

MARION TOWNSHIP
BOARD OF TRUSTEES
REGULAR MEETING
Thursday, July 28, 2022
7:00 p.m.

**THIS MEETING WILL BE HELD IN PERSON WITH
ONLINE PARTICIPATION OPTIONS**

Call to Order
Pledge of Allegiance
Members Present/Members Absent
Call to the Public

- 1) Approval of Agenda
- 2) Consent Agenda
 - a. Approval of July 14, 2022 Regular Meeting Minutes
 - b. July 20, 2022 MHOG Minutes/Agenda
 - c. July 20, 2022 HAFDA Minutes/Agenda
- 3) Assistant Assessor Pay Rate
- 4) Resolution to Amend Budget
- 5) Howell Community Theater Special Event
- 6) Cemetery Contract
- 7) Call to the Public Policy
- 8) Planning Commission Consideration
- 9) Marion Township Land Preservation Survey

Correspondence and Updates

Call to the Public

Adjournment

Reminder: Next Board Packet will be ready after 3pm on Thursday, August 4, 2022.

MARION TOWNSHIP
BOARD OF TRUSTEES
REGULAR MEETING
JULY 14, 2022

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

MEMBERS ABSENT: None

OTHERS PRESENT: John Gormley, Attorney; Phil Westmoreland, Spicer

CALL TO ORDER

Bob Hanvey called the meeting to order at 7 pm. The meeting is also available to attend online.

PLEDGE OF ALLEGIANCE

BOARD MEMBERS PRESENT

The board members introduced themselves

CALL TO THE PUBLIC

Mary Killeen, 3488 Sesame, asked the board members to consider moving forward with improvements on Cedar Lake Road.

Forrest Wyckoff, 3145 Cedar Lake Road, said a house on Cedar Lake Road is running a business and piling material in the road right-of-way.

Scott Hilton, 3389 Sesame, said there's a blight situation at a house on the SE corner of Cedar Lake Road and Love's Creek. He also said the apron approach on Love's Creek into the sub is full of potholes.

Forrest Wyckoff said the LCRC did a good job grading Cedar Lake Road recently.

APPROVAL OF AGENDA

Greg Durbin motioned to approve the agenda. Les Andersen seconded. **Motion carried.**

CONSENT AGENDA

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

LIVINGSTON COUNTY SHERIFF'S AGREEMENT

Livingston County Sheriff Mike Murphy was present to answer any of the board members' questions on this agreement. He did state that they will be able to assist with zoning violations.

Greg Durbin motioned to accept the HPS and Township Cooperative Agreement for Law Enforcement Services proposal from the Livingston County Sheriff's Department at a cost of \$25,000 per year, effective August 1, 2022. Les Andersen seconded. Roll call vote: Lowe, Lloyd, Beal, Hanvey, Durbin, Andersen, Donovan—all yes. **Motion carried 7-0.**

REQUEST TO THE LCRC FOR ESTIMATES ON CEDAR LAKE ROAD

Dan Lowe motioned to get an estimate from the LCRC for Cedar Lake Road to include itemized costs for paving and fixing the hill by Love's Creek and the low spot near Jewell Road. Bob Hanvey seconded. Discussion: Andy Herald, 1881 Cedar Lake Road, asked if the cost for paving could include a three-foot wide shoulder. **Motion carried 6-1 (Andersen—no.)**

MARION OAKS CLUBHOUSE FINAL SITE PLAN

Sarah Kunde from Capital Construction was present to ask for final approval on the clubhouse at Marion Oaks. Les Andersen motioned to approve SPR #03-22 once the comments from the consultants have been addressed. Sandy Donovan seconded. **Motion carried.**

SENATOR THEIS LETTER

Tammy Beal motioned to send the letter about transportation insurance, as presented, to Senator Lana Theis. Sandy Donovan seconded. **Motion carried.**

LIVINGSTON COUNTY FIBER INFRASTRUCTURE PLAN

Sandy Donovan motioned to adopt a resolution on County American Rescue Plan Act (ARPA) Funds, as presented. Tammy Beal seconded. Roll call vote: Donovan, Durbin, Hanvey, Lloyd, Beal, Andersen, Lowe—all yes. **Resolution passed 7-0.**

HASENBUSCH SEWER TIME PAYMENT

Les Andersen motioned to have the attorney and engineer work on a policy for financing sewer and water connection installation, not to exceed \$600. Tammy Beal seconded. Roll call vote: Beal, Andersen, Donovan, Durbin, Lowe, Hanvey, Lloyd—all yes. **Motion carried 7-0.**

SALARY RESOLUTIONS

Tammy Beal motioned to adopt a resolution to approve the Supervisor's salary at \$53,806, as presented. Sandy Donovan seconded. Roll call vote: Hanvey—yes; Lowe—no; Durbin—yes; Beal—yes; Lloyd—no; Donovan—yes; Andersen—no. **Resolution passed 4-3.**

Sandy Donovan motioned to adopt a resolution to approve the Clerk's salary at \$53,806, as presented. Greg Durbin seconded. Roll call vote: Donovan—yes; Beal—yes; Andersen—no; Lowe—no; Hanvey—yes; Lloyd—no; Durbin—yes. **Resolution passed 4-3.**

Tammy Beal motioned to adopt a resolution to approve the Treasurer's salary at \$53,806, as presented. Bob Hanvey seconded. Roll call vote: Lowe—no; Durbin—yes; Lloyd—no; Donovan—yes; Andersen—no; Beal—yes; Hanvey—yes. **Resolution passed 4-3.**

Greg Durbin motioned to adopt a resolution to approve the Trustee salary at \$8,836, as presented. Bob Hanvey seconded. Roll call vote: Lowe—no; Lloyd—no; Beal—yes; Hanvey—yes; Durbin—yes; Andersen—no; Donovan—yes. **Resolution passed 4-3.**

MILEAGE RATE RESOLUTION

Sandy Donovan motioned to adopt a resolution to follow the federal rate for mileage reimbursement. Greg Durbin seconded. Roll call vote: Donovan, Durbin, Hanvey, Lloyd, Beal, Andersen, Lowe—all yes. **Resolution passed 7-0.**

INSURANCE STIPEND

Greg Durbin requested that the insurance stipend for five people who don't take insurance be increased in proportion to the salary increases.

Tammy Beal motioned to adopt a resolution to increase the stipend by \$60 per month. Sandy Donovan seconded. Discussion: Dan Lowe said he feels it's too much. Roll call vote: Beal—yes; Andersen—no; Donovan—yes; Durbin—yes; Lowe—no; Hanvey—yes; Lloyd—no. **Resolution passed 4-3.**

RECORDING SECRETARY COMPENSATION

Tammy Beal motioned to adopt a resolution to approve the new rates for the recording secretary, as presented. Bob Hanvey seconded. Roll call vote: Hanvey—yes; Lowe—yes; Durbin—yes; Beal—yes; Lloyd—no; Donovan—yes; Andersen—yes. **Resolution passed 6-1.**

MARION TOWNSHIP LAND PRESERVATION SURVEY

Bob Hanvey reported that approximately 80 surveys have been received by mail and approximately 200 online.

ZONING BOARD OF APPEALS REPORT

Dan Lowe reported that one case was heard at the July 11, 2022 ZBA hearing for a front-yard setback variance for a shed, which was approved.

CORRESPONDENCE & UPDATES

The Livingston County Commissioner's update is included in the packet.

A meeting was held with representatives from Hometown Village, Allen Edwin, the attorney, and the zoning administrator to discuss the next phase of the project.

The LCDC has given approval for the berm on Lucy Road.

The Livingston County Planning Connection mentioned that funds for parks will be available in the future.

Les Andersen asked to have a policy for the Call to the Public portion of the meeting added to the next agenda.

