND INVOICE**

Dan Lowe said Dan from Advanced was going to get a price for the lift station. There is a substantial leak in the bottom of a manhole between the lift station and the river. The cleaning that the invoice is for has been completed. Les Andersen motioned to approve payment of the invoice from Advanced\_Underground for \$14,762.50. Scott Lloyd seconded. Roll call vote: Wyckoff, Hodge, Hanvey, Lloyd, Beal, Andersen, Lowe—all yes. **Motion carried 7-0.**

## **TOWNSHIP ROADS**

Dan Lowe updated the board members on his conversation with Mike Craine. He also talked with Tim Johnson about dust control. Triangle Lake Road needs to be done. He asked if Marion Township is responsible for East Schafer; response was yes, and Putnam does West Schafer. The LCRC also asked if the township wanted to pay for some tree trimming. John Lowe said there are several trees in front of the township hall that are dead and could be removed. Les Andersen said he took Tim Johnson to look at Francis Road, and it's actually one of the better roads—there are only two small washouts. Dan Lowe will follow-up with LCRC on dust control (**AI #1.**)

## **COPPERFIELD VILLA LOTS**

After discussion, Scott Lloyd motioned to wait on this property until the tax sale next year. Travis Hodge seconded. **Motion carried 7-0.**

## **TOWNSHIP PARK #2**

John Lowe presented two color options for shingles for the gazebo. Travis Hodge motioned to select Williamsburg Slate. Paula Wyckoff seconded. Roll call vote: Beal—no; Andersen—no; Hodge—yes; Wyckoff—yes; Lowe—yes; Hanvey—yes; Lloyd—no. **Motion carried 4-3.**

Mr. Lowe updated the board members on the progress of the gazebo, as well as the buck pole. He also updated the board members on the cell tower tree project. He would like to build berms and then plant the trees. He has four 25' trees he can plant. Scott Lloyd motioned to approve \$4200 for tree installation, contingent on receiving the funds from AT&T. Travis Hodge seconded. Roll call vote: Hanvey, Lowe, Wyckoff, Beal, Lloyd, Hodge, Andersen—all yes.

**Motion carried 7-0.**

Scott Lloyd motioned to approve \$2000 for installation of a berm. Les Andersen seconded. Roll call vote: Hodge, Beal, Andersen, Lowe, Hanvey, Lloyd, Wyckoff—all yes. **Motion carried 7-0.**

Scott Lloyd motioned to postpone discussion on electrical service. Tammy Beal seconded.

**Motion carried 7-0.**

## **HIGHLAND**

Bob Hanvey updated the board members on this item, and will talk with Neil Goodman about a meeting with the board (**AI #2.**) Scott Lloyd motioned to postpone this item for more information. Paula Wyckoff seconded. **Motion carried 7-0.**

## **LOVE'S CREEK/SESAME DRIVE BIDS**

Bob Hanvey reported that one bid was received for \$130,792. Larry Grunn, 3969 Love's Creek, asked about the engineering costs. He also said the previous bid from the same company was less. Phil Westmoreland said the previous bid didn't include the gravel or the undercutting. Mr. Westmoreland will monitor expenses so that the cost doesn't exceed the 10% allowed. Les Andersen motioned to approve the contract from Highway Maintenance & Construction Co. for

the Love's Creek/Sesame Drive SAD in the amount of \$130,792, to be spread over five years starting with winter 2009 taxes, including additional expenses such as engineering and publications. Tammy Beal seconded. Roll call vote: Lowe—yes; Lloyd—abstain; Beal—yes; Harvey—yes; Wyckoff—yes; Hodge—yes; Andersen—yes. **Motion carried 6-0** (1 abstention.)

**CORRESPONDENCE/UPDATES**

Bob Harvey reported that Mr. Rittenhouse on Jewell Road had his house removed from the flood zone. Dan Lowe asked how much it cost and how long it took. Mr. Harvey said he thought it cost about \$900 and took a few months. Mr. Harvey said the Howell Area Fire Authority is discussing merging with other fire authorities. The fire chiefs intend to hold a meeting with township board members from all affected municipalities sometime in November. There will also be an open house on Sunday, October 11 from 1:00-4:00 p.m. Mr. Harvey updated the board members on recent vandalism in Sundance Meadows and Hometown Village. John Lowe said he will follow-up on the light at Park #1 (**AI #3.**)

A copy of the state revenue sharing check is included in the packets.

