

MARION TOWNSHIP
BOARD OF TRUSTEES
REGULAR MEETING
Thursday, January 12, 2023
7:30 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. December 8, 2022 Special Meeting Minutes
 - b. December 15, 2022 Regular Meeting Minutes
 - c. December 27, 2022 Special Meeting Minutes
 - d. November 16, 2022 HAPRA Minutes/Reports
 - e. December 18, 2022 MHOG Agenda/Minutes
 - f. December 18, 2022 HAFDA Agenda/Minutes
 - g. DPW Report
 - h. Financial Report
 - i. Zoning Report
- 3) Winterwood Chip Seal SAD- Creating the District
- 4) Burnham & Flower Property & Liability Insurance
- 5) Health Insurance PA #152 Opt Out Resolution
- 6) 2023 Property Exemption Guidelines
- 7) Board of Review Letter Appeals
- 8) Time Payments for Sewer and Water REU's
- 9) Planning Commission Appointment
- 10) Board of Review Appointments
- 11) Roads
- 12) Spangler Status
- 13) Marion Township Addition / Sign
- 14) Solar Ordinance Adoption

Correspondence and Updates
2023 MTA Conference

Call to the Public
Adjournment

Reminder: Next Board Packet will be ready after 3pm on Thursday, January 19, 2023.

MARION TOWNSHIP
BOARD OF TRUSTEES
SPECIAL MEETING
December 8, 2022

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

MEMBERS ABSENT: None

OTHERS PRESENT: None

CALL TO ORDER

Bob Hanvey called the meeting to order at 4:00 pm.

CALL TO THE PUBLIC

None heard

APPROVAL OF AGENDA

Sandy Donovan made a motion to approve the agenda as presented, supported by Greg Durbin. **Motion carried.**

FURNACE REPLACEMENT

Tammy explained the different furnace options from Kearns Mechanical. The Trustees had several questions. Tammy called Greg Kearns and the Trustees asked their questions via speaker phone. Les Andersen made a motion to purchase a Rheem furnace from Kearns Mechanical with 96% efficiency with a variable speed blower, without the Wi-Fi thermostat, seconded by Tammy Beal. Roll call vote: Lloyd-no, Durbin, Donovan, Beal, Hanvey, Andersen-yes; Lowe-no. **Motion carried 5-2.**

AJR-Update

January 20, 2023 is the status conference. The Judge has suggested another mediation conference. The new GAAMPS come out in January 2023. Bob Hanvey will contact the attorney about meeting dates and times.

OTHER ITEMS

Les Andersen stated that there are two companies that are pursuing their property, Doral and Evolve, and they are now offering \$1500 an acre for 30 years with options for automatic renewal.

ADJOURNMENT

Les Andersen motioned to adjourn at 4:46 pm., Scott Lloyd seconded. **Motion carried.**

Tammy L. Beal, Township Clerk Date

Robert W. Hanvey, Township Supervisor Date

MARION TOWNSHIP
BOARD OF TRUSTEES
REGULAR MEETING
DECEMBER 15, 2022

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

MEMBERS ABSENT: None

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

No response.

APPROVAL OF AGENDA

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

CONSENT AGENDA

Les Andersen asked to have the November 22, 2022 joint meeting minutes amended to correct spelling of Jim Anderson's name. Les Andersen motioned to approve the consent agenda as amended. Scott Lloyd seconded. **Motion carried.**

2023 MEETING SCHEDULE

Tammy Beal said she would like to change the date for the December 2023 Board of Trustees meeting to December 14, 2023.

Dan Lowe motioned to change the Board of Trustees meeting time to 7:30 pm and approve the meeting schedule as amended. Scott Lloyd seconded. Roll call vote: Lowe—yes; Lloyd—yes; Beal—no; Hanvey—yes; Durbin—yes; Andersen—yes; Donovan—no. **Motion carried 5-2.**

HIDDEN VALLEY ROAD MAINTENANCE SAD PUBLIC HEARING

Bob Hanvey opened the public hearing for the Hidden Valley Road Maintenance SAD roll. No comments or objections were heard, and the public hearing was closed.

Sandy Donovan motioned to adopt a resolution to approve the Hidden Valley Road Maintenance SAD roll, as presented. Les Andersen seconded. Roll call vote: Donovan, Durbin, Hanvey, Lloyd, Beal, Andersen, Lowe—all yes. **Resolution passed 7-0.**

WINTERWOOD CHIP SEAL SAD

Tammy Beal motioned to adopt a resolution to schedule a public hearing on January 12, 2023 at 7:30 pm for the Winterwood Drive Chip Seal SAD, as presented. Sandy Donovan seconded. Roll call vote: Beal, Andersen, Donovan, Durbin, Lowe, Hanvey, Lloyd—all yes. **Resolution passed 7-0.**

BENTLEY LAKE MINOR PRIVATE ROAD REQUEST

No action of this item.

SOLAR APPLICATION MORATORIUM EXTENSION

Les Andersen motioned to adopt the Marion Township Ordinance Extending the Moratorium on Commercial Solar Facilities No. 22-003, as presented. Dan Lowe seconded. Roll call vote: Hanvey, Lowe, Durbin, Beal, Lloyd, Donovan, Andersen—all yes. **Motion carried 7-0.**

FIRE HALL LEASE

Greg Durbin motioned to approve the Fire Station Lease as presented. Les Andersen seconded. **Motion carried.**

HOMETOWN AGREEMENT

No new information has been submitted. Ryan Joss said he will be submitting a proposal and draft site plan.

SPANGLER STATUS

Bob Hanvey said the work on this project should be finished tomorrow.

CORRECTIVE ACTION PLAN

Bob Hanvey provided the board members with a copy of a letter sent to the Michigan Department of Treasury regarding the Corrective Action Plan.

CVTRS SUBMITTAL

Bob Hanvey provided the board members with copies of the documents submitted to the Michigan Department of Treasury that are required to receive the CVTRS disbursement for FY ending 9/30/23.

SPARK GRANT

No new information on this item.

MARION TOWNSHIP ADDITION/SIGN

Tammy Beal reported that the building committee met this week and reviewed the RFQ from Spicer for a construction manager; the RFQ has been posted on MITN and will be on the township's website. Sandy Donovan asked the board members for feedback on what size/material/cost they would like to see for the sign. Scott Lloyd and Dan Lowe said they don't want LED. Scott Lloyd said he has a composite sign at his office that the board members could look at.

MARION TOWNSHIP OFFICE LUNCHEON

Les Andersen motioned to authorize the township office to be closed on Tuesday, December 20, 2022 from 12 noon-2 pm for the employee Christmas potluck. Tammy Beal seconded. **Motion carried 6-1** (Hanvey—no.)

Tammy Beal said the Spicer luncheon for the township is Monday, December 19 at 12 noon and the board members are invited.

ROADS

The two township projects have been resubmitted to the LCRC; the correspondence will be in the next board packet.

CORRESPONDENCE & UPDATES

Bob Hanvey said the attorney from Foster Swift would like to meet with the board members in early January regarding the Witkowski case. Dan Lowe asked for the meeting to be late afternoon.

Les Andersen reported on the Conway Township public hearing on solar that he attended. Bob Hanvey said a resident requested that the township invite someone from the search company to a meeting.

CALL TO THE PUBLIC

Paul Damon, 2992 Jewell, commented on the proposed building addition.

ADJOURNMENT

Tammy Beal motioned to adjourn at 7:42 pm. Sandy Donovan seconded. **Motion carried.**

Submitted by: S. Longstreet

Tammy L. Beal, Township Clerk Date

Robert W. Hanvey, Township Supervisor Date

MARION TOWNSHIP
BOARD OF TRUSTEES
SPECIAL MEETING
December 27, 2022

MEMBERS PRESENT: Les Andersen, Sandy Donovan, Greg Durbin, Scott Lloyd, Dan Lowe, and Bob Hanvey
MEMBERS ABSENT: Tammy Beal
OTHERS PRESENT: None

CALL TO ORDER

Bob Hanvey called the meeting to order at 9:00 am.

CALL TO THE PUBLIC

None heard

APPROVAL OF AGENDA

Les Andersen made a motion to approve the agenda as presented, supported by Scott Lloyd. **Motion carried.**

WINTERWOOD SAD public hearing meeting time

Sandy Donovan motioned to adopt a resolution to schedule a public hearing on January 12, 2023 at 7:30 pm for the Winterwood Drive Chip Seal SAD, as presented. Scott Lloyd seconded. Roll call vote: Lloyd, Durbin, Donovan, Hanvey, Andersen, Lowe,—all yes. Resolution passed 6-0.

ADJOURNMENT

Les Andersen motioned to adjourn at 9:05 pm., Sandy Donovan seconded. **Motion carried.**

Tammy L. Beal, Township Clerk Date

Robert W. Hanvey, Township Supervisor Date

HOWELL recreation

Howell Area Parks & Recreation Authority
Bennett Recreation Center

Regular Board Meeting Minutes

November 16, 2022

Call to Order

Chair Sean Dunleavy called the meeting to order at 7:00 pm.

Attendance

Board Members: Chair Sean Dunleavy, Vice Chair Diana Lowe, Secretary Nikolas Hertrich, Treasurer Jean Graham, and Trustee Tammy Beal

HAPRA Staff: Jen Savage, Kyle Tokan,

Public: None

Call to the Public

None Present

Staff Comments

- None

Approval of Consent Agenda

Treasurer Jean Graham made a motion to approve the consent agenda, supported by Vice Chair Diana Lowe. Motion carried 5 – 0.

