

**BOARD OF TRUSTEES
AGENDA and MINUTES
April 28, 2016**

Call to Order

Pledge of Allegiance

Members Present/Members Absent

Call to the Public

- 1.) **Approval of Agenda**
- 2.) **Consent Agenda**
 - a.) **Approval of April 14, 2016 Regular Meeting Minutes**
 - b.) **Financial Report**
 - c.) **April 19, 2016 HAPRA Minutes**
 - d.) **April 20, 2016 MHOG Agenda/Minutes**
 - e.) **April 20, 2016 HAFD Agenda/Minutes**
- 3.) **Overhang Issue**
- 4.) **Roads-Burkhart**
- 5.) **Meadows**
- 6.) **Final Review of CZRN #01-16-Forsythe-817 Ocoola Street**
- 7.) **MHOG Information and Updates**

Correspondence/Updates

EDC Quarterly Update

Call to the Public

Adjournment

Minutes - April 28, 2016

MEMBERS PRESENT: Les Andersen, Scott Lloyd, Bob Hanvey, Tammy Beal, Greg Durbin, Dan Lowe, and Jim Murray

MEMBERS ABSENT: None

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

CALL TO THE PUBLIC

APPROVAL OF AGENDA

Items #8 Crystal Wood Paving, #9 Barns, and #10 Trees added.

Les Andersen motioned to approve the agenda as amended. Greg Durbin seconded.

Motion carried

CONSENT AGENDA

Les Andersen motioned to approve the consent agenda. Scott Lloyd seconded. **Motion carried**

OVERHANG ISSUE AT CEDAR CREEK

Discussed the Mitch Harris Cedar Creek overhang issue. Some residents do not have the required 6' overhang on the gable ends. Situation has been corrected.

ROADS

Burkhart Road

Larry and Carol Lucas live at 226 South Burkhart in Howell; state that for several years, speed and noise disturbance have been a major problem on Burkhart in between Mason rd. and Norton rd. They wish for a speed study to be in done in hopes to have a reasonable speed limit posted. Currently there is not a speed limit sign present and the residents currently believe that, the majority of drivers on Burkhart road currently drive 55mph (the recommended speed, when a

speed limit sign is not posted) or faster. Residents hope for around 25mph. He also stated that currently, there are several families with small children throughout this area.

William Van Horn lives at 274 S. Burkhart road and shares the same concerns as the Lucas'. He explained, there have been several incidents on Burkhart road over the years. There are three bus stops along Burkhart road and there have been incidents that involve cars passing the school bus, despite the bus being stopped with their STOP sign visible and their lights flashing. A separate incident involved a semi-truck speeding down Norton and Burkhart road. The semi rounded the curve from Norton road to Burkhart road and continued to speed until he lost control of the vehicle causing the truck to tip upside down.

Thomas Hargadon lives at 239 S. Burkhart road and has had to replace 3 mails boxes due to cars exceeding the recommended speed limit.

Bob Hanvey agreed to send all of the letters from the Burkhart road residents, to the Livingston County Road Commission. Marion Township has the right to request a speed limit review for a specific road/area. However, the Township does not have the authority to change the speed limit or request the Road Commission to change it. We are simply able to request a speed study for Burkhart road in which the Road Commission will then determine course of action. Greg Durbin suggested that, Marion Township obtain and provide copies to the Road Commission, of all incident reports involving car accidents as well as, a history of any traffic violations that have taken place on Burkhart road. Bob Hanvey stated that, reviewing these items is part of the Road Commission's process when looking into speed limit changes or requests. Larry Lucas also suggested at the very least, a sign be posted stating Burkhart road is in a residential area.

Tammy Beal motioned to send the resident letters and requests for a speed limit to be posted on Burkhart road, to the Livingston County Road Commission. Greg Durbin seconded.

Motion carried

Cedar Lake Road

Dan Lowe said we should use the Levy plant instead of Fyke's for the 21A being used for Cedar Lake Road between Jewell Road and Coon Lake Road. Fyke's material was inconsistent and the size of marbles without any crush. Would like to have it written in the contract that Livingston County Road Commission (LCRC) must use material from a Levy Plant ONLY. Scott Lloyd and Dan Lowe also wanted them to include grading of the road at no charge and does not believe that Marion Township should have to pay for the grading when Marion is already purchasing the material. Les Andersen clarified that the price increase for the grading also allows Marion to relinquish all responsibility, allowing LCRC is to handle all current and future issue with Cedar Lake road. Les Andersen motioned to approve the \$32,000 bid from LCRC but wanted to add specifications that LCRC must use a Levy plant for all material. Jim Murray seconded. **Motion carried 7-0 Roll Call:** Hanvey, Beal, Lowe, Lloyd, Durbin, Andersen, Murray; all yes.