Paula Wyckoff reported that 86% of the summer taxes have been collected, compared to 89% last year at this time. Tammy Beal passed out snowplowing bid specs for review prior to the next meeting. Bob Harvey said he was contacted by Mike Powell, representing George Jappaya, who said the temporary certificate of occupancy has expired and they will need to revise the site plan with the Planning Commission. The building department has given them an extension until November 1.

Bob Harvey asked the board members for any suggestions they may have regarding Darakjian.

**CALL TO THE PUBLIC**

John Lowe mentioned an ordinance imposing a curfew to help curtail vandalism.

Charlie Musson asked about the private road ordinance.

**ADJOURNMENT**

Tammy Beal motioned to adjourn at 9:35 p.m. Les Andersen seconded. **Motion carried 7-0**

**MINUTES - OCTOBER 8, 2009**

**MEMBERS PRESENT:** Bob Harvey, Paula Wyckoff, Scott Lloyd, Les Andersen, Travis Hodge, Tammy Beal, and Dan Lowe

**MEMBERS ABSENT:** None

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**CALL TO ORDER**

Bob Harvey called the meeting to order at 7:30 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

None.

**APPROVAL OF AGENDA**

Tammy Beal motioned to approve the agenda as presented. Paula Wyckoff seconded.

**Motion carried 7-0.**

**CONSENT AGENDA**

Les Andersen motioned to approve the consent agenda. Tammy Beal seconded. **Motion carried 7-0.**

### **TEXT AMENDMENT #06-08: SECTION 6.07—ACCESSORY USES AND STRUCTURES**

Dan Lowe said he would have liked to see a chart with this information. Bob Hanvey said there is an error in item #1. The box for lot size based on net lot area should read "All parcels that are greater than 1 acre." Scott Lloyd said he feels item #5 should reflect one (1) acre of land rather than two (2). Tammy Beal motioned to approve text amendment #06-08 with changes. Les Andersen seconded. **Motion carried 7-0.** Tammy Beal asked whether the Planning Commission should consider an ordinance for outside wood burners. Ms. Beal will request the Planning Commission to add this to a future agenda (**AI #1.**)

### **MARION RETAIL CENTER**

Dan Lowe said the estimate from Advanced Underground to do the work on the Peavy Road wet well is about \$3000, which he feels is too high. However, the work needs to be done. Dan Lowe will investigate and report to Bob Hanvey. The board members discussed the drainage issues. Barney Cole asked when this project was started; Mr. Hanvey said 2007.

### **TOWNSHIP ROADS**

Dan Lowe and Bob Hanvey reported they both talked with Mike Craine. The two options are to obtain a permit and have Tom Rogers do the asphalt, or wait to do the whole road and put up "rough pavement" signs for the winter.

Tammy Beal motioned to approve \$5000 for Tom Rogers to do the asphalt and obtain permit for County Farm Road. Dan Lowe seconded. Roll call vote: Lowe—yes; Lloyd—yes; Beal—yes; Hanvey—yes; Wyckoff—yes; Andersen—no; Hodge—yes. **Motion carried 6-1.** Bob Hanvey will contact the Road Commission for information for the insurance form (**AI #2.**)

### **TOWNSHIP PARK #2**

The large rock has been moved to the park and the gazebo package has been delivered.

### **HIGHLAND**

The opinion and judgment from the Michigan Tax Tribunal is included in the packet. Based on this information, Bob Hanvey motioned to not accept the offer from Highland. Travis Hodge seconded. Roll call vote: Wyckoff, Hodge, Hanvey, Lloyd, Beal, Andersen, Lowe—all yes.

**Motion carried 7-0.**

### **DARAKJIAN**

The board members discussed the options for this property. Bob Hanvey said they are \$111,000 behind on the city taxes. Mr. Hanvey asked for suggestions from the board members for this property.