CALL TO THE PUBLIC

Andy Herald, 1881 Cedar Lake Road, said he likes having the board packet available online. He also said the Witkowski's are advertising the wedding barn.

Forrest Wycoff, 3145 Cedar Lake Road, said he likes the agreement with the sheriff's department.

Mary Killeen, 3488 Sesame, thanked those board members who voted to get an estimate for Cedar Lake Road; she would like representatives from the LCRC to come to a future meeting.

ADJOURNMENT

Sandy Donovan motioned to adjourn at 8:11 pm. Greg Durbin seconded. **Motion carried.**

Submitted by: S. Longstreet

MHOG Water Authority Meeting
July 20, 2022 at 5:00 PM

AGENDA

- 1. Approval of the Minutes of June 15, 2022**
- 2. Call to Public**
- 3. Reports**
 - **Staff Reports: (Greg Tatara)**
 - **Treasurer (Robin Hunt)**
 - **Engineer (Gary Markstrom)**
 - **CPA (Ken Palka)**
- 4. New Business**
 - **Correspondence**
- 5. Old Business**
- 6. Adjournment**

Marion Howell Oceola Genoa

WATER AUTHORITY

MHOG Water Authority Meeting MINUTES

The Marion, Howell, Oceola, Genoa Water Authority met on June 15, 2022 at 5:00 PM. Members present were Bamber, Coddington, Rogers, Hunt, Lowe, Counts, Schuhmacher and Hanvey.

The meeting was called to order by Chairman Hanvey.

A call to the public was held.

A motion was made by Rogers to approve the minutes of the May 18, 2022 meeting. The motion was seconded by Coddington and carried.

A motion was made by Schuhmacher to reject the change order from ASI for paving. The motion was seconded by Counts and carried.

A motion was made by Schuhmacher to accept the bid of \$182,122.00 from D & H for asphalt paving at the plant. The motion was seconded by Coddington and carried.

A motion was made by Schuhmacher to approve General Fund checks # 9189 through 9219 and PR 752-759, totaling \$201,120.38. The motion was seconded by Coddington and carried.

A motion was made by Counts to approve check #121 totaling \$13,127.50 from the Capital Reserve Improvement Fund. The motion was seconded by Coddington and carried.

A motion was made by Schuhmacher to increase the reserve funds from \$70,000.00 to \$100,000.00. The motion was seconded by Hunt and carried.

A motion was made by Hunt to adjourn. The motion was seconded by Coddington and carried.

William J. Bamber, Secretary



MHOG Utility Department

2911 Dorr Road
Brighton, MI 48116

810-227-5225

www.mhog.org

July 15, 2022

Marion, Howell, Oceola, and Genoa Sewer and Water Authority
1577 North Latson Road
Howell, MI 48843

Subject: M.H.O.G. – June 2022 Board Report

Dear Board Members;

The MHOG System operated well over the past month; and with a dry warm second half to June, our production increased 5.9 % from last year. Also, as evidenced by the front cover photograph, with irrigation usage up, we were able to identify at least one home that was irrigating without increased usage. Appropriate \$500 fines were issued. Following is a summary of the major activity since the previous meeting.

- With the cross-country main construction being cost prohibitive at this time, we are watching our pressures and demands and tweaking the system as best we can. We received a low-pressure complaint in Maple Square apartments on Latson and M-59. However, our gauges installed during high demand show pressures consistently between 52 – 56 psi. We think it may have been a localized building demand that caused the complaint and not a system wide problem.
- For new construction, the following summarizes the activities for the past month:
 - Permits were submitted for Westbury Phase II.
 - 2nd plan reviews were conducted for Bible Baptist and Grand River Self Storage (Old Great Escape)
 - Watermain was successfully crossed with sanitary sewer installed 40 feet below in the new phase of Forest Ridge.
 - GIS was updated and final binders were received for Pine Ridge Phase III, Birkenstock Mini Storage, and Livingston County Road Commission.
- Consumer Confidence Reports were mailed to residents on June 24th and the certificate of distribution was filed with EGLE on June 27th.
- Last month, we presented how due to low flow fixtures, we are seeing lower water usage in residential new homes. Currently, an REU is defined as 218 gallons per day per home. We have asked Tetra Tech to prepare a proposal to evaluate how an REU should be defined as it is important for new connections and assignment of REUs to commercial structures. The

proposal for MHOG is \$3,000, with the other \$3,000 being proposed from GO as the REU assignment fits both water and sewer systems.

- A status report is presented on the Hometown Lawsuit. From the summary it appears that this case is wrapping up, with the attorney just monitoring that the closeout is completed properly to avoid any further litigation for MHOG related to the water tower.
- In addition, an updated status is presented regarding the Padnos lawsuit. The contractor obtained a rental meter from MHOG for construction, so we are hopeful that with construction occurring, this case will also be closed shortly. There is a status update at the Circuit Court on July 15th, so we will provide a synopsis of that event at the Board Meeting.
- The Deputy report provides flow and production data, quote to repair concrete at the plant, quote to obtain a new chlorine level sensor, PFAS data, as well as water loss and MISS DIG staking information.
- Ken Palka will present a Month Budget to Actual Report for MHOG ending May 31, 2022, a copy of which is presented in the report.
- Despite ordering meters in 2021, we have now utilized our entire supply of meters, and we are not sure when we will be able to obtain more. We have over 200 on back order at this time. In the interim, we are installing blanks so customers can get their Certificate of Occupancy and we are estimating usage. Also, our billing staff is keeping good records on where blanks are being installed. In addition to meters, we are still waiting on dual port MXU devices to arrive. We also have reached out to other suppliers and their meter inventories are not available as well.

We look forward to discussing the contents of the report in detail with the Board at the regular meeting on July 20, 2022.

Sincerely,



Greg Tatara
Utility Director

HOWELL AREA FIRE AUTHORITY

AGENDA

Date: July 20, 2022

Time: 6:00 PM

Board members

Bill Bamber, Oceola Twp, Chairman

Mike Coddington, Howell Twp., Vice Chairman

Mark Fosdick, Cohoctah Twp., Secretary

Robert Hanvey, Marion Twp., Treasurer

Bob Ellis, City of Howell, Member

Ron Hicks, Fire Chief

Laura Walker, Asst. Sec./Treasurer

WELCOME!

Visitors are invited to attend all meetings of the Howell Area Fire Authority Board. If you wish to address the Board, you will be recognized by the Chairman.

Agenda Items

Meeting called to order at 6:00pm

Pledge of Allegiance

Approve the minutes of the regular meeting of June 15, 2022

Call to public (Items not on the agenda)

Discussion/Approval Comments from Personnel Committee on Salary Increase for Fire Chief

Discussion/Approval New Fire/EMS Reporting Software

Discussion/Approval annual Election of HAFA Board Officer Positions

Chief's Comments

- Annual Audit scheduled for September 12-14, 2022
- MIOSHA - unscheduled visit on 7-1-2022
- Awards Ceremony

Approve Payment of Bills and Payroll in the amount of \$175,563.26

New Business

Old Business

Closed Session for letter from legal counsel

Adjournment

HOWELL AREA FIRE AUTHORITY

June 15, 2022 – 6:00 pm

Oceola Township Hall – 1577 N. Latson Rd. Howell, MI 48843

Board Members Present:

Chairman Bill Bamber, Vice Chairman Mike Coddington, Treasurer Bob Hanvey, Member Bob Ellis, Secretary Mark Fosdick, Attorney Kevin Gentry, Deputy Chief Jamil Czubenko (in place of Fire Chief Ron Hicks), Asst. Sec/Treas. Laura Walker

Also Present: Deputy Chief Brian Anderson, former HAFA Firefighter Dale Bist, Assistant Chief Michael Randall

Absent: Fire Chief Ron Hicks

Chairman Bill Bamber called the meeting to order at 6:03 pm

Approve the minutes of the regular meeting of May 18, 2022: MOTION by Mr. Coddington, SUPPORT by Mr. Ellis to approve the minutes of the regular meeting of May 18, 2022. MOTION CARRIED UNANIMOUSLY.