Approval of Regular Agenda

Vice Chair Diana Lowe made a motion to approve the regular agenda, supported by Trustee Tammy Beal. Motion carried 5 – 0

Discussion/Approval – 2023 HAPRA Regular Meeting Schedule

Following a brief review of proposed dates for 2023 HAPRA meetings and confirmation of Board Member availability, a motion to approve the 2023 HAPRA Regular Meeting Schedule was made by Vice Chair Diana Lowe and supported by Secretary Nikolas Hertrich. Motion carried 5 – 0

Directors Report

a. Review of Articles and Bylaws

Director Church reminded the Board that it has been multiple years since the HAPRA Articles and Bylaws have been reviewed and recommended that a committee be formed to complete this task. Chair Sean Dunleavy commented that this is a good idea, volunteered, and asked if any other Board member had availability to participate. Vice Chair Diana Lowe responded she can assist with the task. Director Church indicated that the review is to be completed and recommended changes, if any, are to be presented to the Board in early 2023 and that substantial changes will require approval of all five participating municipalities.

b. Annual Stake Holders Meeting – March 31st 2023

Director Church informed the Board that he would like to have the Annual Stake Holders Meeting on Friday, March 31st, 2023, and inquired if this date was acceptable. Following a brief discussion it was determined that this date was available for all Board members. The location of the meeting still needs to be determined as Chemung Hills Golf Club and Banquet Center might be under construction at this time.

c. Credit Card Issues

Director Church shared with the Board recent issues that have been experienced with Lake Trust. In the past few months payments have been misapplied which has resulted in challenges and fees. Staff is working with Lake Trust to remove the fees and ensure payments are applied correctly. As a result of these errors HAPRA Accounts will be consolidated and a new credit card service provider will be secured.

d. Staff Reports

Director Church is working with Sally to modify the agenda to include Program and Operations Reporting to allow staff the opportunity to provide their updates separate from the Director's Report.

Kyle Tokan is working on addressing HVAC issues at the Oceola Community Center. The installation of the replacement furnace will be delayed for a few months due to supply chain issues. A complaint is being filed with Consumers Energy related to the blackouts and surges that have occurred at the Oceola Community Center.

Jen Savage provided a brief review of participation levels and discussed the new format the data is being shown in. An update on the budget status was given, she relayed that a contributing factor for the budget deficit discussed during the October meeting was 4th quarter bills arriving at the same time. To address the budget shortage spending has been cut back and spending must be approved by Director Church.

Participation trends are looking good, and the budget deficit is being addressed. Boys basketball is maxed out with 60 more athletes than last year, rentals are “through the roof” for 2023, and a 2nd pre-school grant for \$17,000 was received which was not reflected in last month’s budget numbers.

Old Business

Director Church informed the Board that four of the five participating municipalities have approved the 2023 budget. On Monday, November 28th, 2022, he will be at the Howell City Council meeting to present the budget and answer any questions council members have.

New Business

Oceola Community Center lease review is almost complete. Only one substantial change is being made, 50% of profit made during tournaments is to go to Oceola Township. The lease agreement will be brought to the Board during the December Board Meeting.

Board Member Reports

Secretary Nikolas Hertrich shared with the Board Agenda Items from the October 24, 2022, and November 14, 2022, Howell City Council Meetings which included, the hiring of a new officer, approval of various ordinances, a stop sign petition from residents along Clinton Street, the appointing of Erin Britten to a vacant Council seat, approval of Small Business Saturday Proclamation, and the purchase of a furnace for the new bathrooms located near the Livingston County courthouse.

Vice Chair Diana Lowe informed the Board that there was no update to provide.

Trustee Tammy Beal shared with the Board that Marion Township met with a planner and is evaluating the possibility of installing six pickleball courts, a walking path, and investing in playground equipment.

Treasurer Jean Graham relayed to the Board that Director Church was present at their last township meeting to present the proposed 2023 HAPRA Budget, the recreation team was in attendance to discuss plans for a park at Barron and Oak Grove, and the possibility of a new township hall with a potential park was discussed. MHOG wastewater treatment staff were also present.

Chair Sean Dunleavy informed the Board that at the previous Oceola Township meeting police presence in schools was discussed, the buck pole in Marion Township was a success, and the Oceola Township Hall is currently undergoing construction.

Next Meeting

Regularly Scheduled HAPRA Meeting - Tuesday, December 20, 2022, at 7:00 pm at Oceola Community Center

Adjournment

Motion to adjourn meeting at 7:48 pm by Trustee Tammy Beal and supported by Vice Chair Diana Lowe.

Motion carried 5-0

Approved

Date

Respectfully Submitted by: Nikolas Hertrich, Secretary



Marion, Howell, Ocala, and Genoa Sewer and Water Authority

System Operational Report



For

December 21st, 2022

MHOG Water Authority Meeting December 21, 2022 at 5:00 PM

AGENDA

1. Approval of the Minutes of November 16, 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

MHOG Water Authority Meeting MINUTES

The Marion, Howell, Oceola, Genoa Water Authority met on November 16, 2022 at 5:00 PM. Members present were Bamber, Coddington, Rogers, Lowe, Counts, Hunt, Hanvey and Henshaw

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 October 19, 2022 meeting. The motion was seconded by Counts and carried.

A motion was made by Counts to approve General Fund check # 9357 through 9392 and PR 791-798 totaling \$204,858.71. The motion was seconded by Henshaw and carried.

A motion was made by Coddington to approve check #1016 and 1017 totaling \$430,414.36 from the Capital Reserve Replacement Fund. The motion was seconded by Counts and carried.

A motion was made by Counts to pay check #1027 for \$3,772.00 from the MHOG Connection Fee Account. The motion was seconded by Henshaw and Carried.

A motion was made by Counts to adjourn. The motion was seconded by Henshaw and carried.

William J. Bamber, Secretary



MHOG Utility Department

2911 Dorr Road
Brighton, MI 48116
810-227-5225
www.mhog.org

December 15, 2022

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

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

Dear Board Members;

The MHOG System operated well over the past month. The front cover picture shows a significant water main break we discovered on West Grand River in front of Hamilton's Propane. Following is a summary of the major activity since the previous meeting.

- As we like to do each December, we have provided a status update on the MHOG Capital Improvement Plan. This past year, paving of the Water Treatment Plant was completed. We took bids on the Transmission Main, but due to contractor availability and material availability, we only obtained one bid which was twice the engineer's estimate. As a result, we put the transmission project on hold until either prices come down, demand absolutely necessitates it, or sufficient funds are available. This is also the case with the other water main projects as well.
- New development continues. A pre-con meeting is set for Bible Baptist church for 12/21. Construction continued at Union at Oak Grove and Highland Knolls. In addition, a walk through was completed for Highland Knolls as well. Construction has started for Panda Express and Westbury Apartments.
- A copy of the Tower maintenance schedule is provided in the report. Nelson completed the one-year warranty inspection of Ocala Tower this past month, and no issues were encountered. Also, this past month, we had Corpro perform the annual cathodic protection inspection at each tower. We have reached out to Nelson to prepare a specification and bid to clean both the Hometown and Trans West towers in 2023. Finally, we are working to get a new aviation light for the Ocala Tower.
- When we had a leaking service repaired at 3560 E. Grand River this past month, we found that the 1-inch copper service pipe was corroded away. Looking at this area, we have had

four separate leaks in the past several years all related to corrosion issues. We asked Tt to reach out and see if any companies can evaluate water main condition. They spoke with Xylem, and we prepared for them the map and pictures included in the report showing the location and pipe condition found during the breaks. They also said they could perform a data base search for cathodic anode beds adjacent to our water main. We are waiting for Xylem to prepare a proposal to assist in this evaluation.

- Michigan CAT just completed the end of a 3-year maintenance contract for generator preventative maintenance. We have obtained new prices from CAT for the coming year. We are looking to keep them, while also evaluating the performance of Cummins on another system. In the past, we have had trouble with quality and reliability as well as follow-up service from other generator companies. We are hoping, despite some price increases to stay with CAT for the near term.
- Due to three asset management reports as well as a reliability study report due to the State of Michigan at the end of December, not much work has been devoted to the Tap Fee study. Tt has prepared a status update, with the hope that this work can kick back off again after the new year.
- On November 29th, a low water alarm at 11:00 pm at Trans West tower alerted operators that a leak was present in Pressure District 1. We searched until 3 am, but could not find it in the dark. We found it at 8am as soon as it got light. We were able to isolate it quickly and have it repaired with water service back by 1:30 pm.
- Over the past month, we evaluated four different contractors for repair projects and water service live taps. The good news is we completed a lot of projects, and are now caught up on underground repairs. For the most part, they did very well on the different projects, and we can choose based on who would be best for a job given that jobs scope and size. However, we did note that there is going to be an increase in prices over what we were paying. Based on the invoices, each had a similar rate. As a result, the rate of \$3,500 to install a 1-inch water service that we received many years ago is no longer adequate. We did two very difficult 2-inch services, and these came in around \$7,000. I would like to discuss with the board how we want to handle water service installations between MHOG and Townships, as the townships provide us the \$3,500 per contract, but our price to install a service, likely will be higher than many township's tap fees.
- The Deputy report provides November flow and production data, water loss data, and MISS DIG utility locating information. Also, it includes summaries of the boil water we had to issue when a valve was closed in error at Bendix Road by an adjoining utility operator.

We look forward to discussing the contents of the report in detail with the Board at the regular meeting on December 21st, 2022.

Sincerely,

A handwritten signature in blue ink, appearing to read "G. Tatara", written in a cursive style.

Greg Tatara
Utility Director

Section 3 - Deputy Director Report

Production

The MHOG WTP produced 42.030 MG in the month of November 2022. This was a 5.2% increase compared to November 2021. We averaged 1.401 MG per day. Our peak day for the month of 2.600 MG occurred on Wednesday, November 30, 2022. *See Attachments 3B.1 – 3B.3.*

Compliance

- 11/07/2022 – Submitted MHOG WTP MOR October 2022 to the MDEGLE.
- 11/07/2022 – Submitted MHOG WTP DMR October 2022 to the MDEGLE.
- 11/18/2022 – After Event Emergency Report was submitted to the MDEGLE for the Precautionary Boil Water Notice that was issued on 11/15/2022.
- 11/22/2022 – CRB Crane completed annual inspection of the plant hoist.
- 11/30/2022 – WHPP Meeting at the MHOG WTP.

Highlights

- 11/04/2022 to 11/08/2022 – Biotech completed lime sludge removal.
- 11/10/2022 – We experienced erratic voltage at the water plant from 3AM to 4AM. It was determined that DTE had a malfunctioning capacitor on the power pole at the road. No important equipment, as far as we could determine, was damaged. We did have to replace or rebuild 4 UPS units.
- 11/15/2022 – The City of Brighton mistakenly shut one of our system valves at the intersection of Bendix Road and Grand River. The issue was found and the valve was opened within 30 minutes of the first calls that were received reporting no water pressure. A precautionary boil water notice was issued to the public through WHMI, our website and our Facebook and Twitter accounts. *See Attachments 3C.1 & 3C.2.* The MDEGLE and Livingston County Health Department were notified. Due to the fact that the water main was never damaged, the MDEGLE allowed us to take 1 set of 24-hour samples from 3 different locations for the boil water notice. All samples were negative and the precautionary boil water notice was lifted the next day.
- 11/17/2022 – Peerless Midwest removed the Well #5 pump and motor for rebuild.
- 11/29/2022 – Peerless Midwest televised Well #5. No issues were found.