Meadows

Issues with Mitch Harris and procedures regarding the roads and guest parking spots. There are 21 on the drawings but 30 in the text. Residents of the Meadows wish to remove the sidewalks because they are not where they should be, the grade is wrong and they require many repairs. Sidewalks cannot be removed if they were a part of the original site plan. Bob is going to talk to Michael Kehoe about our options.

Final Review of CRZN #01-16-Forsythe-817 Oceola Street

Bob Hanvey suggested that we accept the conditional zoning request from Brandon Forsythe. The Marion Township Planning Commission has already recommended approval of his request as well as the Livingston County Department of Planning. Dan Lowe is concerned that if we approve his request, it could depreciate the property nearby, in which we are trying to sell. Dan is also worried there was not screening down for the township side. Scott Lloyd wanted to discuss a landscape buffer to prevent any possible issues in the future. No other board members shared his concern at this time. Bob Hanvey expressed that if this request is not approved, then Mr. Forsythe has the option to do whatever he wants under light industrial which could be more disturbing to other residents and to Marion Township. If we approve this, everything except the house will be allowed which is more beneficial to the township verses other possible scenarios if this request is denied. Jim Murray motioned for Mr. Forsythe's request to be approved as long as he follows the rezoning conditions. Tammy Beal seconded. **Motion carried 6-1**

Roll call vote: Andersen, Hanvey, Murray, Durbin, Beal, Lloyd –**6 yes**, Lowe – **1 no**

MHOG Information and Updates

1. Georgetown residents have a pump station that currently provides water pressure. A large 175 gallons pressure tank will also be installed in the future.
2. Some MHOG customers would prefer to use the wells, for watering lawns and for other outdoor usage. They will still need access to municipal water, but wish to keep the well and municipal water separate.
3. Chart of max demand verse average, indicates a need for modification to REU's funding.
4. Master operating agreement change time schedule presented.

Crystal Wood

Bob Hanvey asked if we should have the road in Crystal Wood paved or should we just patch the holes. Dan thought there was an escrow for the road. Bob is going to do some more research on this project.

Barns

Two separate residents are requesting to have a "party barn." The barn on D-19 is listed as a house and has been inspected. (No GAAMP's protect weddings) The barn on Jewell road has not been inspected and no rules or regulations are being followed. Board would like to send a letter to the owners stating the following:

1. No policies or rules have been followed at any point.
2. No inspections have been completed.
3. Marion Township should not be held liable if an accident occurs on the property.
4. The "party barn" business does not have the right to be collecting money from clients.

Annette will speak to Michael Kehoe about sending this letter. This letter will also state that neither resident is permitted to operate this facility. Les Anderson motioned to have Michael Kehoe draft this letter. Greg Durbin seconded. **Motion carried 7-0**

Roll Call: Beal, Andersen, Murray, Durbin, Lowe, Hanvey, Lloyd; all yes.

Trees

Tammy Beal received a bid from Russell Tree Service. The bid included cutting a dead branch off of a large oak tree and cutting down three dead trees along with grinding down the stumps. Price quoted was \$1700. The oak tree is located by the playground and Russell's assured Tammy, that they would use the proper sealant after cutting the branch of the tree. Tammy would like to get an additional price on the dead pine tree as well. Les Anderson motioned for Russell to take care of the three dead trees and stumps, as well as the oak tree with the dead branch. They are permitted to do the work as long as, the price does not exceed \$2000. Greg Durbin seconded.

Motion carried.

CORRESPONDENCE & UPDATES

Sewer Plants

Pump station H₂S (*Hydrogen Sulfide*) investigations are still a work in progress and Phil would like to do some more research on the condition of the man hole at the plant. A board meeting and sewer plant tour is to be scheduled. Date to be decided.

Debotis Development was kind enough to repair the Township hall's east driveway, at no expense to the Township. The driveway is now repaired and in working order due to Debotis' generous repair.

Bath Case

Michael Kehoe finished up the Bath's case back in April 2016. Mrs. Bath and Mr. Roberts were charged with a Zoning violation and are now required to comply with the Townships Zoning Ordinance.

CIRAB Report

Scott Lloyd provided everyone with the CIRAB Report.

CALL TO THE PUBLIC

Dutton Road in Gregory – losco township land owner wanted Marion Township's input and opinion on our mud bog policies. Advised resident, losco was given Marion's policy for their review.

ADJOURNMENT

Greg Durbin motioned to adjourn at 9:15 pm. Les Anderson seconded. **Motion carried**