Call to Public: Assistant Chief (A.C.) Michael Randall addressed the board. A.C. Randall stated that he is representing many of the employees of the Howell Area Fire Department. His accusations included the following:

- A.C. Randall takes in complaints from employees every day.
- The Fire Chief is not present, works from home, and is “a ghost”.
- The current administration hides things from the board and lies to the board. A.C. Randall stated that he has eyes and ears in the office and knows everything that occurs.
- The current administration ignores the requests and concerns of the employees.
- Someone submitted a complaint to MIOSHA, and administration lied in their response to MIOSHA.
- A.C. Randall referenced a previous incident in which a private investigator was hired by HAFA regarding a social media violation. He stated that he will FOIA the cost of that expense. Expressed concern over the Authority spending money on that and not purchasing additional sets of turnout gear.
- A.C. Randall resigned his part-time position, but that doesn’t mean he’s going away. He will come to every board meeting if he needs to until his concerns are addressed.
- A.C. Randall stated that the board members should remember that they are elected. Addressing the board, “I don’t work for you....you work for me.”
- A.C. Randall addressed Deputy Chief Czubenko telling him to “wipe that smirk off of your face”.
- A.C. Randall addressed Deputy Chief Anderson, stating “and you can stop laughing over there”.
- The board needs to take action against the current administration. If nothing is done, then the next action is court.

Discussion/Approval to purchase new E-22. MOTION by Mr. Coddington, SUPPORT by Mr. Ellis to purchase new Engine 22. MOTION CARRIED UNANIMOUSLY.

Discussion of report from administration to the board regarding the PSPHPR grant. A report was provided to the board, detailing the application process and distribution of grant funds. Mr. Fosdick stated that he believes the administration took their time to make sure funds were issued without the risk of the grant being taken back from the organization. The timing was appropriate, and the board approved the distribution of funds after that waiting period.

Chairman Bamber asked what the position of the Chief is. Deputy Chief Czubenko responded to stay the course. After the board's discussion and decision, Mr. Bist requested clarification that he will not be issued any of the bonus money. Mr. Bist stated that he will take the next step.

Approve payment of Bills and Payroll: MOTION by Mr. Ellis, SUPPORT by Mr. Fosdick to authorize payment of Bills and Payroll in the amount of \$226,338.45. MOTION CARRIED UNANIMOUSLY.

Adjourn: MOTION by Mr. Ellis, SUPPORT by Mr. Fosdick to adjourn the meeting at 6:20pm.
MOTION CARRIED UNANIMOUSLY.

Respectfully Submitted: _____
Laura Walker, Asst. Secretary/Treasurer

Approved By: _____
Mark Fosdick, Secretary

JMONTHLY UPDATE TO THE BOARD

TO: HOWELL AREA FIRE AUTHORITY BOARD OF DIRECTORS
FROM: RON HICKS, FIRE CHIEF
SUBJECT: MONTHLY HAFD REPORT FOR JUNE 2022
DATE: JULY 20, 2022

During the month of June, the HAFD responded to a total of 158 calls for service. There were 160 calls in June of 2021. The total year-to-date runs for 2022 is 975. Last year's total at the end of June was 891.

Some of the more significant events for the month included:

On June 5th Howell Firefighters were dispatched for a machine rescue in the 700 block of S. Michigan Ave. in the City of Howell. Upon arrival crews found a female with her finger entrapped in a dough rolling machine. Crews had to cut the rollers to gain access and remove the finger. Care of the patient was then transferred to LCA.

On June 16th, Howell Firefighters were dispatched for a reported structure fire in the 5000 block of Fisher Rd. in Howell Township. Upon arrival crews reported a working fire in the attic of a single-story ranch. Crews quickly located and extinguished the fire. The fire appears to be electrical in nature.

On June 16th, Howell Firefighters were dispatched to a subject with his hand caught in a trap in the 2000 block of W. Grand River in Howell Township. Upon arrival crews found a 6-year-old male with his hand stuck in an animal trap. Crews released and removed the patient's hand.

On June 22nd Howell Firefighters were dispatched to a reported structure fire in the 5000 block of Whispering Oaks Ln. in Oceola Township. Upon Arrival crews reported a working fire in the attic of a two-story home. Crews removed the ceiling to gain access and extinguished the fire. The fire appears to be from electrical damage from a rodent.

Training for the month of June consisted of truck maintenance and PFAS , water rescue/boat ops, and hot air balloon.

Next meeting of the Howell Area Fire Authority Board is scheduled for Wednesday July 20th, 2022, at 6:00 pm.



Howell Area Fire Department Fire Marshal Division

1211 W Grand River Ave, Howell, MI 48843

office: 517-546-0560 fax: 517-546-6011

firemarshal@howellfire.net

DATE: July 3, 2022
TO: Chief Ron Hicks
Fire Authority Board
FROM: Jamil Czubenko, Deputy Chief/Fire Marshal
REF: June 2022 Month End

The month of June 2022 was busy in the Fire Marshal Division (FMD).

The FMD participated in emergency responses and department training throughout the month.

The 37th Annual Balloonfest was June 24-26. The Fire Department was active throughout the event and had a presence at the Balloonfest this year. The Balloonfest was on the Howell High School Campus. We conducted fire safety inspections of all food vendors and the carnival before the start of the event. We were also involved with the Fireworks display for Friday night entertainment and the Saturday night balloon glow. The FMD worked with Night Magic Fireworks before, during and after the show. The event was successful and went without incident.

Planning and meetings continue for the Howell Melon Festival, Melon Run and Parade. The 62nd Annual Melon Festival will be August 10-14. The HAFD will be active throughout the event for many of the activities going on.

The FD continues to share our safety messages and keeping our customers informed. Our Facebook page has 4,685 current followers. Our Instagram currently has 727 followers where similar messages and images are shared to promote our department.

Several Food Truck/Trailer events have occurred throughout our jurisdiction, where the FMD has performed fire safety inspections. This is our sixth year for Mobile Food Vendors (MFV) to apply to the HAFD and then be inspected for compliance. To date, we've had over 31 applicants this year. This number continues to grow since we've started

The FMD has been involved with buyers and sellers of property for vacant property and existing buildings throughout our jurisdiction. A few proposals for projects have been submitted for review and comment. New and renovation construction, along with change of occupancy inspections have continued where we can continue to utilize safe practices for us and our customers.

Our Smoke Detector Program visited 9 homes, where we evaluated and/or installed new equipment. Captain Appleyard had done 11 Child Safety Seat inspection for the month as well.

July 2022 brings us more planning for future projects and various fire prevention events.