Plant

- 11/04/2022 – UIS installed a new level sensor and transmitter on the South NaOCl daytank.
- 11/04/2022 – UIS installed a new power supply to the Lime Silo #2 level sensor transmitter.

- 11/07/2022 – UIS installed a new Lime Pump #4 VFD.
- 11/18/2022 – UIS attempted to troubleshoot a connectivity issue with the SCADA computer by Filter #4. They needed to take the unit away for evaluation.

Booster Stations and Towers

- 11/02/2022 – Butler Road Booster Station – CSM Mechanical began work on the pump #1 replacement.

Water Mains and Services

- 11/21/2022 – 3560 E. Grand River – A leak was reported and it was determined to be on the customer's side of the curb stop. The customer was given ample time to affect a repair but stated that they could not find a contractor. Operators had Liedel Construction excavate and replace the damaged curb stop box and 2' of service.
- 11/22/2022 – 383 Latson – The water service was found to be leaking between the curb stop and the main. Kensington Valley Excavating excavated and found a hole in the water service in the middle of the gravel driveway. The curb stop was moved to the east side of the driveway and a stub was installed with tracer wire back to the original curb stop location.
- 11/22/2022 – 2358 Summit Cedar – Liedel excavated and replaced the broken curb stop box.
- 11/28/2022 – 2561 Bonnybrook Dr. – The homeowner called requesting that the curb stop box be lowered because they had tripped over it. It was 6 to 8 inches above grade. When operators tried to lower the curb stop they found that the valve was inoperable. Liedel excavated and replaced the entire curb stop.
- 11/29/2022 – Howell Airport Hanger – WTV-4033 – The valve pit was improperly grouted and was flooded with ground water. Liedel re-grouted the valve pit, brought tracer wire to the top of the manhole and straightened the fire suppression valve box.
- 11/29/2022 – 2718 Court Lane North – The curb stop box in the asphalt driveway was bent and broken. Liedel excavated and replaced the curb stop box.
- 11/29/2022 – 3825 Sugarbush Dr. – The curb stop box in the concrete driveway was full of debris and broken. Liedel excavated and installed a new curb stop box and riser rod.
- 11/29/2022 – 3721 Audrey Rae Ln. – The curb stop was inoperable. The riser rod spun freely. Liedel excavated and installed a new riser rod.
- 11/29/2022 - 11/30/2022 – Hamilton Propane – The first evidence that a water main break had occurred happened around 11PM on the 29th. Howell Tower's low-level alarm called out. The pump at Sanitorium was running at approximately 2,200 GPM and was just able to keep the tower from dropping lower as long as a pump at Butler Road was not in operation. We shut off Butler Road and utilized the Golf Club Road PRV to provide water to Ocoala Township while we investigated the break. We drove around for 3 hours looking for a break but could find nothing. The water plant was started up a little before 3AM to boost pressure to Howell Township until the break could be found. With the plant in operation we were then able to begin to make progress increasing Howell Tower's level. After sunrise the break was found in the green belt on the south side of Grand River in front of Hamilton Propane. The water was flowing south away from Grand River and into a stormwater drain. Liedel excavated and found a fist sized hole on

the underside of the water main. The repair was able to be made using a repair band while the main was still under pressure. No boil water notice was required.

Hydrants and Valves

- 11/03/2022 & 11/04/2022 – H1282 & H0957 – The broken top sections were replaced.
- 11/10/2022 – H1640 & H1641 - Bible Baptist Church – Operators observed a flow test. H1640 was gauged and H1641 was flowed.

Miss Dig

A total of 423 Miss Digs were received in the month of November. All Miss Digs were reviewed and 94 were marked in the MHOG water system. *See Attachment 3D.*

Water Loss

Please see *Attachment 3E* for a summary of the known non-metered water loss for this past month.

HOWELL AREA FIRE AUTHORITY

AGENDA

Date: December 21, 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 November 17, 2022

Call to public (Items not on the agenda)

Discussion/Approval transferring from the General Operating Fund a total of \$200,000 into the following funds: Pension (\$75,000), Truck Reserve (\$100,000), and Building Reserve (\$25,000).

Discussion/Approval transfer of title for the 2003 Ford DART vehicle

Discussion: Follow-up on Website updates for Howell Area Fire Authority

Chief's Comments

- Donation from Tanger Outlet
- Update on the sale of Engine 21

Update on the 30-hour employees

- Approve Payment of Bills and Payroll in the amount of \$195,853.75

New Business

Old Business

- Closed Session

Adjournment

HOWELL AREA FIRE AUTHORITY

November 16, 2022 – 6:00 pm

Oceola Township Community Center – 1661 N. Latson Rd. Howell, MI 48843

Board Members Present:

Chairman Bill Bamber, Vice Chairman Mike Coddington, Treasurer Bob Hanvey, Secretary Mark Fosdick, Member Bob Ellis, Attorney Kevin Gentry, Fire Chief Ron Hicks, Asst. Sec/Treas. Laura Walker

Chairman Bill Bamber called the meeting to order at 6:00 pm

Approve the minutes of the regular meeting of October 19, 2022: MOTION by Mr. Coddington, SUPPORT by Mr. Hanvey to approve the minutes of the regular meeting of October 19, 2022. MOTION CARRIED UNANIMOUSLY.

Call to Public: No Response

Discussion/Approval: 2021-2022 Annual Audit Presentation by Ken Palka: Mr. Palka reported a positive financial status for the Howell Area Fire Authority. MOTION by Mr. Fosdick, SUPPORT by Mr. Ellis to accept the audit report and authorize Ken Palka to send it to the State of Michigan. MOTION CARRIED UNANIMOUSLY.

Discussion/Approval Contract Renewal for HAFA Attorney Kevin Gentry: MOTION by Mr. Fosdick, SUPPORT by Mr. Ellis to approve the contract renewal for HAFA Attorney Kevin Gentry. MOTION CARRIED UNANIMOUSLY.

Discussion/Approval 2023 HAFA Board Meeting Schedule: MOTION by Mr. Ellis, SUPPORT by Mr. Fosdick to approve the 2023 HAFA Board Meeting Schedule. MOTION CARRIED UNANIMOUSLY.

Discussion/Approval: Lease Agreements for all 4 Howell Area Fire Stations. MOTION by Mr. Ellis, SUPPORT by Mr. Coddington to approve all four Lease Agreements. MOTION CARRIED UNANIMOUSLY.

Discussion/Approval sale of 2004 Pierce Engine: MOTION by Mr. Ellis, SUPPORT by Mr. Coddington to sell the 2004 Pierce Engine to Command Fire Apparatus in the amount of \$40,000. MOTION CARRIED UNANIMOUSLY.

Discussion/Approval for the purchase of 15 portable radios: MOTION by Mr. Hanvey, SUPPORT by Mr. Ellis to purchase 15 radios from DigiCom Global in the amount of \$22,199.00. MOTION CARRIED UNANIMOUSLY.

Discussion-Follow-up on website updates for Howell Area Fire Authority: Deputy Chief Czubenko is working with Website Forge to establish necessary updates.

Chief's Comments: The new Engine 20 has arrived and should be in service by Friday, November 18th. Personnel have been trained and the transition will occur Friday morning. Also, the Howell Area Fire Authority has received a MIOSHA MIWISH grant in the amount of \$1,968.80. The money will be used to purchase eye wash stations, safety glasses, and traffic cones. The grant pays 50% of our total cost.

Approve payment of Bills and Payroll: MOTION by Mr. Ellis, SUPPORT by Mr. Coddington to authorize payment of Bills and Payroll in the amount of \$238,872.78. MOTION CARRIED UNANIMOUSLY.

HAFa Mtg. Minutes
October 19, 2022
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New Business: Attorney Kevin Gentry reported that the union has decided to decertify and the current members voted MAAF out.

Adjourn: MOTION by Mr. Ellis, SUPPORT by Mr. Coddington to adjourn the meeting at 6:27pm.
MOTION CARRIED UNANIMOUSLY.

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

Approved By: _____
Mark Fosdick, Secretary

MONTHLY UPDATE TO THE BOARD

TO: HOWELL AREA FIRE AUTHORITY BOARD OF DIRECTORS
FROM: RON HICKS, FIRE CHIEF
SUBJECT: MONTHLY HAFD REPORT FOR NOVEMBER 2022
DATE: DECEMBER 21, 2022

During the month of November, the HAFD responded to a total of 180 calls for service. There were 166 calls in November of 2021. The total year-to-date runs for 2022 is 1811. Last year's total at the end of November was 1847.

Some of the more significant events for the month included:

On November 6th, Howell Firefighters were dispatched to a reported structure fire in the 5000 block of Highland Rd. in Oceola Township. Upon arrival crews reported smoke showing from the second story of a two-family apartment. Crews advanced to the second floor and found a working fire in the apartment; the fire was contained and extinguished.

On November 13th, Howell Firefighters were dispatched for a reported head on two vehicle crash on EB I96 in Howell Township. Upon arrival crews reported (1) of the drivers was deceased and the other driver required extrication. While in route to the hospital the second driver passed away due to his injuries.

On November 22nd, Howell Firefighters were dispatched for a vehicle fire in the woods in the area of Allen Rd. in Cohoctah Township. Upon arrival crews reported a fully involved camper and one occupant with burns to his back side. Crews assisted in treating the occupant and extinguishing the fire.

On November 27th, Howell Firefighters were dispatched to a vehicle vs tree in the 10000 block of Oak Grove Rd. in Cohoctah Township. While enroute units were advised the vehicle was on fire and the driver was trapped inside with bystanders trying to get him out. Upon arrival of the LCSD they reported the vehicle fully involved and the driver still inside. After the fire was extinguished crews remained on scene to assist the medical examiner with body removal.

Training for the month of November consisted of tech rescue equipment review, hands on stations and float building for Santa's sleigh and transportation in fantasy of light parade.