### **HERITAGE DAYS SEED MONEY**

Tammy Beal said the committee needs \$5000 start-up funds. A profit of \$1000 was made on the last event. Next year, the money will be put in an escrow account. Paula Wyckoff motioned to provide \$5000 in seed money for Heritage Days. Travis Hodge seconded. Roll call vote: Beal, Andersen, Hodge, Wyckoff, Lowe, Hanvey, Lloyd—all yes. **Motion carried 7-0.**

### **SNOW PLOWING**

Dan Lowe said he would like the specs to say 3" in the cemeteries rather than 2". Tammy Beal said the ad will be published the next two Fridays, October 16 and 23.

### **CORRESPONDENCE/UPDATES**

**Audit:** Bob Hanvey updated the board members on the audit. The auditor should be making a presentation to the board in the next month or so.

**Norton Road Check Valves:** Dan Lowe said this item is complete. Bob Hanvey said air gap valves weren't installed and need to be. Bob Hanvey said he attended the Parker Marketing Committee meeting today. New information is that no more than 10% of the facility can be used for non-educational purposes because bonds were sold.

**CALL TO THE PUBLIC**

Charlie Musson asked about the REUs from the Darakjian property. Barney Cole said he was surprised to read in recent minutes that Francis Road is one of the better roads. Les Andersen said that's based on the opinion of the Livingston County Road Commission. Tim Johnson told Mr. Andersen that if there are any deep washouts, they will be filled with concrete.

**ADJOURNMENT**

Tammy Beal motioned to adjourn at 8:20 p.m. Scott Lloyd seconded. **Motion carried 7-0.**

**MINUTES - OCTOBER 22, 2009**

**MEMBERS PRESENT:** Bob Hanvey, Paula Wyckoff, Scott Lloyd, Les Andersen, Travis Hodge, Tammy Beal, and Dan Lowe

**MEMBERS ABSENT:** None

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**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:31 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

Deb Mikula, 127 Jewett Street, Howell said that the Marion Oaks Golf Course officials have signed the lease with HAPRA so they may use it until June 2010. The Buck pole is being built and the event will be held on opening day, November 15, 2009. Sponsors are being contacted at this time. On November 20, 2009 from 7-8:30 p.m. HAPRA is hosting a reception to recognize volunteers, everyone is invited to attend. Bob Hanvey announced that we received notification today from the Grants Management Department of the DNR stating that Marion Township's Recreation Plan has been approved.

**APPROVAL OF AGENDA**

Les Andersen motioned to approve the agenda as presented. Paula Wyckoff seconded.

**Motion carried 7-0.**

**CONSENT AGENDA**

Paula Wyckoff motioned to approve the consent agenda. Les Andersen seconded. **Motion carried 7-0.**

**WIND ENERGY**

Motion by Tammy Beal to have the Planning Commission review Wind Energy devices for home units. Les Andersen seconded. **Motion carried 7-0.**

**MARION RETAIL CENTER**

We received a quote from Subterranean Inc. to clean the Peavy Road lift station and to seal the manhole. They can start Friday, October 23, 2009 and the Howell plant has agreed to let them dump the contents of the wet well there. After that is completed we will make an appointment to meet with Mr. Jappaya.

**TOWNSHIP ROADS**

Tom Rogers has repaired the rough spot on County Farm Road and it will be striped when it stops raining. Dan Lowe motioned to pay Tom Rogers for the County Farm Road repair as soon as the striping is completed. Scott Lloyd seconded. Roll call vote: Lowe—yes; Lloyd—yes; Beal—yes; Hanvey—yes; Wyckoff—yes; Andersen—yes; Hodge—yes. **Motion carried 7-0.**

## **TOWNSHIP PARK #2**

The building permit is in but a wavier needs to be obtained from the Livingston County Health Department. Scott Lloyd said he would get the wavier. **(AI #1)**

## **COPPERFIELD VILLAS**

The Copperfield property will not be available at the tax sale until 2011 this is because the forfeiture procedure that was started for 2009 and was done improperly.

## **HIGHLAND**

We received notice that Highland will appeal the MTT Judge's ruling.