INCIDENT NUMBER	INCIDENT TYPE	DATE	LOCATION	APPARATUS
2022-0910	111 - Building fire	06/16/2022	5371 FISHER RD	BR23,BR24,C-202,CH24,CPT24,EN21,EN22,EN23,EN24,R20,STA20,TA22
2022-0911	611 - Dispatched & cancelled en route	06/17/2022	2211 GRAND COMMERCE DR	STA20
2022-0912	551 - Assist police or other governmental agency	06/17/2022	4494 SINGLE TREE DR	BR20,STA20
2022-0913	351 - Extrication of victim(s) from building/structure	06/17/2022	1417 STEEPLECHASE CT	EN21,STA20
2022-0926	311 - Medical assist, assist EMS crew	06/19/2022	3003 W GRAND RIVER	BR20,STA20
2022-0928	611 - Dispatched & cancelled en route	06/20/2022	205 FRANCIS RD	STA20
2022-0930	611 - Dispatched & cancelled en route	06/20/2022	1044 DURANT DR	CH20
2022-0931	311 - Medical assist, assist EMS crew	06/20/2022	3003 W GRAND RIVER	BR20,FM2,STA20
2022-0934	311 - Medical assist, assist EMS crew	06/21/2022	3003 W GRAND RIVER	EN20,FM2,STA20
2022-0959	551 - Assist police or other governmental agency	06/27/2022	967 INDIAN CREEK DR	BR20,STA20
2022-0965	311 - Medical assist, assist EMS crew	06/28/2022	4494 SINGLE TREE DR	BR20,STA20
2022-0967	611 - Dispatched & cancelled en route	06/28/2022	101 W GRAND RIVER AVE	STA20
2022-0974	551 - Assist police or other governmental agency	06/30/2022	1051 AUSTIN CT	BR20,STA20
2022-0981	551 - Assist police or other governmental agency	06/30/2022	5519 E GRAND RIVER	CH20,EN20,STA20

Total # Incidents for HOWELL TWP:

29

ZONE: MARION - MARION Twp

2022-0823	311 - Medical assist, assist EMS crew	06/01/2022	405 HARMON RD	BR20,C-2,C-202,FM2
2022-0827	746 - Carbon monoxide detector activation, no CO	06/01/2022	5480 STONE GARDEN DR	EN21,STA20
2022-0833	311 - Medical assist, assist EMS crew	06/03/2022	65 OLD BARNWOOD DR	BR20,C-202,STA20
2022-0843	611 - Dispatched & cancelled en route	06/04/2022	5510 HINCHEY RD	BR20,STA20,STA23
2022-0852	440 - Electrical wiring/equipment problem, other	06/06/2022	PINCKNEY RD	BR20,EN23,FM2,STA20
2022-0857	745 - Alarm system activation, no fire - unintentional	06/08/2022	205 FRANCIS RD	EN20,STA20
2022-0866	131 - Passenger vehicle fire	06/09/2022	2867 BLACK EAGLE RDG	C-202,EN20,EN22,EN23,EN24,FM2,STA20,STA22,STA23
2022-0869	551 - Assist police or other governmental agency	06/09/2022	2571 PINCKNEY RD	C-202,CPT23,EN20,EN23,STA20
2022-0876	311 - Medical assist, assist EMS crew	06/10/2022	470 HOSTA	BR20,STA20
2022-0880	322 - Motor vehicle accident with injuries	06/11/2022	5880 DUTCHER RD	EN20,EN23,STA20,STA23
2022-0882	600 - Good intent call, other	06/12/2022	1005 TRIANGLE LAKE RD	EN20,EN23,STA20,STA23
2022-0884	622 - No incident found on arrival at dispatch address	06/12/2022	4493 GRAPE VINE DR	BR20,STA20
2022-0886	551 - Assist police or other governmental agency	06/12/2022	3786 PINCKNEY RD	BR20,BR23,STA20
2022-0891	141 - Forest, woods or wildland fire	06/13/2022	308 W SCHAFFER RD	C-202,EN20,EN23,STA20

Only REVIEWED incidents included. Archived Zones cannot be unarchived.



INCIDENT NUMBER	INCIDENT TYPE	DATE	LOCATION	APPARATUS
2022-0900	311 - Medical assist, assist EMS crew	06/15/2022	4540 PARKER DR	BR23,STA20,STA23
2022-0904	551 - Assist police or other governmental agency	06/16/2022	1644 PINCKNEY RD	EN20,STA20
2022-0917	445 - Arcing, shorted electrical equipment	06/18/2022	4625 W COON LAKE RD	BR20,BR23,LT23,STA20
2022-0921	142 - Brush or brush-and-grass mixture fire	06/18/2022	1367 E I96	BR20,BR21,STA20
2022-0943	311 - Medical assist, assist EMS crew	06/23/2022	1437 WEATHERSTONE LN	BR20,CPT20,STA20
2022-0948	743 - Smoke detector activation, no fire - unintentional	06/24/2022	1036 SPIREA	EN21
2022-0957	600 - Good intent call, other	06/27/2022	1367 E I96	EN20,STA20,STA22
2022-0958	311 - Medical assist, assist EMS crew	06/27/2022	2578 CEDAR LAKE RD	BR23,STA20
2022-0972	745 - Alarm system activation, no fire - unintentional	06/29/2022	1309 S ALSTOTT DR	EN20,STA20

Total # Incidents for MARION:

23

ZONE: OCEOLA - OCEOLA Twp				
2022-0828	311 - Medical assist, assist EMS crew	06/01/2022	2830 LAUREL OAK DR	BR22,STA20
2022-0840	745 - Alarm system activation, no fire - unintentional	06/04/2022	3125 GOLF CLUB RD	C-202,CH22,EN20,STA20,STA22
2022-0841	411 - Gasoline or other flammable liquid spill	06/04/2022	5999 CLYDE RD	C-202,EN22,STA22
2022-0842	352 - Extrication of victim(s) from vehicle	06/04/2022	5999 E HIGHLAND RD	C-202,EN20,EN22,FM2,R20
2022-0845	743 - Smoke detector activation, no fire - unintentional	06/05/2022	6135 BAKER DR	EN20,EN22,STA22
2022-0847	745 - Alarm system activation, no fire - unintentional	06/05/2022	2099 N HACKER RD	C-202,EN20,EN22,STA22
2022-0859	151 - Outside rubbish, trash or waste fire	06/08/2022	4930 N LATSON RD	BR22,STA22
2022-0868	311 - Medical assist, assist EMS crew	06/09/2022	3767 HIGHLAND RD	BR22,STA22
2022-0870	322 - Motor vehicle accident with injuries	06/09/2022	2900 FISHER RD	C-202,EN20,LT203,STA20,STA24
2022-0890	311 - Medical assist, assist EMS crew	06/13/2022	3767 E HIGHLAND RD	C-202,EN22,STA22
2022-0896	551 - Assist police or other governmental agency	06/15/2022	3999 INNISFREE RD	EN22
2022-0897	600 - Good intent call, other	06/15/2022	1341 ASHWOOD LN	EN22
2022-0903	746 - Carbon monoxide detector activation, no CO	06/15/2022	1258 STONEBROOKE DR	EN22
2022-0907	322 - Motor vehicle accident with injuries	06/16/2022	1989 N LATSON RD	C-202,EN22,STA22
2022-0909	322 - Motor vehicle accident with injuries	06/16/2022	4999 E HIGHLAND RD	C-202,EN22
2022-0914	311 - Medical assist, assist EMS crew	06/17/2022	3541 BROPHY RD	BR22,STA22
2022-0915	412 - Gas leak (natural gas or LPG)	06/17/2022	1341 ASHWOOD LN	EN20,EN22,STA22
2022-0919	551 - Assist police or other governmental agency	06/18/2022	2026 N LATSON RD	BR22,CPT22
2022-0929	311 - Medical assist, assist EMS crew	06/20/2022	3916 GIDEON AVE	BR22
2022-0933	551 - Assist police or other governmental agency	06/21/2022	1999 N LATSON RD	EN22,STA22
2022-0938	611 - Dispatched & cancelled en route	06/22/2022	2555 MUSSON RD	BR20,CPT22,STA22

Only REVIEWED incidents included. Archived Zones cannot be unarchived.