Next meeting of the Howell Area Fire Authority Board is scheduled for Wednesday December 21st, 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: December 12, 2022
TO: Chief Ron Hicks
Fire Authority Board
FROM: Jamil Czubenko, Deputy Chief/Fire Marshal
REF: November 2022 Month End

The month of November 2022 was busy in the Fire Marshal Division. The 2022 Fantasy of Lights Parade is one of the projects that the FMD was involved with.

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

As a member of the Fantasy of Light's committee, planning continued for the November 25th event. The HAFD tuned up Santa's sleigh and carried Santa and Mrs. Clause through the parade and we all made it on his GOOD list. This year's event drew tens of thousands of people into the City of Howell. The HAFD also performed safety inspections of all floats and assisted in setup and tear down as needed. This event was successful and went without any incident.

The Parade used a staging method this year again, requiring some planning for FD responses to and from the Main Fire Station. Staging was along Grand River from Byron Rd to the Howell High School Drive. A plan for response was developed and shared with all firefighters so that our responses would not be affected.

The FD continues to share our safety messages and keeping our customers informed. Our Facebook page has 4,870 current followers. Our Instagram currently has 783 followers where similar messages and images are shared to promote our department.

The FMD continues to be 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 7 homes, where we either evaluated or installed new equipment.

December 2022 brings us more planning for future building projects, various fire prevention events and the Christmas Holiday.

INCIDENT NUMBER	INCIDENT TYPE	DATE	LOCATION	APPARATUS
2022-1837	311 - Medical assist, assist EMS crew	11/24/2022	3003 W GRAND RIVER	BR20,STA20
2022-1841	551 - Assist police or other governmental agency	11/25/2022	3259 KNEELAND CIR	BR20,STA20
2022-1842	551 - Assist police or other governmental agency	11/26/2022	3003 W GRAND RIVER	BR20,FM2,STA20
2022-1844	311 - Medical assist, assist EMS crew	11/26/2022	1360 N BURKHART RD	BR20,STA20
2022-1848	611 - Dispatched & cancelled en route	11/26/2022	2820 N BURKHART RD	STA20
2022-1849	311 - Medical assist, assist EMS crew	11/26/2022	1536 ELIJAH LN	BR20,STA20
2022-1852	745 - Alarm system activation, no fire - unintentional	11/27/2022	3950 W GRAND RIVER	EN20,FM2,STA20
2022-1856	311 - Medical assist, assist EMS crew	11/28/2022	2874 W MARR RD	BR24,C-2
2022-1858	671 - HazMat release investigation w/no HazMat	11/28/2022	565 SLEAFORD RD	EN20,STA20
2022-1860	600 - Good intent call, other	11/28/2022	2633 CIRCLE PINE CT	CH20,EN20,STA20
2022-1862	551 - Assist police or other governmental agency	11/29/2022	5199 MASON RD	BR20,STA20
2022-1864	745 - Alarm system activation, no fire - unintentional	11/29/2022	1475 N BURKHART RD	CH20,EN20,STA20

Total # Incidents for HOWELL TWP:

46

ZONE: MARION - MARION Twp

2022-1701	745 - Alarm system activation, no fire - unintentional	11/03/2022	980 PEAVY RD	EN20,FM2,LT202,STA20
2022-1704	143 - Grass fire	11/03/2022	185 E COON LAKE RD	BR20,BR23,CH23,CPT23,STA20,STA23
2022-1711	611 - Dispatched & cancelled en route	11/05/2022	310 ANNETTE DR	BR20
2022-1712	631 - Authorized controlled burning	11/05/2022	210 GROVELAND DR	BR20,STA20
2022-1721	444 - Power line down	11/05/2022	5404 W COON LAKE RD	BR20,FM2,LT23,STA20,STA23
2022-1722	444 - Power line down	11/05/2022	5591 W COON LAKE RD	BR23,CH23,EN23
2022-1725	445 - Arcing, shorted electrical equipment	11/05/2022	3809 MASON RD	EN20,STA20
2022-1734	611 - Dispatched & cancelled en route	11/06/2022	1567 COPPERFIELD CT	LT202
2022-1743	551 - Assist police or other governmental agency	11/07/2022	245 OAK BARK DR	BR23,CPT20,CPT23,STA20,STA23
2022-1749	311 - Medical assist, assist EMS crew	11/08/2022	4994 VINES RD	BR23,STA23
2022-1758	631 - Authorized controlled burning	11/09/2022	432 ROLLING OAKS DR	BR20,STA20
2022-1779	142 - Brush or brush-and-grass mixture fire	11/14/2022	1610 PINGREE RD	BR20,BR21,BR23,C-202,EN21,STA23
2022-1785	611 - Dispatched & cancelled en route	11/14/2022	3455 W COON LAKE RD	STA20
2022-1786	551 - Assist police or other governmental agency	11/15/2022	5191 UNIVERSE AVE	BR20,BR23,STA20
2022-1791	551 - Assist police or other governmental agency	11/16/2022	3332 CEDAR LAKE RD	BR20,BR23,STA20
2022-1795	561 - Unauthorized burning	11/17/2022	80 GROVELAND DR	BR20,STA20
2022-1801	324 - Motor vehicle accident with no injuries.	11/18/2022	4490 MILETT RD	C-2,C-202,EN21,STA20
2022-1808	510 - Person in distress, other	11/19/2022	350 DINKEL DR	BR20,BR23,CH23,CPT23,STA20
2022-1829	561 - Unauthorized burning	11/23/2022	4699 ROYA TRL	EN23,STA20
2022-1843	311 - Medical assist, assist EMS crew	11/26/2022	3700 NORTON RD	BR20,STA20,STA23

Only REVIEWED incidents included. Archived Zones cannot be unarchived.



INCIDENT NUMBER	INCIDENT TYPE	DATE	LOCATION	APPARATUS
2022-1847	551 - Assist police or other governmental agency	11/26/2022	121 FOX MEADOWS CT	BR20,STA20
2022-1861	424 - Carbon monoxide incident	11/29/2022	1119 ROCKY KNOLL LN	CH23,EN20,STA20
2022-1865	311 - Medical assist, assist EMS crew	11/30/2022	5564 LANGE RD	BR23,STA20

Total # Incidents for MARION:

23

ZONE: OCEOLA - OCEOLA Twp				
2022-1685	311 - Medical assist, assist EMS crew	11/01/2022	1289 OAKCREST RD	BR20,BR22,C-202
2022-1687	631 - Authorized controlled burning	11/01/2022	6902 E HIGHLAND RD	CPT22,EN22
2022-1689	600 - Good intent call, other	11/01/2022	927 KENNETH CT	CPT22,EN22
2022-1696	322 - Motor vehicle accident with injuries	11/02/2022	6193 CLYDE RD	C-202,EN22
2022-1698	631 - Authorized controlled burning	11/02/2022	3140 GENTRY RD	BR21,STA22
2022-1705	311 - Medical assist, assist EMS crew	11/03/2022	2375 HICKORY CIRCLE DR	BR22,LT203,STA22
2022-1706	611 - Dispatched & cancelled en route	11/04/2022	2367 GOLF CLUB RD	STA22
2022-1709	611 - Dispatched & cancelled en route	11/04/2022	3920 VICKSBURG WAY	BR20
2022-1710	611 - Dispatched & cancelled en route	11/05/2022	1252 PURDY LN	STA22
2022-1716	445 - Arcing, shorted electrical equipment	11/05/2022	2484 WELLINGTON AVE	CH22,EN20,STA22
2022-1720	444 - Power line down	11/05/2022	5505 FISHER RD	BR22,CPT22
2022-1726	444 - Power line down	11/05/2022	2110 ARGENTINE RD	BR22,CH22,STA22
2022-1728	444 - Power line down	11/06/2022	3763 BROPHY RD	BR22,CPT22,STA22
2022-1729	111 - Building fire	11/06/2022	5555 E HIGHLAND RD	BR23,BR24,C-202,CH23,CPT22,EN20,EN21,EN22,EN23,EN24,FM2,R20,TA22
2022-1731	142 - Brush or brush-and-grass mixture fire	11/06/2022	310 HARVARD DR	EN21,STA20
2022-1745	142 - Brush or brush-and-grass mixture fire	11/07/2022	7273 NEFF LAKE DR	BR20,BR22,CPT22,TA22
2022-1746	531 - Smoke or odor removal	11/08/2022	6667 NEFF LAKE DR	BR22,FM2,STA22
2022-1751	130 - Mobile property (vehicle) fire, other	11/08/2022	4485 E HIGHLAND RD	BR22,C-202,CPT22,STA22
2022-1754	600 - Good intent call, other	11/09/2022	2400 AVA DR	C-202,EN22,STA22
2022-1755	600 - Good intent call, other	11/09/2022	3340 MUSSON RD	C-202,EN22,STA22
2022-1759	143 - Grass fire	11/09/2022	1099 PINECONE DR	BR22,CPT22,LT22,STA22
2022-1760	611 - Dispatched & cancelled en route	11/10/2022	4479 BROPHY RD	EN22
2022-1777	600 - Good intent call, other	11/14/2022	7688 SUMMER BREEZE TRL	EN22
2022-1778	622 - No incident found on arrival at dispatch address	11/14/2022	3999 E HIGHLAND RD	EN22
2022-1780	551 - Assist police or other governmental agency	11/14/2022	132 CATALINA DR	BR20,STA20
2022-1796	661 - EMS call, party transported by non-fire agency	11/17/2022	81 CAPRI DR	EN22
2022-1810	551 - Assist police or other governmental agency	11/20/2022	4462 LILY DR	BR20
2022-1814	551 - Assist police or other governmental agency	11/21/2022	2458 PFEIFLE ST	BR20

Only REVIEWED incidents included. Archived Zones cannot be unarchived.