## **DARAKJIAN**

An error was made when the legal description was filed so the parcel south of the railroad tracks will be foreclosed on in 2010 and the parcel north of the railroad tracks will not be up for foreclosure until 2011. The Miechiel's property will be foreclosed on in 2010.

## **ITC Donation**

ITC never sent the \$1000 donation from last year. When contacted they said that they will send the \$1000 from last year and \$500 for this year. It was decided that picnic tables would be purchased with their donation because this is something that a plaque can easily be placed on stating that it was donated by ITC. Tammy Beal offered to check on picnic table prices.

## **(AI #2)**

## **Annual 3% Penalty**

Resolution by Travis Hodge to not impose the 3% penalty on 2009 winter taxes. Scott Lloyd seconded. Roll call vote: Wyckoff—yes; Hodge—yes; Hanvey—yes; Lloyd—yes; Beal—yes; Andersen—yes; Lowe—yes. **Resolution passed 7-0.**

Note-2009 winter taxes will now be due on February 28, 2010 instead of February 14, 2010.

## **CORRESPONDENCE/UPDATES**

**Trunk or Treat:** October 31, 2009 we will be having Trunk or Treat in the parking lot of the hall. Hot dogs, cider and donuts will be served at 5:15 for the people passing out treats and trick or treaters will be collecting treats between 6-8 p.m.

**Tornado Siren:** The desired location is on the Wellman property, 5205 Pinckney Road, north of the driveway and 150 feet off of the road. An easement needs to be secured because it is not located in the County Road easement.

**Immunizations:** There was a press release today from the Livingston County Health Department concerning the H1N1 Vaccination Campaign. They have ordered 98,000 doses of the vaccine but just received a fraction of the doses ordered. Until a sufficient amount of the vaccine is obtained there will be no community clinics scheduled.

**MHOG:** Authority voted to have Tetra-Tech do another study on the water tower with modeling for a cost of \$14,500.

**Fire Board:** Some of the local units are not as eager to merge as others so the meeting that was tentatively scheduled for all the municipalities has been postponed.

**Scott Lloyd** stated that Mr. Cole is concerned with people entering Hometown Village off of Peavy Road. Mr. Hanvey said that Mike Kehoe is working on the Quiet Title and as soon as that is completed we will have more control over what happens on the property.

## **CALL TO THE PUBLIC**

Charlie Musson asked if we have heard anything about the hospital purchasing Marion Oaks? Mr. Hanvey said that everything has been put on hold.

Mr. Hanvey asked about a hockey rink going in there; Deb Mikula responded that Datapak owns a team and would like to secure 70 acres somewhere so they could move their team there.

## **ADJOURNMENT**

Les Andersen motioned to adjourn at 8:12 p.m. Scott Lloyd seconded. **Motion carried 7-0.**

**MINUTES - NOVEMBER 12, 2009**

**MEMBERS PRESENT:** Bob Hanvey, Paula Wyckoff, Scott Lloyd, Les Andersen, Travis Hodge, Tammy Beal, and Dan Lowe

**MEMBERS ABSENT:** None

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**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:30 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**

Mark Benedetti, president of the Triangle Lake Property Owner's Association, was present to request the board to create a special assessment district for weed management. Bob Hanvey suggested the board follow the normal public hearing process. Property owners can object, in person or in writing, through the end of the first public hearing. If objections are received from owners of land constituting more than 20% of the total area in the proposed special assessment district, then the association would need a petition. The TLPOA would be charged 5% interest on the amount spent. Mark Benedetti said he would like to send a letter to the property owners before the township's letter is sent.

Gail Mosley, 2230 Wild Cherry, said this is her first meeting, and she thought the township didn't get involved with homeowner's associations. Bob Hanvey explained Public Act 188 and said the township can create special assessment district for certain issues like weed control, storm sewers, snowplowing, etc.

