

**BOARD OF TRUSTEES
AGENDA AND MINUTES
November 13, 2014 @ 7:30 p.m.**

Call to Order

Pledge of Allegiance

Members Present/Members Absent

Call to the Public

- 1.) Approval of Agenda**
- 2.) Consent Agenda**
 - a.) Approval of October 23, 2014 Regular Meeting Minutes**
 - b.) October 21, 2014-HAPRA Agenda & Minutes**
 - c.) October 28, 2014 Marion Township Park Advisory Minutes**
 - d.) November 4, 2014 Board of Trustee Special Meeting Minutes**
 - e.) Complaint Report**
 - f.) DPW Report**
 - g.) Sheriff's Report**
 - h.) Howell City WWTP Report**
 - i.) Zoning Report**
 - j.) Election Report**
 - k.) Goodman Invoice (\$577.50)**
- 3.) American Textile Recycling Service**
- 4.) Leaf Burning Ordinance**
- 5.) Home Town Offers**
- 6.) City, Village, Township Revenue Sharing**
- 7.) Pinebrook Meadows Time Payments**
- 8.) Final Approval of TXT# 01-14 Article XVII Wireless Communication Facilities**
- 9.) Preliminary Approval Roy's Auto Works-Auto Repair Shop Amendment to SUP #01-09; SUP #01-14**
- 10.) Special Use Ordinance\ Permit Fee**
- 11.) Township Repairs-Roof, Generator, Painting**
- 12.) Mitroka Property**
- 13.) Marion Meadows Purchase**
- 14.) Board of Review Appointments**
- 15.) Planning Commission Appointments**
- 16.) ZBA Appointments**
- 17.) Zoning Board of Appeals Report**

Correspondence/Updates

- Livingston County Traffic Summit**
- Educational Workshop**
- EDC**

Call to the Public

Adjournment

MINUTES - NOVEMBER 13, 2014

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

MEMBERS ABSENT: None

OTHERS PRESENT: Phil Westmoreland, Spicer Group

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

BOARD MEMBERS PRESENT

The board members introduced themselves.

CALL TO THE PUBLIC

No response.

APPROVAL OF AGENDA

Greg Durbin asked to have #18—Best Western Restaurant added to the agenda; Dan Lowe added #19—Statewide Real Estate Office. Les Andersen motioned to approve the agenda as amended. Tammy Beal seconded. **Motion carried.**

CONSENT AGENDA

Les Andersen motioned to approve the consent agenda. Jim Murray seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Durbin, Andersen, Murray—all yes. **Motion carried.**

AMERICAN TEXTILE RECYCLING SHARING

Cat Sutter, Community Relations Advocate for American Textile Recycling Services, was present to ask for the board's approval to place clothing and shoe recycling center next to the recycling bins on the lower level. They have partnered with Western Washtenaw Recycling Authority, and a portion of the proceeds is given to the Michigan Humane Society. Les Andersen asked what percentage; Ms. Sutter said approximately 40%; however, the contract is confidential so she couldn't discuss specific details. Bob Hanvey said the board would have to see a contract and have the attorney review it. Tammy Beal said she would be interested; Jim Murray said he is not interested.

Jim Murray motioned to not allow American Textile Recycling Services to place a container on township property. Greg Durbin seconded. Roll call vote: Durbin—yes; Murray—yes; Hanvey—yes; Lloyd—yes; Beal—no; Andersen—yes; Lowe—yes. **Motion carried 6-1.**

LEAF BURNING ORDINANCE

Bob & Diane Salisbury, 1021 Peavy, were present to ask the board to consider adopting an ordinance prohibiting leaf burning in the township. Bob Hanvey said the state law has jurisdiction over the township. Mrs. Salisbury said the fire department and/or sheriff department won't do anything unless an ordinance is in place. Bob Hanvey said he would talk with the attorney regarding enforcement. He will also cite the statute on the township's website.

HOMETOWN OFFER

No progress on this item; no action required.

CITY/VILLAGE/TOWNSHIP REVENUE SHARING

Documents describing the steps townships must complete in order to get CVTRS payments are included in the packet, along with a proposed budget. Jim Murray motioned to authorize submitting the budget for the CVTRS program. Greg Durbin seconded. **Motion carried.**

PINEBROOK MEADOWS TIME PAYMENTS

Vito Serra of Casa Villa Enterprises is requesting time-payment agreements for sewer and water REUs on the remaining four units in Pinebrook Meadows. Les Andersen motioned to adopt a resolution to authorize contracts for time payments for sewer and water REUs for Pinebrook Meadows Units 3, 4, 10, and 11. Tammy Beal seconded. Roll call vote: Beal, Andersen, Murray, Durbin, Lowe, Hanvey, Lloyd—all yes. **Resolution passed 7-0.**

FINAL APPROVAL OF TXT #01-14: ARTICLE XVII—WIRELESS COMMUNICATION

FACILITIES

The text has been modified to meet the state law. Greg Durbin motioned to adopt the modification for TXT #01-14—Wireless Communication Facilities, as presented. Jim Murray seconded. **Motion carried.**

PRELIMINARY APPROVAL ROY'S AUTO WORKS-AUTO REPAIR SHOP AMENDMENT TO SUP #01-09 AND SUP #01-14

Keith Pinkelman from Lynnman Construction and Roy Caverly, the property owner, were present to discuss this item. Dan Lowe had concerns about the storm drain across the state property; Phil Westmoreland said that is not a problem. The previous applicant wanted a driveway across the limited access right-of-way and that's not allowed; storm drains are allowed. It was recommended that the applicant get a review from MDOT prior to the Planning Commission review. Scott Lloyd asked about the road improvements and how much increased traffic this would generate. Phil Westmoreland said the road project will probably start construction in April or May, and must be complete by September 30, 2015. The applicant said they are only adding two new bays, so traffic shouldn't be a problem. Mr. Lloyd also had some concerns with parking spaces, which he reviewed with the applicant. Mr. Lowe said the bushes out front should be evergreens. Bob Hanvey said the legal description for Parcel C needs to be corrected. Bob Hanvey asked if there were any objections to the SUP amendments; none were heard. Greg Durbin motioned to accept the preliminary site plan for Roy's Autoworks. Jim Murray seconded.