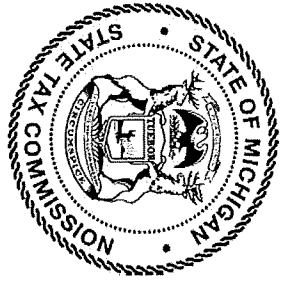
MEMO

To: Marion Township Board
From: Bob Hanvey
Subject: Assistant Assessor Salary
Date: July 28, 2022

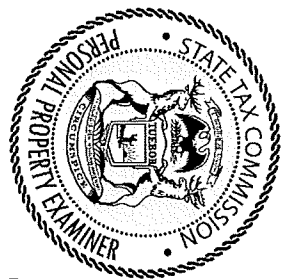
When the position of Assistant Assessor was offered to Sara McCleery, there was a provision to review the salary when she received her level 2 certification.

She completed the requirements and passed the test on July 11, 2022, (certificate attached).

I suggest a salary of \$26.00 per hour.



STATE OF MICHIGAN
STATE TAX COMMISSION



This is to certify that

Sara L. McCleery

is a

*Michigan Certified Assessing Officer (2)
and Michigan Certified Personal Property Examiner*

Issued under the provisions of Act 206, Public Acts of 1893,
Being Section 211.10d of the Michigan Compiled Laws.

R-10001
CERTIFICATE NO

12/31/2022
EXPIRATION DATE

A handwritten signature in black ink, appearing to read "D. Bair", written over the printed name of the Executive Director.

Executive Director, State Tax Commission

MEMO

To: Marion Township Board
From: Bob Hanvey
Subject: Suggested budget amendments for FYE June 2023
Date: July 28, 2022

General Fund Budget

I recommend the following amendments:

257-704 Assistant Assessor annual salary	\$45,000
270-704 Misc Stipend (Insurance)	\$40,000
Mileage reimbursement	
101-860 Township Board	\$200
215-860 Clerk	\$600
253-860 Treasurer	\$750
257-860 Assessor	\$1,750
262-860 Elections	\$250
276-860 Township General	\$300
701-860 Planning Commission	\$100
702-860 Zoning Administrator	\$1,750

MARION TOWNSHIP
2877 W. COON LAKE ROAD
HOWELL, MI 48843
Phone 517-546-1588
Fax 517-546-6622

TRANSMITTAL

TO: Board of Trustees

DATE July 28, 2022

PROJECT **Special Event #03-22**
Community theatre of Howell
At Howell Nature Center

VIA Hand Delivery

WE ARE SENDING: Herewith Under Separate Cover

THE FOLLOWING:

Special Event #03-22 Community Theatre application and site plan

FOR YOUR: approval/ denial as requested
 other review & comment

REMARKS:

Approval required for Liquor License. Let me know if you have any questions!

FROM: Dave Hamann, Zoning Administrator

Copy: file

MARION TOWNSHIP SPECIAL EVENT PERMIT/APPLICATION
Application shall be made 90 days prior to the event

Date of application: 6/7/22 SEP # 03-22
Name of Event: "Merry Wives of Windsor" Tax ID# 38-307-3924
Date(s) of Event: August 19, 20, 21
Description of Event: Outdoor performance of "Merry Wives of Windsor"
Event address: Howell Nature Center, 11005 Triangle Lake Rd, Howell, MI
Number of Participants: 23 Estimated Attendance: 100
Hours of Event: 8/19: 5-9 PM; 8/20: 4-8 PM; 8/21: 2-6 PM

APPLICANT

Name: CHRISTINE CLINTON-CALI Phone #: 586-242-1125
Address: 10617 FAIRLANE, S. LYON, MI, 48178

ORGANIZATION/BUSINESS SPONSORING EVENT (if different from applicant)

Name: Community Theatre of Howell Phone #: 586-242-1125
Address: PO Box 533, Howell, MI 48843
Non-profit status if applicable Non-Profit

CONTACT PERSON(S) ON DAY OF EVENT

Name: CHRISTINE CLINTON-CALI Phone #: 586-242-1125
Address: 10617 FAIRLANE, S. LYON, MI 48178
Cell Phone, Pager or Direct Connect#: 586-242-1125

Using the checklist below, please provide us with the plan for your event on a separate sheet of paper. Include information on organizations/individuals providing services & contact numbers. If your event is large and includes multiple tents, vendors & participants, please provide a sketch of your event layout.

- Security/crowd control CTH WILL PROVIDE W/ ASSISTANCE FROM HOWELL NATURE CENTER
- Vendors NONE
- Sanitation/restroom Facilities ADJACENT TO PERFORMANCE AREA

Will music be provided? Yes No
If yes give beginning and end times 1 Hour Prior to Performance to end of performance

**"Merry Wives of Windsor" at the Howell Nature Center
Sponsored by: The Community Theatre of Howell
August 19, 20, 21**

Event Plan:

The Community Theatre of Howell wishes to provide three performances of Shakespeare's "Merry Wives of Windsor" at the Howell Nature Center on August 19, 20, 21. While the Howell Nature Center will be collecting a per car fee at the center's main gate, all other aspects of the event will be managed by the Community Theatre of Howell with no other vendors present. It is anticipated that there will be an audience of no more than 100 patrons. 12 volunteers and 23 cast members.

One hour prior to the performance, CTH will have two volunteers at the main entrance to Howell Nature Center to collect entrance fee and ensure that those entering have tickets for the performance. They will be directed to follow the main road to the performance area. There will be two volunteers at the designated parking area to assist with parking and to direct participants to the seating area.

There will be a table with pre-packaged snacks and a second table with beer and wine for sale on the deck adjacent to the performance area. Each table will have a CH volunteer to conduct transactions. The volunteer supervising the sale of beer and wine will follow the approved procedures described in the license to sell beer and wine. Snacks and beer and wine will be available throughout the performance beginning one hour prior and ending at the conclusion of the performance.

Seating for the event will be outside on chairs and blankets provided by the attendees. There will be some chairs provided by Howell Nature Center on the upper and lower decks. There will be seating for persons with mobility problems or wheelchair users on the upper deck. Parking lot supervisors will direct such individuals to the proper entrance.

Prior to the performance and during intermission there will be prerecorded music at a low volume. The performance will utilize body mics for the performers.

The bunkhouse adjacent to the performance area has a men's and woman's restroom with running water.