Rebecca Mistretta, 2883 Rubbins, said it was her understanding that the amount would be assessed equally. If an individual owns more than one lot, and they are contiguous, they would only be charged one share. Tammy Beal motioned to adopt a resolution to proceed with the process by sending a letter to property owners scheduling the first public hearing for January 14, 2010. Les Andersen seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes. **Resolution passed 7-0.**

**APPROVAL OF AGENDA**

Dan Lowe asked to have item #13 added regarding the litter ordinance. Item #5 should be changed from cell tower to tornado siren. Paula Wyckoff motioned to approve the agenda as amended. Les Andersen seconded. **Motion carried 7-0.**

**CONSENT AGENDA**

Paula Wyckoff motioned to approve the consent agenda. Travis Hodge seconded. Roll call vote: Wyckoff, Hodge, Hanvey, Lloyd, Beal, Andersen, Lowe—all yes. **Motion carried 7-0.**

**SNOW PLOW BIDS**

Five bids were received and are included in the packets. One of the bidders was not present. Scott Lloyd asked the representative from Ever So Green how many trucks they have (9). Les Andersen asked how many years of experience they have. The representative said 30 years, and they have several local accounts they can provide references from. Bob Hanvey clarified with Absolute Outdoor Services that the amount for sidewalk de-icing material was for something other than salt.

Scott Lloyd motioned to select Ever So Green for the 2009-2010 snowplowing. Travis Hodge seconded. Roll call vote: Beal, Andersen, Hodge, Wyckoff, Lowe, Hanvey, Lloyd—all yes.

**Motion carried 7-0.**

### **MUSSON HILLS EXTENSION**

Les Andersen motioned to approve a two-year extension on the approval for the final preliminary approval of Musson Hills platted sub. Scott Lloyd seconded. Roll call vote: Hanvey, Lowe, Wyckoff, Beal, Lloyd, Hodge, Andersen—all yes. **Motion carried 7-0.**

### **TORNADO SIREN**

Les Andersen motioned to authorize Bob Hanvey to sign the easement agreement for an ingress/egress/ utility easement. Tammy Beal seconded. **Motion carried 7-0.**

### **PRELIMINARY REVIEW OF TXT #02-08—ARTICLE XV: SIGNS**

Les Andersen said the township is waiting for authorization from the Livingston County Road Commission giving the township zoning administrator the authority to remove signs from the road right-of-way. Scott Lloyd questioned the section on home occupation. Some questioned the size of signs allowed for agricultural products and home occupations. Tammy Beal motioned to send the ordinance back to the Planning Commission for review. Paula Wyckoff seconded.

**Motion carried 7-0.**

### **MARION RETAIL CENTER**

Bob Hanvey said that the township received details on the bill from OHM and it should be sent to MRC by next week.

### **TOWNSHIP ROADS**

The Coon Lake Road and County Farm Road repairs are done. John Peretto, 2669 Rubbins, said they missed a spot just south of where the work was done. Bob Hanvey said there's not enough in the budget to do any more work. Scott Lloyd asked how many brine applications were done. Tammy Beal said two.

### **TOWNSHIP PARK #2**

Scott Lloyd motioned to authorize up to \$3,000 for Tri-Star Electrical to install service at Park #2. Paula Wyckoff seconded. Roll call vote: Lloyd, Wyckoff, Lloyd, Hodge, Andersen, Beal, Hanvey—all yes. **Motion carried 7-0.** Information on picnic tables is included in the packet. Les Andersen said the tables should be handicap accessible, and should be durable/no maintenance. Dan Lowe said they need to be anchored. Bob Hanvey said the contribution from ITC can be used for the tables. The board decided to discuss this at next month's meeting once Jack Lowe has more information on the Amish picnic tables.

### **HIGHLAND**

Bob Hanvey said they have another three weeks before the deadline to submit appeal documents.

### **DARAKJIAN**

Bob Hanvey updated the board members on this item.