DPW Reports 2022

	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
WATER													
NEW	13	14	20	16	21	4	2	1	6	1	0	1	99
EXISTING													
REPLACEMENT													
IRRIGATION													
NEW	12	13	1	12	26	2	4	4	1	1	0	0	76
EXISTING													
SEWER													
NEW	13	14	19	16	21	5	1	1	6	0	0	0	96
EXISTING													
TOTAL	38	41	40	44	68	11	7	6	13	2	0	1	271

GENERAL FUND CHECKING

Previous Balance	\$	1,295,364.73
Receipts	\$	282,359.72
Interest	\$	6.80
	\$	<u>1,577,731.25</u>
Expenditures	\$	185,011.99
Balance	\$	1,392,719.26

CEMETERY FUND

Previous Balance	\$	61,077.92
Receipts	\$	109,692.82
Interest	\$	40.07
	\$	<u>170,810.81</u>
Expenditures	\$	109,692.82
Balance	\$	61,117.99

PARKS & RECREATION FUND

Previous Balance	\$	32,615.20
Receipts	\$	-
Interest	\$	13.40
	\$	<u>32,628.60</u>
Expenditures	\$	15.76
Balance	\$	32,612.84

WATER - NEW USER

Previous Balance	\$	751,140.99
Receipts	\$	-
Interest	\$	555.64
	\$	<u>751,696.63</u>
Expenditures	\$	-
Balance	\$	751,696.63

SEWER OPERATING & MANAGEMT

Previous Balance	\$	195,760.53
Receipts	\$	61,825.89
Interest	\$	115.25
	\$	<u>257,701.67</u>
Expenditures	\$	<u>23,321.43</u>
Balance	\$	<u>234,380.24</u>

SEWER - NEW USER

Previous Balance	\$	2,341,597.32
Receipts	\$	-
Interest	\$	1,887.93
	\$	<u>2,343,485.25</u>
Expenditures	\$	<u>-</u>
Balance	\$	<u>2,343,485.25</u>

SPEC ASSESS. FUND

Previous Balance	\$	118,400.68
Receipts	\$	22,299.26
Interest	\$	65.15
	\$	<u>140,765.09</u>
Expenditures	\$	<u>2,889.00</u>
Balance	\$	<u>137,876.09</u>

ESCROW FUND

Previous Balance	\$	76,794.05
Receipts	\$	-
Interest	\$	31.56
	\$	<u>76,825.61</u>
Expenditures	\$	<u>-</u>
Balance	\$	<u>76,825.61</u>

SUMMARY TOTALS

General Fund	\$	1,392,719.26
Cemetery Fund	\$	61,117.99
Parks & Rec Capital Chk	\$	32,612.84
Water - New User	\$	751,696.63
Sewer Operating & Mana	\$	234,380.24
Sewer - New User	\$	2,343,485.25
Special Assess. Fund	\$	137,876.09
Escrow Fund	\$	76,825.61
TOTAL	\$	5,030,713.91

#101 General Fund
Transactions by Account

As of December 31, 2022

Type	Date	Num
001-001 · CASH - GENERAL - FNB		
Check	12/01/2022	12177
Check	12/01/2022	12186
Check	12/01/2022	12187
Check	12/01/2022	12189
Check	12/01/2022	12195
Check	12/01/2022	12196
Check	12/01/2022	12198
Check	12/05/2022	12193
Check	12/05/2022	12194
Check	12/05/2022	12199
Check	12/05/2022	12200
Check	12/05/2022	12203
Check	12/06/2022	12205
Check	12/06/2022	12206
Check	12/06/2022	12207
Check	12/06/2022	12208
Check	12/08/2022	12201
Check	12/08/2022	12204
Check	12/08/2022	0019635
Check	12/08/2022	0019636
Check	12/08/2022	0019637
Check	12/08/2022	0019638
Check	12/08/2022	0019639
Check	12/08/2022	0019640
Check	12/08/2022	E127522
Check	12/08/2022	E127523
Check	12/08/2022	E127524
Check	12/08/2022	E127525
Check	12/08/2022	E127526
Check	12/08/2022	E127527
Check	12/08/2022	E127528
Check	12/08/2022	E127529
Check	12/08/2022	E127530
Check	12/08/2022	E127532
Check	12/08/2022	E127533
Check	12/08/2022	E127534
Check	12/08/2022	E127535
Check	12/08/2022	E127537
Check	12/08/2022	E127539
Check	12/12/2022	12209
Check	12/12/2022	12210
Check	12/12/2022	12211

#101 General Fund
Transactions by Account

As of December 31, 2022

<u>Type</u>	<u>Date</u>	<u>Num</u>
Check	12/12/2022	12212
Check	12/12/2022	12213
Check	12/12/2022	12214
Check	12/12/2022	12215
Check	12/12/2022	12216
Check	12/19/2022	12217
Check	12/19/2022	12218
Check	12/20/2022	12219
Check	12/20/2022	12220
Check	12/20/2022	12221
Check	12/20/2022	12223
Check	12/20/2022	12224
Check	12/21/2022	12226
Check	12/27/2022	12222
Check	12/28/2022	12227
Check	12/28/2022	12228
Check	12/28/2022	12229
Check	12/28/2022	12232
Check	12/29/2022	12230
Check	12/29/2022	12231
Check	12/29/2022	12233
Check	12/29/2022	12234
Check	12/29/2022	12235
Check	12/29/2022	12236
Check	12/29/2022	12237
Check	12/29/2022	12238

#101 General Fund
Transactions by Account

As of December 31, 2022

Name	Amount
001-001 · CA	
MICH. ASSOC. OF MUNICIPAL CLERKS	-150.00
Marion Township Flex Fund	-1,700.00
Marion Township Flex Fund	-1,700.00
Marion Township Flex Fund	-51,000.00
LIVINGSTON COUNTY GIS	-52.00
ECONO-PRINT INC.	-2,488.66
SARA L. MCCLEERY	-255.00
KRISTIN NOWACZYK	-100.00
BROOKE FITCH	-100.00
THE GARBAGE MAN	-421.36
Renee Hocking	-410.00
GORMLEY AND JOHNSON LAW OFFICES, PLC	-658.05
LIV CO CLERK, Elections	-2,293.68
AT&T -General	-490.61
Culligan of Ann Arbor	-61.79
PNC Bank	-847.75
VOYA Institutional Trust	-300.00
ALERUS PAYMENT SOLUTIONS	-4,685.23
LESLIE D. ANDERSEN	-383.06
JAMES L. ANDERSON JR.	-96.90
LARRY J. FILLINGER	-152.38
SCOTT R. LLOYD	-212.33
BRUCE V. POWELSON	-101.58
CHERYL A. RANGE	-101.58
TAMMY L. BEAL	-2,850.80
DIANE D. BOCKHAUSEN	-101.58
GAIL A. BURLINGAME	-3,204.20
SANDY DONOVAN	-3,577.25
GREGORY L. DURBIN	-1,198.90
LAWRENCE W. GRUNN	-145.37
DAVE HAMANN	-3,107.62
ROBERT W. HANVEY	-4,140.38
RICHARD HASLOCK	-499.53
LOREEN B. JUDSON	-3,092.95
SANDRA J. LONGSTREET	-2,764.17
DANIEL F. LOWE	-617.27
SARA MCCLEERY	-3,388.48
KITSEY A. RENNELLS	-3,200.66
JESSICA S. TIMBERLAKE	-2,945.75
KATEE LEE CHIMPOURAS	-100.00
Susan Grover	-100.00
FOWLerville NEWS & VIEWS	-145.00

#101 General Fund
Transactions by Account

As of December 31, 2022

Name	Amount
WATER TECH	-37.00
VERIZON WIRELESS	-87.73
DTE ENERGY	-571.43
ACCIDENT FUND CO	-5,702.00
KEARNS MECHANICAL LLC	-5,479.00
PAULA LASSILA	-100.00
LYNN LLOYD	-100.00
Charter Communications	-164.79
Colonial Life	-647.56
Blue Cross Blue Shield of Michigan	-16,358.64
Spicer Group Inc	-2,513.00
CARLISLE/WORTMAN, Inc.	-1,342.50
UNITED STATES TREASURY	-1,113.72
CHRISTINE PIETILA	-100.00
STAPLES	-634.31
KCI	-2,518.43
CONSUMERS ENERGY	-527.24
FIRE PROTECTION PLUS, INC	-98.50
Tammy Beal	-450.20
SANDRA LONGSTREET	-33.75
SANDRA DONOVAN	-172.50
Kitsey A Rennells	-28.67
SARA L. MCCLEERY	-197.50
Jessica Timberlake	-125.86
DAVID HAMANN	-89.38
Applied Imaging / Innovation	-886.35

GENERAL FUND	BALANCE 6/30/2022	July	Aug	Sept	1st QTR	Oct	Nov	Dec	2nd QTR	Jan EARN YTD	BALANCE
FNBH Sav #819599	\$ 321,007.11	\$ 54.49	\$ 54.51	\$ 67.24	\$ 176.24	\$ 98.09	\$ 171.62	\$ 177.44	\$ 447.15	\$ 623.39	\$ 321,630.50
FNBH Land Acq #819342	\$ 251,334.71	\$ 42.64	\$ 42.61	\$ 52.60	\$ 137.85	\$ 76.77	\$ 134.34	\$ 138.87	\$ 349.98	\$ 487.83	\$ 251,822.54
FNBH GEN CHECKING #10	\$ 2,357,207.65	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6.30	\$ 6.30	\$ 6.30	\$ 1,392,719.26
The State Bank #37106 CD	\$ 250,812.42	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,855.32	\$ 252,667.74
Flagstar Bank #427853054	\$ 128,111.02	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 128,111.02
Flagstar Bank #128018365	\$ 113,640.79	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 113,640.79
Horizon Bank # 199613	\$ 239,627.67	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 239,627.67
Key Bank #22968300100	\$ 239,580.93	\$ 2.04	\$ 2.03	\$ 1.97	\$ 6.04	\$ 40.70	\$ -	\$ -	\$ 40.70	\$ 46.74	\$ 239,627.67
Monthly Totals	\$ 3,901,322.30	\$ 99.17	\$ 99.15	\$ 121.81	\$ 320.13	\$ 215.56	\$ 305.96	\$ 322.61	\$ 844.13	\$ 3,019.58	\$ 2,700,219.52

WATER FUND

WATER NU #205856	\$ 519,502.28	\$ 82.34	\$ 118.19	\$ 189.71	\$ 390.24	\$ 264.74	\$ 557.70	\$ 555.64	\$ 1,378.08	\$ 1,768.32	\$ 751,696.63
Monthly Totals	\$ 519,502.28	\$ 82.34	\$ 118.19	\$ 189.71	\$ 390.24	\$ 264.74	\$ 557.70	\$ 555.64	\$ 1,378.08	\$ 1,768.32	\$ 751,696.63