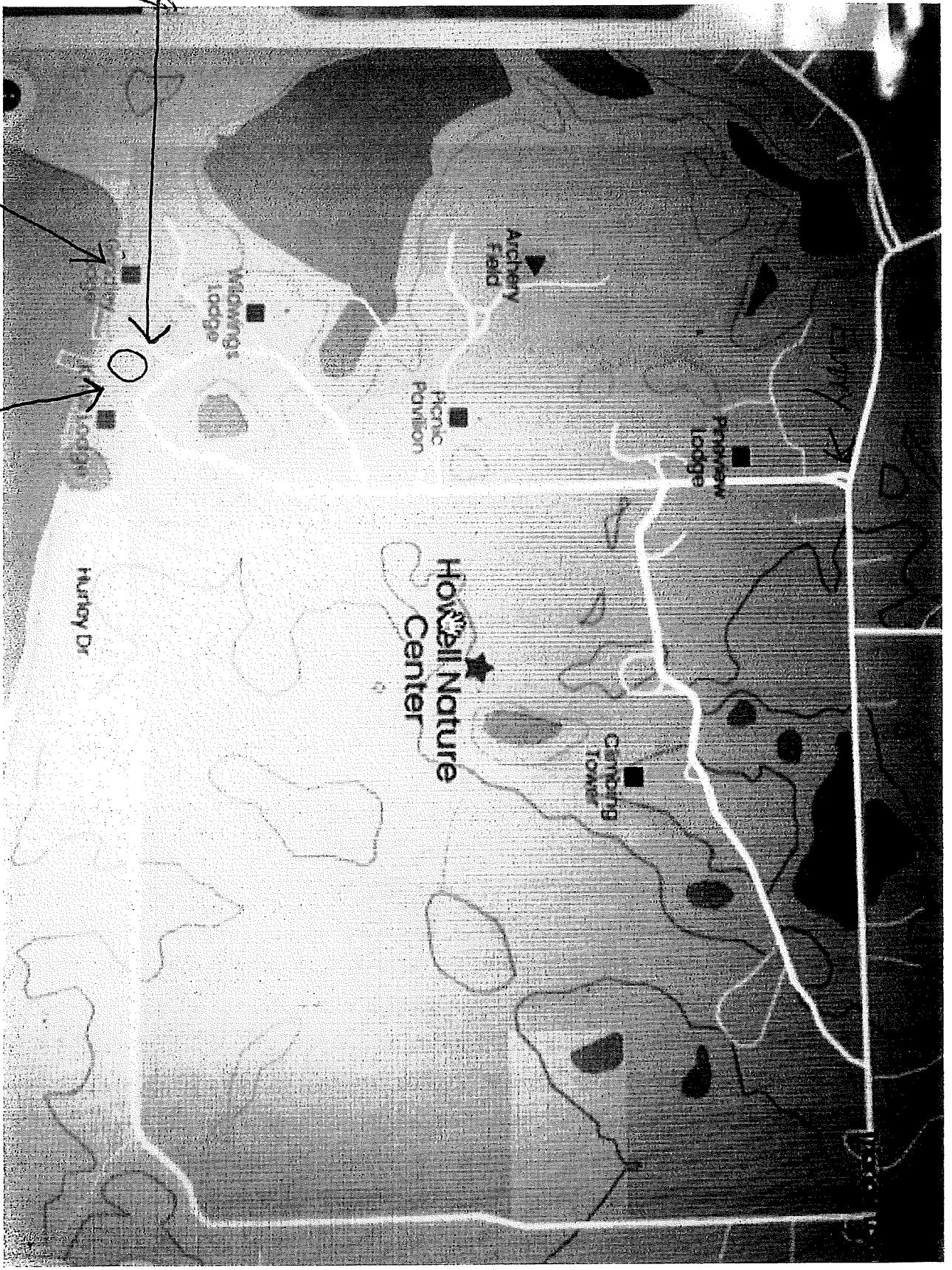
The performance will take place on the deck by the water's edge. The cast will consist of 18 adults and five minors. They will have appropriate changing areas inside of the bunkhouse.

Two volunteers will be in the parking area and an additional two will be at the Howell Nature Center entrance at the end of the performance to direct traffic.

PARKING

VENUE
IF RAIN

STAGE & BUNKHOUSE w/ RESTROOM 2



COMMUNITY THEATRE OF HOBOKEN
EMERY WIVES OF WINDSOR



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
6/7/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).


PRODUCER InPro Insurance Group, Inc. 2095 E. Big Beaver, Ste 100 Troy MI 48083	CONTACT NAME: InPro Insurance Group
	PHONE (A/C, No, Ext): 248-526-3260 FAX (A/C, No): 248-526-3261 E-MAIL ADDRESS: certificates@inproagent.com
INSURER(S) AFFORDING COVERAGE	
INSURER A: West Bend Mutual Ins Co	NAIC # 15350
INSURER B:	
INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 1962575855 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y		B077884	5/12/2022	5/12/2023	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 1,000,000
							MED EXP (Any one person)	\$
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			B077884	5/12/2022	5/12/2023	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION\$						EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N					PER STATUTE	OTH-ER
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
RE: "Merry Wives of Windsor" at Howell Nature Center, dates: August 19, 20, 21
Additional Insured for General Liability when required by written contract: Marion Township

CERTIFICATE HOLDER Marion Township 2877 W Coon Lake Road Howell MI 48843	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

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INDEMNIFICATION AGREEMENT

The COMMUNITY THEATRE OF HOWELL agree(s) to defend, indemnify, and hold harmless
(business/organization)

the Township of Marion, Livingston County, Michigan, from any claim, demand, suit, loss, cost
of expense or any damage which may be asserted, claimed or recovered against or from the

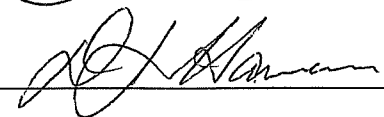
COMMUNITY THEATRE OF HOWELL by reason of any damage to property, personal injury or
(business/organization)

bodily injury, including death, sustained by any person whomsoever and which damage, injury or death
arises out of or is incident to or in any way connected with the performance of this contract, and
regardless of which claim, demand, damage, loss, cost of expense is caused in whole or in part by the
negligence of the Township of Marion or by third parties or by the agents, servants, employees or
factors of any of them.

Event "Merry Wives of Windsor" at Howell Nature Center

Name CHRISTINE CLINTON-CALY
(Authorized representative/and/or on behalf of binding authority)

Signature  Date 6/8/22

Witness  Date 6/8/2022

Will Alcoholic beverages be permitted on premises Yes No

If yes, what measures will be taken to prohibit the sale of alcohol to minors or visibly impaired individuals?

CTH HAS APPLIED for a liquor license. BARTENDERS will check ID
of ANYONE looking younger than 30yrs and will sell only one drink
per person at one time.

PLEASE INCLUDE

- \$200.00 Application fee (nonrefundable)
- Certificate of Liability Insurance event specific policy naming Marion Township as additional insured Indemnification Agreement
- Event plot plan
- Permits/Approvals from applicable agencies

Applicant acknowledges that he/she is responsible for contacting the Michigan Liquor Control commission and/or the Livingston County Health Department to secure any and all permits required from the State of Michigan and/or Livingston County for this event.

I hereby certify that all information and data attached and made part of this application are true and accurate to the best of my knowledge and belief. I agree to conform to all applicable laws and ordinances of this jurisdiction.

Chad Claitor 6/7/22
 Applicant ccati12832@aol.com Date
586-242-1125

Copy of application (if applicable) sent to:

- Howell Area Fire Authority *Donna*
- Livingston County Sheriff's Department *ARIC*
- Livingston County Emergency Medical Services *AMY*
- Livingston County Department of Public Health *ARIC*
- Livingston County Road Commission *L.C.M.*

ARIC 6-8-2022
 Approved Date



MARION TOWNSHIP

www.mariontownship.com

2877 W. Coon Lake Rd.
Howell, MI 48843

Phone (517) 546-1588
Fax (517) 546-6622

MARION TOWNSHIP GRAVE AND SERVICE CHARGES

Marion Township's Sexton is Mr. Richard Haslock. He can be reached at 517-428-1234. Charges for graves and services at Lakeside, Green and Harger Cemeteries are as follows:

GRAVE SITES:

- Resident \$500
- Non-resident \$1000
- Transfer Fee \$100 per burial space for non-immediate family, immediate family is the owner's grandparent, parent, brother/sister, child or grandchild.

GRAVE OPENINGS

- Adults \$600
- Infants \$300
- Cremains \$300 (Appropriate Permit of Identification of the cremains to be buried must be presented to either the Township Sexton or the Township Clerk prior to interment)
- Winter (December 1-April 1) grave openings \$100 extra

MONUMENTS

- 50 cents per square inch
Example: If the monument is 20"x30" that equals 600 square inches, multiplied by 50 cents equals \$300. The footing or foundation upon which any monument, marker or memorial for any grave must be placed on a footing which shall be constructed by the Township's Sexton or his designee at a cost to the owner of the burial right.