Motion carried.

SPECIAL USE ORDINANCE/PERMIT FEE

Bob Hanvey said the ordinance was NOT published in a timely manner, so the attorney suggested the board approve the ordinance again. Tammy Beal motioned to approve the Special Event ordinance as previously presented. Jim Murray seconded. Roll call vote: Lowe, Durbin, Lloyd, Murray, Andersen, Beal, Hanvey—all yes. **Motion carried 7-0.**

Greg Durbin motioned to establish a fee of \$200 for the Special Event permit. Jim Murray seconded. Roll call vote: Durbin, Lloyd, Lowe, Murray, Andersen, Beal, Hanvey—all yes.

Motion carried 7-0.

TOWNSHIP REPAIRS—ROOF, GENERATOR, PAINTING

Bob Hanvey and Scott Lloyd said the roof doesn't need to be repaired. Mr. Lloyd will get an estimate for inside painting.

An estimate was received from Tri-Star Electrical for \$20,690 for the generator; maintenance would be \$275/year. Mr. Lloyd said he will investigate further.

MITROKA PROPERTY

Les Andersen talked with Bob Kline, who said he has no authority to remove deed restrictions from the property. Bob Hanvey talked with the attorney, who suggested sending a letter to each property owner asking them to release two parcels from the deed restrictions. No response has been received from the owner regarding the township's offer; the letter won't be sent until the township has the numbers.

MARION MEADOWS PURCHASE

The closing date is scheduled for November 24 at 2 pm.

BOARD OF REVIEW APPOINTMENTS

Bob Hanvey said all three members are willing to continue. Les Andersen motioned to appoint Charles Musson to a two-year term on the Board of Review for 2015-16. Greg Durbin seconded.

Motion carried.

Les Andersen motioned to appoint Rick Dell to a two-year term on the Board of Review for 2015-16. Tammy Beal seconded. **Motion carried.**

Greg Durbin motioned to appoint Cheryl Range to a two-year term on the Board of Review for 2015-16. Tammy Beal seconded. **Motion carried.**

Bob Hanvey said it isn't necessary to appoint an alternate now. An alternate would need to be selected prior to the March Board of Review.

PLANNING COMMISSION APPOINTMENTS

Bob Hanvey nominated Charles Musson as a Planning Commission member. Greg Durbin motioned to approve the nomination of Charles Musson as a Planning Commission member. Les Andersen seconded. **Motion carried.**

Bob Hanvey nominated Jerry Sidlar as a Planning Commission member. Scott Lloyd motioned to approve the nomination of Jerry Sidlar as a Planning Commission member. Tammy Beal seconded. **Motion carried.**

ZBA APPOINTMENTS

Bob Hanvey said the ZBA appointed new officers at the last meeting. All of the members would like to continue on the Zoning Board of Appeals.

Tammy Beal motioned to appoint Claire Stevens to the Zoning Board of Appeals. Les Andersen seconded. **Motion carried.**

Les Andersen motioned to appoint Linda Manson-Dempsey to the Zoning Board of Appeals.

Scott Lloyd seconded. **Motion carried.**

Scott Lloyd motioned to appoint Larry Fillingner to the Zoning Board of Appeals. Tammy Beal seconded. **Motion carried.**

ZONING BOARD OF APPEALS REPORT

Dan Lowe reported that the ZBA voted to allow the Clores to build a new house on the property subject to demolition of the old house or splitting the parcel. The ZBA also agreed with the zoning administrator's interpretation and the old house cannot be used as an accessory structure.

BEST WESTERN RESTAURANT

Greg Durbin asked for an update on this project. Bob Hanvey said that Mark Roman was at the township on Wednesday and he hopes to have the restaurant open by Christmas.

STATEWIDE REAL ESTATE OFFICE

Bob Hanvey reported that the attorney said the township still has the option of having them go to the Planning Commission, and he will work on that. Mr. Hanvey will also ask the attorney to review the Mason Road property.

CORRESPONDENCE/UPDATES

A Livingston County Traffic Summit was held on October 30. Updates on last year and plans for the next year were presented.

An invitation to a class on road maintenance is included in the packet; the workshop is on December 11, 8-11:30 am, at the Okemos Conference Center.

A page from a SPARK report listing real estate opportunities in the area is included in the packet; the Darakjian property is one of the parcels advertised. The full report is available in the clerk's office.

Tammy Beal said the deadline to register for the MTA conference is December 1 at noon.

CALL TO THE PUBLIC

Steve Ott, 366 Brighton Road, asked if the township had received a response from the LCRC regarding the problems with Brighton Road. Bob Hanvey said they did respond but didn't take responsibility for the repairs. Mr. Ott said that Culver would spread 550 tons of 22A for \$8500 or 21AA for \$11,000. Jim Murray suggested the township contact the LCRC and see how much they would charge for the same materials.

ADJOURNMENT

Les Andersen motioned to adjourn at 9:15 pm. Tammy Beal seconded. **Motion carried.**