SEWER FUND

CIBC CD # 6981321	\$ 208,278.90	\$ -	\$ 24.43	\$ 34.71	\$ 59.14	\$ 61.46	\$ 94.26	\$ 115.25	\$ 270.97	\$ -	\$ 208,278.90
FNBH Sew OM #194910	\$ 194,971.70	\$ 95.29	\$ 239.91	\$ 333.55	\$ 668.75	\$ 345.23	\$ 334.65	\$ 346.37	\$ 1,026.25	\$ 1,695.00	\$ 234,380.24
MSUFCU CD # X225	\$ 204,002.56	\$ 300.36	\$ 300.41	\$ 372.46	\$ 973.23	\$ 482.80	\$ 999.52	\$ 1,033.68	\$ 2,516.00	\$ 3,489.23	\$ 1,217,778.51
FNBH Sew NOW #206029	\$ 1,214,289.28	\$ 361.75	\$ 380.59	\$ 644.07	\$ 1,386.41	\$ 888.69	\$ 1,164.58	\$ 1,887.93	\$ 3,941.20	\$ 5,327.61	\$ 2,343,485.25
FNBH Sew NU #5102405	\$ 1,502,288.17	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,502,288.17
Mercantile Bank #43001724	\$ 204,376.10	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 204,376.10
CBIC CDARS #1023732161	\$ 2,014,127.12	\$ 1,454.56	\$ 1,455.62	\$ 1,409.68	\$ 4,319.86	\$ 3,184.22	\$ 5,738.85	\$ 5,947.27	\$ 14,870.34	\$ 19,190.20	\$ 2,033,317.32
Monthly Totals	\$ 5,542,333.83	\$ 2,211.96	\$ 2,400.96	\$ 2,794.47	\$ 7,407.39	\$ 4,962.40	\$ 8,331.86	\$ 9,330.50	\$ 22,624.76	\$ 30,032.15	\$ 6,447,313.88
Grand Total	\$ 9,963,158.41	\$ 2,393.47	\$ 2,618.30	\$ 3,105.99	\$ 8,117.76	\$ 5,442.70	\$ 9,195.52	\$ 10,208.75	\$ 24,846.97	\$ 34,820.05	\$ 9,899,230.03

2022 ZONING REPORT

	JAN	FEB	MARCH	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
Homes	13	15	6	12	25	5	13	1	1	3	1	1	96
Condo Units			16	5					5				26
Accessory Bldgs.		1	3		3	2	1	3	7	1	2	1	24
Decks	1		7	12	7	3	1	7		3	2		43
Pools			2	3	3	1	2	1	1				13
Additions			2	1	3	1	1		2			1	11
Land Balancing				1									1
Other	1			1	2	1	1	2					8
TOTAL LAND USES	15	16	36	35	43	13	19	14	16	7	5	3	222
Waivers	3	2	2	6	2	6	4	5	3	4	3	2	42
Finals	14	11	17	20	25	19	21	45	22	18	10	16	238
Site Plans													0
Pre-Planning Meetings				1									1
Sewer Inspections	8	8	8	12	11	12	11	7	14	5	0	2	98



MARION TOWNSHIP

mariontownship.com

December 28, 2022

Residents of Winterwood Drive

Included in this mailing are:

Notice of the Public Hearing about the creation of the Special Assessment District for the chip sealing project.

A draft of the special assessment roll showing the amount that would be assessed to each parcel on the road.

A draft amortization schedule showing the proposed annual installments that would appear on the winter tax bills for the next five years. The amount assessed may be paid off any time after all the bills for the project have been paid by the Township. Payoffs in 2023 must be paid before September 30, 2023.

An objection form for anybody that does not want the Special Assessment District to be created.

Thank you
Marion Township Board

Public Act 188 of 1954 Proceedings

NOTICE OF SPECIAL ASSESSMENT HEARING

Township of Marion
Livingston County, Michigan

TO: THE RESIDENTS AND PROPERTY OWNERS OF THE TOWNSHIP OF MARION,
LIVINGSTON COUNTY, MICHIGAN, AND ANY OTHER INTERESTED PERSONS

PLEASE TAKE NOTICE residents of Winterwood Drive of the hereinafter described special assessment district, the township board of the Township of Marion proposes to provide CHIP SEAL service and to create a special assessment for the recovery of the cost thereof by special assessment against the properties benefited therein.

PLEASE TAKE FURTHER NOTICE that the district within which the foregoing services are proposed and within which the cost thereof is proposed to be assessed is more particularly described as follows:



PARCEL NUMBERS

4710-24-400-006	4710-24-400-015	4710-24-400-021	4710-24-400-030
4710-24-400-007	4710-24-400-018	4710-24-400-023	4710-24-400-031
4710-24-400-008	4710-24-400-019	4710-24-400-024	4710-24-400-034
4710-24-400-012	4710-24-400-020	4710-24-400-025	4710-24-400-035

PLEASE TAKE FURTHER NOTICE that the township board has received an estimate of the costs of such service in the approximate amount of \$120,444.00, has placed it on file with the township clerk, and has passed a resolution tentatively declaring its intention to make the improvement and to create the special assessment district.

PLEASE TAKE FURTHER NOTICE that said estimates of cost and proposed special assessment district may be examined at the office of the township clerk from the date of this notice through the date of the public hearing and may be examined at such public hearing.

PLEASE TAKE FURTHER NOTICE that a public hearing on the district and estimate of costs will be held at the Marion Township Hall at 2877 W. Coon Lake Road, Howell, Michigan, commencing at 7:30 p.m. on January 12, 2023.

At the hearing, the board will consider any written objections to any of the foregoing matters filed with the board at or before the hearing, as well as any revisions, corrections, amendments, or changes to the estimates and costs or special assessment district.

Property owners and parties with an interest in property to be assessed or an agent for the party must appear and protest at the hearing to be eligible to appeal the amount of the special assessment to the Michigan Tax Tribunal.

All interested persons are invited to be present at the hearing and to submit any comments they may have.

Individuals with disabilities requiring auxiliary aids or services should contact the township at the address, telephone number, or e-mail listed below seven days in advance of the meeting.

Tammy L. Beal
Marion Township Clerk
2877 West Coon Lake Road
Howell MI 48843
517-546-1588
tammybeal@mariontownship.com

December 27, 2022

Winterwood Chip Sealing
Special Assessment District Roll

Parcel Number	Share Amount	Owner Name	Frontage	% Address	City	State	Zip
4710-24-400-006	\$ 8,603.14	OSGOOD EDWARD H	660	16% 3922 WINTERWOOD DR	HOWELL	MI	48843-9415
4710-24-400-007	\$ 8,603.14	KENT KEVIN J & DAWN M	229	6% 3854 WINTERWOOD DR	HOWELL	MI	48843-9415
4710-24-400-008	\$ 8,603.14	FIELD JACK C JR	326	8% 3816 WINTERWOOD DR	HOWELL	MI	48843-9415
4710-24-400-012	\$ 8,603.14	ACKERMAN GEORGE J	390	9% 3685 WINTERWOOD DR	HOWELL	MI	48843-9415
4710-24-400-015	\$ 8,603.14	CRAIB JOHN L & SUSAN M	322	8% 3800 WINTERWOOD DR	HOWELL	MI	48843-9415
4710-24-400-018	\$ 8,603.14	KAYE-SMALL, KIM F LIVING TRUST	150	4% 3597 WINTERWOOD DR	HOWELL	MI	48843-9415
4710-24-400-019	\$ 2,867.72	SCHALLHORN THOMAS LEE	371	9% 3801 WINTERWOOD DR	HOWELL	MI	48843-9415
4710-24-400-020	\$ 2,867.73	SCHALLHORN THOMAS LEE	209	5% 3801 WINTERWOOD DR	HOWELL	MI	48843-9415
4710-24-400-021	\$ 2,867.73	SCHALLHORN THOMAS LEE	213	5% 3801 WINTERWOOD DR	HOWELL	MI	48843-9415
4710-24-400-023	\$ 8,603.14	WILSON BRADLEY	356	9% 3979 WINTERWOOD DR	HOWELL	MI	48843-9415
4710-24-400-024	\$ 8,603.14	WHITLEY JAMIE & JASON	155	4% 3941 WINTERWOOD DR	HOWELL	MI	48843-9415
4710-24-400-025	\$ 8,603.14	GILL BRYAN DOUGLAS SR	152	4% 3895 WINTERWOOD DR	HOWELL	MI	48843-9415
4710-24-400-030	\$ 8,603.14	SMITH THOMAS G JR	365	9% 3738 WINTERWOOD DR	HOWELL	MI	48843-9415
4710-24-400-031	\$ 8,603.14	WARD JOSEPH BERRY & KIMBERLEE LYNNE	95	2% 3810 WINTERWOOD DR	HOWELL	MI	48843-9415
4710-24-400-034	\$ 8,603.14	THOMAS T SCOTT	80	2% 3580 WINTERWOOD DR	HOWELL	MI	48843-9415
4710-24-400-035	\$ 8,603.14	MCDUGALL KATHLEEN M & SHAWN J	70	2% 3592 WINTERWOOD DR	HOWELL	MI	48843-9415
Total	\$ 120,444.00		4,143	100%			

Supervisor Robert W. Hanvey

Clerk Tammy L. Beal

Single Share Amortization ESTIMATE
 Winterwood Chip Sealing

8,603.14 Original Share Amount

5.0000% Interest Rate
 9/1/2023 Contractor Paid by Township

8,603.14 Share Amount Financed
 1,720.63 Annual Principal Payment
 12/1/2023 First Tax Bill Date

Payment Year	Annual Principal	Annual Interest	Total Time Payment	Remaining Balance	Cummulative Time Payments
2023	1,720.63	107.24	1,827.87	6,882.51	1,827.87
2024	1,720.63	344.13	2,064.76	5,161.88	3,892.63
2025	1,720.63	258.09	1,978.72	3,441.25	5,871.35
2026	1,720.63	172.06	1,892.69	1,720.62	7,764.05
2027	1,720.62	86.03	1,806.65	-	9,570.70
Totals	8,603.14	967.56	9,570.70		



MARION TOWNSHIP

www.mariontownship.com

OBJECTION TO SPECIAL ASSESSMENT DISTRICT CREATION

Winterwood Drive Chip Seal Special Assessment District

Parcel Number: 4710-____-____-____

Property Address: _____

Owner Name: _____

Date: _____

I object to the creation of a special assessment district to fund
CHIP SEALING service in the Winterwood Drive Special
Assessment District