DISINTERMENT

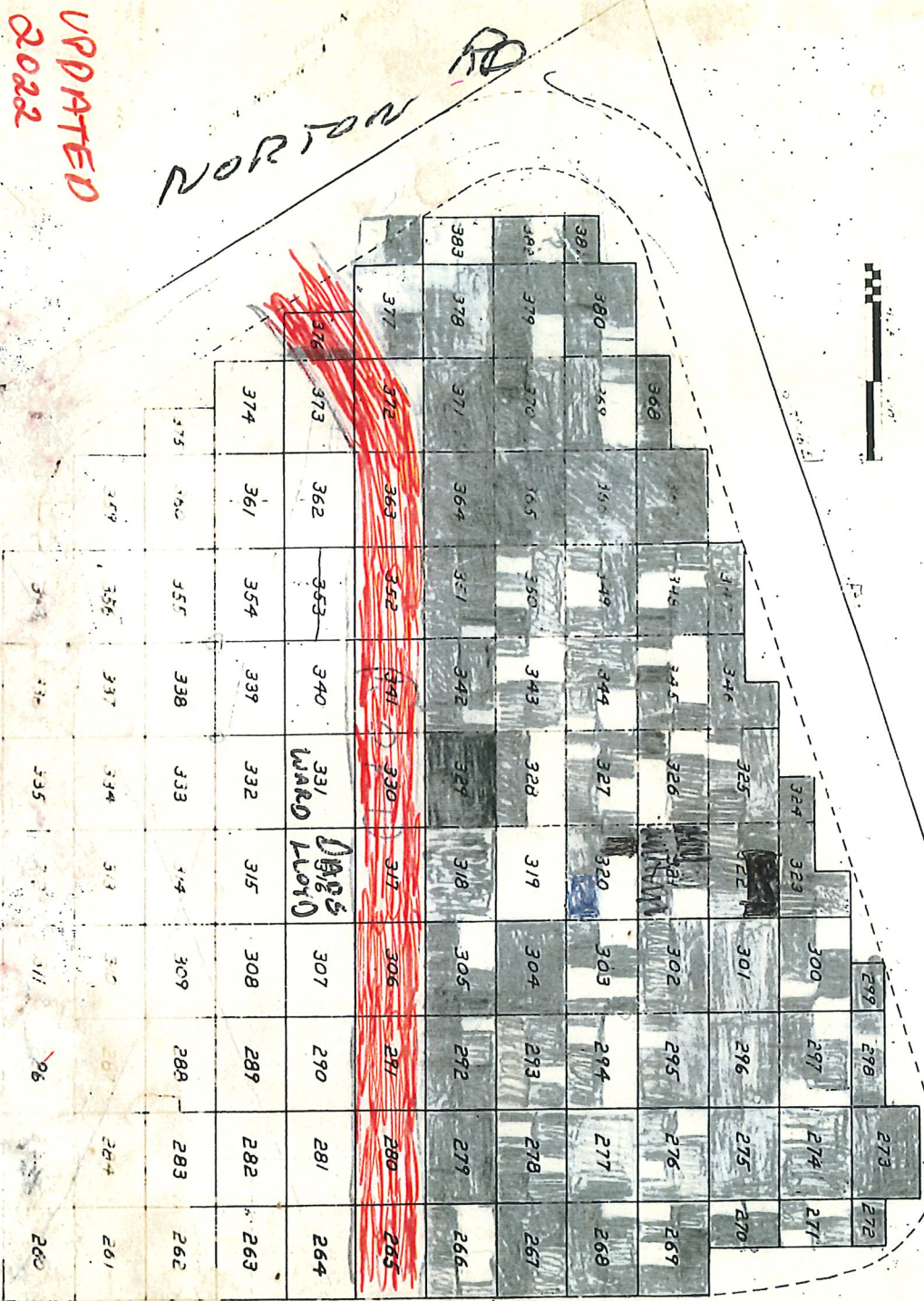
- The price of disinterment is two times the appropriate opening and closing fees. A permit for disinterment and reinterment is required before disinterment of a body. The Health Department shall issue the permit upon proper application by a licensed funeral director.

Adopted by Resolution by the Marion Township Board of Trustees at its Regular Meeting on _____
 Supervisor _____ Date _____
 Clerk _____ Date _____
 Sexton _____ Date _____

LAKE SIDE CEMETERY ADDITION

PLAT OF

A PART OF E.P. ALLEN'S SECTION 7 S. T14N. R44E
MICHIGAN TOWNSHIP 10 LIVINGSTON COUNTY MICHIGAN



UPDATED
2022



for over 200 years had opened its sessions with a prayer and that many state legislatures had followed suit. And in *Town of Greece, N.Y. v. Galloway*, 572 U.S. 565 (2014), the court reasoned that the historical practice of having chaplains in Congress since the First Congress showed “that the Framers considered legislative prayer a benign acknowledgment of religion’s role in society.”

In *Bormuth v. County of Jackson*, U.S. Court of Appeals, Sixth Circuit, Docket No. 15-1869, September 6, 2017, the court held that Jackson County’s invocation practice is consistent with the Supreme Court’s legislative prayer decisions, and does not violate the Establishment Clause where, “The Board opens its monthly meetings with Commissioner-led prayers. Following a call to order, the Board’s Chairman typically requests Commissioners and the public alike to please ‘rise and assume a reverent position.’ Other variations include: ‘Everyone please stand. Please bow your heads’; ‘Please bow your heads and let us pray’; and ‘If everyone could stand and please take a reverent stance.’ One of the Commissioners then offers a prayer, which is followed by the Pledge of Allegiance, and then county business. The Board’s invocation practice is facially neutral regarding religion. On a rotating basis, each elected Jackson County Commissioner, regardless of his religion (or lack thereof), is afforded an opportunity to open a session with a short invocation based on the dictates of his own conscience. Neither other Commissioners, nor the Board as a whole, review or approve the content of the invocations.”

Meeting management

A meeting chairperson who is courteous and fair but firm in the treatment of all participants, and who conducts an orderly and businesslike meeting, can do more for the efficiency of township government and good public relations than any other single individual.

The supervisor is the chairperson of all township board meetings. The chairperson ensures that the board adheres to its own rules of procedures and policies. The chairperson decides all questions of parliamentary procedure and recognizes persons who wish to speak, but the chairperson’s authority is subordinate to the will of the township board. Any decision or action of a chairperson is subject to an appeal to the board to ultimately decide all procedural issues.

CHAPTER 6: Meetings

No person should be permitted to speak unless first recognized by the chairperson. All remarks should be addressed to the board and not to individual participants. It is the chairperson's responsibility to keep discussion focused on the issue that is on the floor to prevent any sidetracking discussion. Any disorderly conduct or heated emotional outbursts should be stopped immediately by appropriate objection by the chair or by board members to the chair.

The supervisor also recognizes the members of the board who wish to speak during the business portion of the meeting. The supervisor should treat all board members with respect, and fairly and consistently recognize all board members who wish to speak—in compliance with the meeting's agenda and the board's rules regarding participation.

Board members should support staying on track

A board meeting is not a platform for individual board member "agendas." Individual board members who want to have their say on something not on the agenda or not involving specific township board business may use the "board forum" time on the agenda, if the board provides for one. But this should be done sparingly.

If something warrants board attention or action, it should be placed on the meeting agenda per the township's procedures for setting board meeting agendas. This assists the supervisor (or whoever establishes the tentative agenda in advance of the meeting) in arranging the agenda to ensure sufficient time to appropriately address the items, as well as giving the board members and staff time to consider information or materials prior to the meeting.

When board members wish to ask township staff a question during a board meeting, they should ask the supervisor for permission to address that staff person or to have that staff person speak to the board at that point in the agenda. This is not asking permission to talk to the staff person at all—it's just following parliamentary procedure to ensure that the meeting does not get off track. Remember, board members can talk to staff outside of a board meeting. The best approach, if staff are going to be asked for information or asked questions in a meeting, would be to place the matter on the agenda—if only to give them notice to be prepared to provide the information being requested.

Public participation

It's important to note that there is no constitutional or First Amendment right to open meetings. The public's right to attend and participate in meetings of a public body is statutory, defined by Michigan's Legislature.