### **LIVINGSTON COUNTY SHERIFF DEPARTMENT**

A letter from the Livingston County Sheriff Department is included in the packet. Travis Hodge said residents have approached him about this idea. The cost is approximately \$260,000 per year, or about \$100 per year per house. It can be done by a special assessment or a millage. Gail Mosley said the township needs additional police presence. The township can also contract with the state police rather than the sheriff department. She said there's a lack of understanding of how 911 calls are prioritized. Residents need to be educated and she volunteered her assistance. Dan Snyder, 4219 Sundance Meadows, said he's not sold on contracting, but if it goes forward, he would like to consider the state police, as well as the sheriff department. Dan Lowe said he doesn't see any major issues in the township, and feels there is more of a police presence now than ever before. Ms. Mosley said the population has increased and the economy has declined. She agrees with creating a special assessment district, but feels that the public needs to be educated first or it won't be passed. Les Andersen

said he personally doesn't support contracting with the police; he would rather have a road millage. Bob Hanvey said he would be willing to discuss this further with Ms. Mosley (**AI #1.**)

**LITTER ORDINANCE**

Dan Lowe said the "generic" letter sent by the township regarding littering was not effective. Dan Lowe motioned to have the zoning administrator send a letter to the violators giving them 72 hours to remove the debris or be assessed a \$500 fine, per the township ordinance and signs. Discussion: Bob Hanvey said he's not comfortable sending a letter that cites an ordinance that can't be enforced. Barney Cole, 918 Francis Road, asked if Dan saw them dumping. Mr. Lowe said no, but others did and they admitted it. Scott Lloyd seconded. Roll call vote: Lowe—yes; Lloyd—yes; Beal—no; Hanvey—no; Wyckoff—no; Andersen—no; Hodge—no. **Motion failed 2-5.**

Mr. Hanvey said the ordinance needs to be modified and offered to help work on it. Mr. Lowe said he doesn't want to work on the ordinance. Mr. Lowe said if the ordinance isn't enforceable, then the signs should be taken down. Mr. Hanvey said he will talk with the attorney and work on the ordinance (**AI #2.**)

**CORRESPONDENCE/UPDATES**

Love's Creek/Sesame Drive: Bob Hanvey reported that the work on Love's Creek/Sesame Drive is completed until next spring. Scott Lloyd asked if they pulled soils out. Mr. Hanvey said the township hasn't received a report yet.

Michigan Road History: A handout is included in the packet.

Consumer Energy Alliance: An invitation from Consumer Energy Alliance is included in the packet. They are hosting a discussion on Federal Climate Change and Energy Legislation on November 17.

AT&T Cell Tower Trees: The cell tower trees have been paid for.

The next board meeting will be on Thursday, December 10 at 7:30 p.m. There will also be a presentation from Burnham & Flower regarding 2010 benefits on December 10 at 5:00 p.m. Tammy Beal said the office staff has adopted a family for Christmas. If any of the other board members are interested in contributing, she has a sign-up sheet in her office. A letter from Michigan Municipal League regarding the family continuation benefit is included in the packet. The board needs to decide at the next meeting whether the township will cover the cost.

**CALL TO THE PUBLIC**

None.

**ADJOURNMENT**

Les Andersen motioned to adjourn at 9:16 p.m. Tammy Beal seconded. **Motion carried 7-0.**

**MINUTES - DECEMBER 10, 2009**

**MEMBERS PRESENT:** Bob Hanvey, Paula Wyckoff, Scott Lloyd, Les Andersen, Travis Hodge, Tammy Beal, and Dan Lowe

**MEMBERS ABSENT:** None

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**CALL TO ORDER**

Bob Hanvey called the meeting to order at 7:30 p.m.

**PLEDGE TO FLAG**

**BOARD MEMBERS PRESENT**

The board members introduced themselves.

**CALL TO THE PUBLIC**



None.

### **APPROVAL OF AGENDA**

Bob Hanvey asked to have approval of the November 12 minutes removed from the consent agenda. Tammy Beal asked to have an item #15 added to the agenda for ZBA report. Les Andersen motioned to approve the agenda as amended. Tammy Beal seconded. **Motion carried 7-0.**

### **APPROVAL OF NOVEMBER 12, 2009 REGULAR MEETING MINUTES**

In the section on the Livingston County Sheriff Department, the last sentence of the first paragraph should read, "...he's not sold on contracting, but if it goes forward, he would like to consider the state police, as well as the sheriff department." This is at the request of the resident, Dan Snyder. Paula Wyckoff motioned to approve the minutes as amended. Les Andersen seconded. **Motion carried 7-0.**

### **CONSENT AGENDA**

Travis Hodge motioned to approve the consent agenda as amended. Tammy Beal seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Wyckoff, Andersen, Hodge—all yes.