Property Owner Signature: _____



MARION TOWNSHIP
www.mariontownship.com

**RESOLUTION ON WINTERWOOD SPECIAL ASSESSMENT DISTRICT
FOR CHIP SEALING**

WHEREAS, the township board of Marion Township acting in the interest of the residents of Winterwood Drive and of the proposed special assessment district described hereinafter, determined to proceed under the provisions of PA 188 of 1954, as amended, to provide chip sealing, together with a proposed special assessment district for assessing the costs of the proposed service, and to schedule a public hearing upon the Assessment Roll, and

WHEREAS, the estimated cost and proposed special assessment district were filed with the Township Clerk for public examination and notice of the hearing upon same was published and mailed in accordance with the law and statute provided as shown by affidavits pertaining thereto on file with the Township Clerk, and

WHEREAS, in accordance with the aforesaid notices, a hearing was held on January 12, 2023 commencing at 7:30 PM and all persons given the opportunity to be heard in the matter, and

WHEREAS, the following written objections were received and filed:

Parcel Number	Frontage	% Frontage	Owner Name
---------------	----------	------------	------------

WHEREAS, the written objections constitute less than twenty percent of the frontage,

WHEREAS, as a result of the foregoing, the township board believes the project to be in the best interests of the township and of the district proposed to be established therefore;

NOW THEREFORE BE IT HEREBY RESOLVED as follows:

1. That this township board does hereby approve the provision of chip sealing and total cost estimate of \$120,444.00.
2. That this township board does hereby create, determine and define as a special assessment district to be known as Winterwood Drive Chip Seal Special Assessment District within which the costs of such

improvements shall be assessed according to the benefits, the following described area within said township:



PARCEL NUMBERS

4710-24-400-006	4710-24-400-015	4710-24-400-021	4710-24-400-030
4710-24-400-007	4710-24-400-018	4710-24-400-023	4710-24-400-031
4710-24-400-008	4710-24-400-019	4710-24-400-024	4710-24-400-034
4710-24-400-012	4710-24-400-020	4710-24-400-025	4710-24-400-035

3. That on the basis of the foregoing, this township board does hereby direct the Supervisor and Assessing Officer to make a special assessment roll in which shall be entered all the parcels of land to be assessed together with the names of the respective owners thereof, and an estimated total amount to be assessed against each parcel of land which amount shall be the relative proportion of the whole sum levied against the parcels of land in the special assessment district as the benefit to the parcel of land bears to the total benefit to all the parcels of land in the special assessment district. When the same has been completed, the Supervisor shall affix thereto his certificate stating that it was made pursuant to this resolution and that in making such assessment roll he has, according to his best judgment,

conformed in all respects to the directions contained in this resolution and the applicable state statutes.

4. That all resolutions and parts of resolutions insofar as they conflict with the provisions of the within resolution are hereby rescinded.
5. That the Township Clerk shall schedule a hearing on the Assessment Roll for February 9, 2023 at 7:30 P.M., and provide notice as required by PA 188 of 1954.

Upon roll call vote, the following voted "Aye":

The following voted "Nay"

The Supervisor declared the motion carried and the resolution duly adopted.

I, the undersigned, the duly qualified and acting Clerk for the Township of Marion, Livingston County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Board of Trustees at a meeting held on the 12th day January, 2023, and further certify that the above Resolution was adopted at said meeting.

Marion Township Clerk

Date



Township of Marion, Livingston
2877 W. Coon Lake Rd.
Howell, MI 48843
(Effective January 1, 2023)



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CORPORATION**

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AUBURN HILLS, MI 48326
800.878.9878
WWW.KENRICKCORP.COM



MARION TOWNSHIP

www.mariontownship.com

2877 W. Coon Lake Rd.
Howell, MI 48843

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

MARION TOWNSHIP RESOLUTION TO APPROVE THE OPTING OUT OF THE 2011 PUBLIC ACT #152

Resolution #2023-01
January 12, 2023

At a meeting of the Board of Trustees for the Township of Marion, Livingston County, Michigan, held at 2877 W. Coon Lake Road, Howell, Michigan 48843, on the 12th day of January, 2023 at 7:30 p.m. Eastern Standard Time.

PRESENT:

ABSENT:

The Township of Marion has adopted a resolution to adopt annual exemption option set forth in 2011 Public Act 152, the Public Funded Health Insurance Contribution Act, as presented.

The Resolution was offered by

and supported by

Upon roll call vote the following voted "Aye":

No:

RESOLUTION DECLARED _____.

STATE OF MICHIGAN

COUNTY OF LIVINGSTON

I, the undersigned, the duly qualified and acting Clerk for the Township of Marion, Livingston County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Board of Trustees at a meeting held on the 12 day of January, 2023, and further certify that the above Resolution was adopted at said meeting.

Tammy L. Beal, Marion Township Clerk

**RESOLUTION TO ADOPT POVERTY EXEMPTION POLICY AND GUIDELINES
FOR 2023 INCOME AND ASSET TESTS**

RESOLUTION #2023-nn, January 12, 2023

_____ motioned to adopt a resolution to set the following policy and guidelines for 2023 Poverty Exemptions, Seconded by _____

In order to qualify for a poverty exemption, property owners must submit an application using the State of Michigan form 5737. Form 5739 to prove ownership must also be submitted. Property owners that are not required to file a Federal Income Tax Return must also file form 4988. These forms will be available at the Township Office and links to the forms will be posted on the Township website: www.mariontownship.com.

The Board of Review shall consider the income and asset guidelines listed below. Applicants exceeding the guidelines in one of the tests may qualify for partial exemptions (25% or 50% consistent with state law) if they have shortages in the other test. Poverty appeals may be filed at the March, July, or December Boards of Review.

Income Test: The income guidelines shall be the adjusted Federal Poverty Guidelines as follows:

<u>Size of Family Unit</u>	<u>Poverty Guidelines</u>
1	\$ 18,310
2	\$ 23,030
3	\$ 27,750
4	\$ 32,470
5	\$ 37,190
6	\$ 41,910
7	\$ 46,630
8	\$ 51,350
For each additional person	\$ 4,720

Asset Test: To be eligible for a 100% poverty exemption for 2023, property owners shall have a maximum of \$50,000 in net assets, excluding their principal residence, retirement accounts, and accounts having a substantial penalty for withdrawals.

Upon roll call vote, the following voted "Aye":

The following voted "Nay":

The following abstained:

The supervisor declared the resolution _____.

I, the undersigned, the duly qualified and acting Clerk for the Township of Marion, Livingston County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Board of Trustees at a meeting held on the 12th day of January 2023, and further certify that the above Resolution was adopted at said meeting.

Marion Township Clerk

Date

RESOLUTION TO ALLOW RESIDENTS TO FILE LETTER APPEALS
TO THE BOARD OF REVIEW FOR 2023

RESOLUTION #2023-nn
January 12, 2023

_____ motioned to adopt a resolution to set the following policy for 2023
Letter Appeals to the Board of Review, Seconded by _____

Marion Township property owners may file an appeal of the assessed value of their real or personal property by written letter to the Board of Review for consideration. The letter will preserve their right to appeal to the Michigan Tax Tribunal. The letter must arrive at the township by noon on Tuesday March 14, 2023, the last day of the final scheduled Board of Review hearings.

This date may be changed due to State of Michigan orders or statutes.

Upon roll call vote, the following voted "Aye":

The following voted "Nay":

The following abstained:

Resolution

The supervisor declared the motion

I, the undersigned, the duly qualified and acting Clerk for the Township of Marion, Livingston County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Board of Trustees at a meeting held on the 13th day of January 2022, and further certify that the above Resolution was adopted at said meeting.

Marion Township Clerk

Date

Bob Hanvey

From: Bob Hanvey <supervisor@mariontownship.com>
Sent: Wednesday, October 12, 2022 4:37 PM
To: john@gormleylaw.onmicrosoft.com
Cc: Sandy Donovan (treasurer@mariontownship.com); Tammy Beal
Subject: sewer / water time-payment agreements
Attachments: SEWER TEMPLATE.docx; WATER TEMPLATE.docx

John:

I made some changes to the agreements and put them in the form of a template.

The proposed documents are attached.

I removed references to other interested parties. Most of the Board thought that would be too burdensome for the relatively small risk involved.

I tried to make the sewer and water as similar as possible.

I removed the consideration part. Municipalities are exempt from the transfer taxes.

There were some other minor punctuation and grammar changes.

I separated references to MHOG from the sewer agreement.

I changed the easement reference to MHOG for the water agreement.

I removed the reference to the resolution creating the sewer and water district. We have installed sewer and water service outside of the original districts.

I added usage fees to the other expenses but did not specify metered usage fee for sewer because users that are not on water will not have meters.

I would like to be able to use these templates without having your review on each applicant.

Thoughts / comments?

Thanks
Bob Hanvey

TOWNSHIP OF MARION
AGREEMENT FOR PAYMENT OF MUNICIPAL SEWER REU CHARGES

This Agreement for Payment of Municipal Sewer REU Charges ("Agreement") is made on *****DATE***** by and between Marion Township, a Michigan General Law Township, whose address is 2877 West Coon Lake Road, Howell Michigan 48843 ("Township") and *****APPLICANT NAME AND ADDRESS***** ("Owner").

WHEREAS, the Owner owns certain real estate located within the Township, identified as *****ADDRESS*****, Marion Township, Property Identification Number *****SIDWELL***** (the "Property") legal description is attached as exhibit A;

WHEREAS, a General Notice of Limitations of Liability as to Legal Descriptions: The legal description attached to Exhibit A is given to the attorney and are presumed to be correct. The descriptions are copied verbatim from the descriptions provided by the Owner. Any misspellings or typographical errors are unintended. The attorney assumes no responsibility for such descriptions or for encroachments or overlapping that might be revealed by a stake survey. The attorney renders no opinion of a legal nature, such as to ownership of the property or condition of title and instead recommends an ALTA survey and a Title Insurance Policy to determine the exact nature of the legal descriptions, but the Township and the Owner have declined and opted to go with the above descriptions and a title insurance for the purpose of this Agreement;

WHEREAS, the Township has the ability to sell access to its sewer system that serves certain areas of the Township including the Property;

WHEREAS, the owner intends to connect the Property to the Township's municipal sewer system which will result in a Sewer REU Charge being due to the Township in the amount of \$9,000.00 (the "Sewer REU Charge");

WHEREAS, the Township and the Owner wish to enter into an Agreement to provide for the manner of payment of the Sewer REU Charge;

WHEREAS, the Township Board, based upon the promises and commitments of the Owner agreed to herein, approved this Agreement at a Regular Township Board Meeting held on *****DATE*****;

WHEREAS, the Property has not been previously placed on an existing assessment roll for the costs of the Sewer REU(s) the Owner contemplates purchasing under the terms of this Agreement.