It is not an absolute right; it is limited to the OMA's provisions that allow a person: 1) to attend and record or telecast a meeting, and 2) to speak during a public comment period under rules established by the public body. **The public does not have a statutorily protected right to speak outside of a public comment period or to participate in the public body's decision-making process.** The OMA also allows a public body to adopt rules to minimize disruption of its ability to do business.

Attending

Any person may attend the open sessions of a public meeting. A public body cannot put conditions on attendance, such as requiring a person to identify him- or herself. A person may be excluded from a specific open meeting only for a breach of the peace committed at that meeting. (MCL 15.263 and Attorney General Opinion 5183 of 1977)

Recording

MCL 15.263 states, "The right of a person to attend a meeting of a public body includes the right to tape record, to videotape, to broadcast live on radio and to telecast live on television the proceedings of a public body at a public meeting. The exercise of this right shall not be dependent upon the prior approval of the public body. However, a public body may establish reasonable rules and regulations in order to minimize the possibility of disrupting the meeting."

There is no specific statement in general law township law, but Section 7 of the Charter Township Act states that the township board "shall determine its own rules and order of business." (MCL 42.7(6))

"Reasonable rules and regulations" in the past have included directing that recording equipment be in a specific area of the meeting room to minimize risks of tripping over cords and blocking the view of the audience. But nowadays, smartphones and other devices mean that you may not know that people are recording. A person recording the open

CHAPTER 6: Meetings

session of a public meeting does not have to tell anyone that he or she is recording the meeting or get permission to do so.

A public meeting is a public forum, with little or no expectation of privacy (except for closed sessions), so public bodies should just assume that everyone in the room during open session is recording. Those recordings may be posted on the internet or social media—even live-streamed as the meeting is happening—or otherwise distributed or broadcast by private individuals or the media.

Public comment

The public has a right “to address a meeting of a public body under rules established and recorded by the public body.” (MCL 15.263) **The public must have at least one opportunity to speak publicly at an open meeting,** and this has come to be known as the “public comment period.”

Only one public comment period is required by law, but a township board may choose to provide additional public comment opportunities during its meetings.

A public body may adopt rules for the public comment period. According to Attorney General Opinion 5183 of 1977, “The rules regulating the right of public address may **include such controls as the length of time any one person may be permitted to address the body,** the portion of the agenda set aside for public address, and a requirement that persons wishing to address the public body identify themselves and make it known ahead of time that they wish to address the body in order to facilitate the planning of time allotments to various portions of the agenda.”

Attorney General Opinion 5183 stresses, however, that “these rules must be reasonable, flexible and designed to encourage public expression and not discourage or prohibit it.” For example, it is the opinion of the authors that a person cannot be refused the opportunity to speak during the public comment period required by the OMA if they do not identify themselves.

A public body may limit the amount of time it will allow each individual speaker to address the meeting. Note that this is not the length of the public comment period itself; it is the length of time an individual

CHAPTER 6: Meetings

speaker gets to speak. If 100 people want to speak, they each must be given the opportunity to speak. For that reason, consider choosing a limit such as two or three minutes. Few people need more time than that to make their point. Any time limit rules should be imposed consistently.

Consider allowing a group of individuals who wish to present a specific point of view to designate a spokesperson who may have additional time to adequately represent the group's views. This is only an option, however; a public body cannot require a group to use a spokesperson.

A person's right to speak during a public comment period implicates the First Amendment right to free speech, particularly on matters of public concern. Restrictions on the public comment period should be limited to content-neutral "time, place and manner" restrictions that serve a significant government interest and allow ample alternative channels of communication. Avoid attempting to regulate what a person is saying (the content of the speech).

For example, Attorney General Opinion 5332 of 1978 states that a public body may adopt a rule that "prohibits a person from using the board's and the public's time to make a personal attack upon an individual" if the content of the speaker's attack "refers to conduct of the person being attacked that is totally unrelated to the manner in which he or she performs his or her duties" (is not a matter of public concern). The opinion goes on to state that, if the speaker's attack "is intended to refer to the manner in which an employee of the board or board member carries out his or her duties, the rule would be invalid" Commenting on how officials perform their duties is political free speech.

Basically, the only times a person might not be allowed to speak during public comment is if that person has already had his or her one opportunity—there is no "rebuttal" or follow-up option required by law—or if they have begun to make personal attacks unrelated to the function of the government, at which point the supervisor may ask them to limit their comments.

The supervisor should not allow board members to interfere with the public's right to speak during that public comment period. **During public comment, the board listens to the public. Conversely, the public cannot demand that individual board members respond during**

CHAPTER 6: Meetings

public comment, and the board members should not be responding or directing comments individually to members of the audience. If a response is appropriate, the board should direct that specific staff or officials contact the person or meet with them, or initiate a response in the normal course of business.

A board meeting is for board business

Outside of a public comment period or public hearing, the board addresses the business on its agenda, and the public is the audience, watching the board do its business. They can only participate in the business portion of the meeting to the extent, if any, that the board, through the supervisor, seeks their comments. The supervisor should not recognize members of the public unless it's in compliance with the board's rules and agenda.

Nothing prevents a public body from allowing a greater degree of openness than the law requires. An individual township board can choose to give more notice and allow for more public involvement in its meetings. The spirit of the OMA emphasizes transparency in government. Many boards do encourage and allow the public to comment on individual agenda items, and that's an individual board's choice, which should be spelled out in policy for both the board and the public to understand what is allowed outside of the OMA-mandated public comment period.

But remember that, under the OMA, **the only place a township board can do its business is in a public meeting of the township board.** Board meetings are the business meetings of the township board, and it's in the best interest of the township as a whole that the board conduct its business in an organized, productive and business-like manner.

The public, however, can interact with the township at any time, going to the township offices, phoning or emailing the township or specific officials, or visiting the township website—even buttonholing board members at the grocery store.

Township board meetings are not "town hall meetings" where everyone has a say in the decisions, and they are not meant to be extended complaint sessions or arguments. This is something that many people, including township boards themselves, lose sight of, especially

CHAPTER 6: Meetings

nowadays when national politicians regularly use the term “town hall meeting” to refer to a public forum. But that does not represent the form of local representative government we have in Michigan.

A township board meeting is not a debate or equal time situation for the public. The idea that all concerns, complaints, opinions, etc., must be expressed at a board meeting is not mandated by law or recommended from a practical standpoint. By their nature, board meetings can put either “side” on the defensive in a very public place.

Many issues the public brings to a board meeting are better handled—in the interests of the public—by township officials or staff in the office during business hours. Comments or questions raised by the public at board meetings are, for the most part, not specific township business that must be transacted *by the board*. They are often issues involving administrative procedures, and there is no question that this is an important aspect of a township doing its business properly. But until or unless it rises to a level that must be addressed by the board, such a question or concern can and should be addressed by the appropriate township official or staffer following township policies and practices in a business-like and customer service-oriented approach. If it is appropriate for a board member or staff member to address a member of the public's concerns, then it's usually something best handled in the office, where officials or staff can meet with the person individually to respond to their concerns, with the appropriate resources or information at hand.

Voting

Duty to vote

Based on case law and attorney general opinions, it is the opinion of MTA Legal Counsel that a township board member has a general duty to vote on motions before the board when he or she is present at a meeting. For example, the Court of Appeals stated in *Contesti v. Attorney Gen.*, 164 Mich. App. 271 (1987), “As a township trustee, it was plaintiff's duty to vote to either approve or disapprove the contract.”

Under the oath of office, a township board member is required to support the U.S. and Michigan Constitutions and “faithfully discharge the duties of the office.” (Michigan Constitution of 1963, Article XI, Sec. 1)