**Motion carried 7-0.**

### **AUDIT PRESENTATION**

Ken Palka from Pfeffer, Hanniford & Palka said his company appreciates the opportunity to serve as the township auditors. He thanked the staff for their help in providing information. He reviewed the financial statement with the board members. With regard to the Sewer Fund, he said the board needs to seriously consider looking at the rates and perhaps have a rate study done. This will be discussed more at the February meeting. Chris Arsenault reviewed some areas that could be improved including establishing control over the financial reporting process, sewer rates, marking invoices and employee reimbursement requests with indication of review/approval/payment, and continuing to monitor capital-type special assessments. Tammy Beal motioned to accept the audit report from Pfeffer, Hanniford & Palka as presented. Les Andersen seconded. **Motion carried 7-0.**

### **CRYSTALWOOD**

Perry Allen, representing the Special Assets Department of Sterling Bank, was present. Bob Hanvey said there are some items on the original site plan for Crystalwood that need to be addressed. A water connection to Foxfire was never made, and there's an issue with tree planting. In addition, several large trees were recently removed for construction of two houses. Dan Lowe said there's also the issue of the top coat of asphalt. Mr. Hanvey said there may be a redesign of the connection and the board will obtain more information. Mr. Hanvey thanked Mr. Allen for attending the meeting and for his bank's responsiveness to the board's concerns.

### **FINAL REVIEW—SPECIAL USE PERMIT #01-09: AUTOMOBILE REPAIR BUSINESS**

Roy and Jessica Caverly were present. The Caverlys were previously given a Home Occupation Special Use Permit; however, because of issues with the Livingston County Building Department, they weren't able to proceed. They are now applying for a Special Use Permit for an auto repair business in the Highway Service zoning district. Included in the packet is a draft of conditions for the Special Use Permit that is similar to the conditions for the home occupation with a few minor changes. Item #2 is not applicable and should be deleted. Items #8 and #9 have minor changes. This is no longer a home occupation, so there shouldn't be any constraints on the number of employees. The board members discussed driveway, lighting and signage issues. John Lowe, chairman of the Planning Commission, said the PC would recommend down lighting. Annette McNamara said the Caverlys do not want to give up the home occupation that was previously approved. Bob Hanvey said if the site plan for the home occupation is going to

be changed, they would have to have the modifications approved by the PC. It was agreed that the Caverlys would be given six months to address the changes for the home occupation. Tammy Beal motioned to approve Special Use Permit #01-09—Automobile Repair Business as amended. Dan Lowe seconded. **Motion carried 7-0.**

#### **AMENDMENT TO FINAL SITE PLAN FOR GEORGETOWN SITE CONDOMINIUM**

Les Andersen motioned to approve the second amendment to the Georgetown site plan. Scott Lloyd seconded. **Motion carried 7-0.** This amendment also states that Phase 2 construction will not be started until the site plan review process has been completed.

#### **MUSSON RESOLUTION**

At the November 12 meeting, a motion was made to grant a two-year extension on the Musson Hills South final plat. It should have been a resolution. Tammy Beal motioned to adopt a resolution approving a two-year extension on Musson Hills South final plat. Les Andersen seconded. Roll call vote: Wyckoff, Hodge, Hanvey, Lloyd, Beal, Andersen, Lowe—all yes.

**Resolution passed 7-0.**

#### **LOVE'S CREEK/SESAME DRIVE**

Tammy Beal motioned to pay Highway Maintenance Construction \$35,256.60 as recommended by OHM. Paula Wyckoff seconded. Roll call vote: Beal, Andersen, Hodge, Wyckoff, Lowe, Hanvey, Lloyd—all yes. **Motion carried 7-0.**

Bob Hanvey said the SAD parameters need to be modified so that those who wish to pay in full can do so without penalty. Travis Hodge motioned to adopt a resolution to change the start date for interest to 30 days after the township pays the final bill, and to send a letter to all property owners in the district giving them 30 days to pay the amount without interest. Paula Wyckoff seconded. Roll call vote: Hanvey, Lowe, Wyckoff, Hodge, Lloyd, Beal, Andersen—all yes. **Resolution passed 7-0.**

#### **2009 FIRE PREVENTION CODE**

Bob Hanvey said the Fire Authority has asked the township to adopt the 2009 Fire Prevention Code. However, there are some changes that should be reviewed. Scott Lloyd motioned to postpone this item until the township's attorney reviewed the changes. Travis Hodge seconded.

**Motion carried 7-0.**

#### **TOWNSHIP PARK #2**

John Lowe updated the board members on this project. Electrical has been installed and Edison has been paid and will make the final connection. Mr. Lowe requested approval of \$250-300 for landscape plans and specs. A suggestion was made that there be a ten foot perimeter and paving bricks could be sold with the donor's name. Mr. Lowe said he's looking at DNR grants for walking trails and access through Grass Lake. He will have pricing information on picnic tables at the next meeting. Scott Lloyd said he would prefer steel tables as opposed to wood. Debbie Mikula from Howell Area Parks & Recreation Authority said that Genoa Township is also looking at buying picnic tables and there may be an opportunity for a group discount. Scott Lloyd motioned to authorize an amount not to exceed \$300 for landscape plans and specifications. Travis Hodge seconded. Roll call vote: Hodge, Beal, Andersen, Lowe, Hanvey, Lloyd, Wyckoff all yes. **Motion carried 7-0.**

Charlie Musson said a certificate of appreciation was presented to Aaron Regner at the Recreation Meeting for his work on the buck pole. Tammy Beal will send a letter to Mike Arens thanking him for his work on park #2 (**AI #1.**)

#### **HIGHLAND**

Bob Hanvey updated the board members on this item.

#### **DARAKJIAN**

Bob Hanvey updated the board members on this item. The township and Bank of America have

mortgages on both parcels, and both parcels are now in the City of Howell. The southern parcel owned by Howell Industrial is on the list to be sold at tax sale unless it's redeemed by March 1, 2010. Mr. Hanvey has talked with the state's deputy attorney general office on how to get liens placed on the minimum bid. If this parcel isn't redeemed by March 1, both mortgages are extinguished and the entire balance is transferred to the remaining parcel. Mr. Hanvey has also talked with Ian Schonscheck and the bank's attorney. There was an error in the legal description for the northern parcel and it will be at least a year before there is a tax sale.

### **INSURANCE RENEWAL**

Tammy Beal motioned that the township will pay 50% of the premium for family continuation for 19-25 year olds who are full-time students and/or dependents. Paula Wyckoff seconded. Roll call vote: Lowe—yes; Wyckoff—yes; Lloyd—no; Hodge—yes; Andersen—no; Beal—yes; Hanvey—yes. **Motion carried 5-2.**

### **EXTENDED TOWNSHIP HOURS**

Beginning in January, the township offices will be open until 7:00 p.m. on Mondays. Staff will alter schedules so that all departments are covered. There will be no increase in the number of hours employees work.

### **ZBA REPORT**

Dan Lowe reported there was one case heard at the December 7 meeting. The applicant was requesting a variance for a hot tub structure that is in an abandoned road easement. The residents will pursue an adverse possession claim through the Land Division Act.

### **CORRESPONDENCE/UPDATES**

Bob Hanvey updated the board members on Marion Retail Center.

Mr. Hanvey recently attended a traffic summit.

An email is included in the packet from the township's former student intern.

MTA registrations are due to the clerk's office by Monday.

OHM will be hosting a luncheon for staff on December 17.

Chestnut has submitted a brief to the state Court of Appeals.

Marion Township now has a Facebook page.

The next board meeting will be on Thursday, January 14, 2010. Packets will be ready for pick-up on January 7.

### **CALL TO THE PUBLIC**

Charlie Musson, 333 Triangle Lake Road, said he has concerns about the Fire Code revisions affecting his development. Most of the changes are related to commercial property.

Paula Wyckoff passed out a flyer for Holiday in the Park. There are over 100 illuminated trees.

### **ADJOURNMENT**

Tammy Beal motioned to adjourn at 9:30 p.m. Paula Wyckoff seconded. **Motion carried 7-0.**