NOW, THEREFORE, in consideration of mutual promises, performances, covenants, and payment obligations of the parties, it is hereby agreed as follows:

Section 1. Property. The Owner represents and warrants that it has fee simple legal title to the property.

Section 2. Sewer REU Charge. Based on Owner's plans for the Property, the Township has determined that a Sewer REU charge of \$9,000.00 is due. The Owner acknowledges and agrees that such Sewer REU Charge is due to the Township and that the REU charge is a correct and accurate charge for the owner's proposed use of the property.

Section 3. Payment of the Owner's Sewer REU Charge. Instead of paying the Owner's Sewer REU Charge in a single payment, the Owner has requested to pay such charge by paying a \$2,250.00 down payment and the balance in five installment payments with interest at five (5%) percent per year on the unpaid balance to be included on the summer property tax bill for the property. The payment schedule is attached to this document as Exhibit B.

In addition to the charges set forth above, the Owner is responsible for paying the normal fees associated with Township sewer service such as usage fees, permit fees, and inspection fees.

Section 4. Special Assessment Lien. The Owner and the Township agree that this Agreement shall constitute a special assessment lien on the Property in the amount of the balance due on the Owner's Sewer REU Charge pursuant to Act 188, Michigan Public Acts of 1954, as amended, MCL 41.721 et seq. ("Act 188"). The Owner of the Property signing below specifically acknowledges that it is entitled to certain public hearings and notices pursuant to the provisions of Act 188, and Owner of the Property signing below voluntarily agrees to waive its rights to such public hearings and notices and waives its rights to protest the assessment or lien. The Owner signing below specifically agrees that the special assessment lien created by this Agreement is a valid and binding lien, enforceable in accordance with the terms of Act 188 and the laws of the State of Michigan. The Township shall have the rights to enforce this lien as provided under Act 188 and the laws of the State of Michigan, including but not limited to imposing penalties and additional interest, placing delinquent special assessments on the Township's ad valorem tax roll (which could result in the Property being sold at a tax sale if such delinquent assessments are not paid) and disconnection of the Property from the Sewer System. The Owner signing below agrees that this Agreement, or a memorandum of this Agreement may be recorded with the Livingston County Register of Deeds office. The Owner signing below warrants, agrees and covenants with the Township that it shall take no action to challenge the lien created hereby and the Owner signing warrants, agrees and covenants that it will not take any other steps to question the legal effect of the lien created by this Agreement. Owner signing below acknowledges that the lien created by this Agreement shall run with the land and shall be paid in accordance with this Agreement by any future owner of the Property or any other future party obtaining an interest in the property. Furthermore, the Owner's Sewer REU Charge shall be paid regardless of whether the Property makes full use of the number of REUs associated with the Property.

As a special assessment, the Owner signing below, along with their successors and assigns agree that this Agreement, the obligations contained therein, and the Special Assessment Lien shall survive any foreclosure action on the property.

The Township and the Owner reserves the right, but not the responsibility, to enter into a written agreement at a future date to amend the special assessment re-payment terms set forth above. In which case, the Owner signing below specifically acknowledges that it

is entitled to certain public hearings and notices pursuant to the provisions of Act 188, and Owner signing below voluntarily agrees to waive its rights to such public hearings and notices and waives its rights to protest the assessment or lien, if modified in the future. The Owner signing below specifically agrees that any future repayment modification agreement of the special assessment lien created by this Agreement is a valid and binding lien, enforceable in accordance with the terms of Act 188 and the laws of the State of Michigan. The Township shall have the rights to enforce the lien as provided under Act 188 and the laws of the State of Michigan, including but not limited to imposing penalties and additional interest, placing delinquent special assessments on the Township's ad valorem tax roll (which could result in the Property being sold at a tax sale if such delinquent assessments are not paid) and disconnection of the Property from the Sewer System.

Section 5. Operation and Maintenance Costs. In addition to any other special assessments levied on the Property and the Owner's Sewer REU Charge, the Property and the users of the Sewer System shall be subject to continuing operating and maintenance ("O&M") charges and capital charges in accordance with the Township's policies and ordinances. The Property and the users of the Sewer System shall also be subject to all other fees and charges for use of the Sewer System as set forth in any and all applicable Township MHOG policies and ordinances.

Section 6. Ordinance Compliance. The Owner signing below acknowledges that they are subject to and will comply with all present and future Township ordinances and/or policies pertaining to the use of the Sewer System.

Section 7. Easement Grants. The Owner signing below agrees to grant and convey to the Township any easements that may be necessary on the Property in order for the Sewer System to serve the property. If the Owner fails to execute the Easement within thirty (30) days of its presentation to them, the Township may draft and record a notice easement against the Property for said right-of-way to provide sewer service to the Property, along with a copy of this Agreement and the Easement shall be considered a binding and enforceable easement, as if the Owner to the Property had signed the Easement.

Section 8. Entire Agreement, Modification, Severability. This Agreement contains the entire understanding between the parties

and any representations, inducements, promises or agreements, oral or otherwise, entered into prior to the execution of this Agreement are null and void and will not alter the conditions set forth herein. The Agreement shall not be modified in any manner, except by an instrument in writing executed by the parties. If any term or provision of this Agreement, or the application thereof to any person or circumstances shall, to any extent, be declared invalid or unenforceable by a court of competent jurisdiction, the remainder of the terms of the Agreement shall remain in full force and effect and shall not be affected by any such declaration.

Section 9. Counterparts. This Agreement may be executed in any number of counterparts, each of which when so executed and delivered shall be deemed an original, and such counterparts together shall constitute one and the same instrument.

Section 10. Governing Law. The laws of the State of Michigan shall govern the validity, performance and enforcement of this Agreement.

Section 11. Running with the Land and Assignment. This Agreement shall be binding on and inure for the benefit of the parties hereto, their heirs, representatives, successors, and assigns. The rights granted herein to the Township may be assigned by the Township in whole or in part. The obligations imposed upon the Property may not be assigned without the written permission of the Township.

Section 12. Deed Restriction. If for any reason a court of competent jurisdiction were to determine that the above agreement did not constitute a special assessment under the provisions of Act 188, Michigan Public Acts of 1954, as amended, MCL 41.721 et seq. ("Act 188"), then these parties agree that the Court shall treat this Agreement as a private deed restriction within the meaning of MCL 211.78k (5) (e). As such, in a foreclosure sale, this Agreement and the obligations contained therein and liened upon the Property shall not be extinguished.

Section 13. Attorney Fees. If the Owner or their successors, assigns, heirs, or representatives challenges this Agreement in the future and the challenge is unsuccessful, then that party shall pay the Township's actual legal fees and costs for defending said action.

Section 14. Effective Date. This Agreement shall be effective as of the date first written above.

Section 15. Recording Fee. The Owner shall pay recording fee of \$30.00 to the Township upon execution of this Agreement in addition to the \$2,250.00 Down Payment.

Section 16. Indemnification and Hold Harmless. The Owner hereby agrees to indemnify, save, and hold the Township harmless from any and all claims, debts, causes of action, or judgments with regards to the property and this Agreement by anyone.

OWNERS:

Owner Name

Owner Name

STATE OF MICHIGAN)
) ss
COUNTY OF LIVINGSTON)

The foregoing instrument was acknowledged before me this ____ day of _____, by _____

_____, Notary Public
_____, County Michigan
Acting in _____ County
My commission expires _____

PREPARED BY:

John L. Gormley (P-53539)
Gormley Law Offices, PLC
101 East Grand River Ave.
Fowlerville, MI 48836

WHEN RECORDED RETURN TO:

Marion Township
Attn: Clerk
2877 West Coon Lake Road
Howell, MI 48843

TOWNSHIP OF MARION
AGREEMENT FOR PAYMENT OF MUNICIPAL WATER REU CHARGES

This Agreement for Payment of Municipal Water REU Charges ("Agreement") is made on *****DATE***** by and between Marion Township, a Michigan General Law Township, whose address is 2877 West Coon Lake Road, Howell Michigan 48843 ("Township") and *****APPLICANT NAME AND ADDRESS***** ("Owner").

WHEREAS, the Owner owns certain real estate located within the Township, identified as *****ADDRESS*****, Marion Township, Property Identification Number *****SIDWELL***** (the "Property") legal description is attached as exhibit A;

WHEREAS, a General Notice of Limitations of Liability as to Legal Descriptions: The legal description attached to Exhibit A is given to the attorney and are presumed to be correct. The descriptions are copied verbatim from the descriptions provided by the Owner. Any misspellings or typographical errors are unintended. The attorney assumes no responsibility for such descriptions or for encroachments or overlapping that might be revealed by a stake survey. The attorney renders no opinion of a legal nature, such as to ownership of the property or condition of title and instead recommends an ALTA survey and a Title Insurance Policy to determine the exact nature of the legal descriptions, but the Township and the Owner have declined and opted to go with the above descriptions and a title insurance for the purpose of this Agreement;

WHEREAS, the Township as a member of the Marion, Howell, Oceola, Genoa Sewer and Water Authority ("MHOG"), has the ability to sell access to Authority water supply that serves certain areas of the Township including the Property;

WHEREAS, the owner intends to connect the Property to the Authority's municipal water system which will result in a Water REU Charge being due to the Township in the amount of \$7,718.00 (the "Water REU Charge");

WHEREAS, the Township and the Owner wish to enter into an Agreement to provide for the manner of payment of the Water REU Charge;

WHEREAS, the Township Board, based upon the promises and commitments of the Owner agreed to herein, approved this Agreement at a Regular Township Board Meeting held on *****DATE*****;

WHEREAS, the Property has not been previously placed on an existing assessment roll for the costs of the Water REU(s) the Owner contemplates purchasing under the terms of this Agreement.

NOW, THEREFORE, in consideration of mutual promises, performances, covenants, and payment obligations of the parties, it is hereby agreed as follows:

Section 1. Property. The Owner represents and warrants that it has fee simple legal title to the property.

Section 2. Water REU Charge. Based on Owner's plans for the Property, the Township has determined that a Water REU charge of \$7,718.00 is due. The Owner acknowledges and agrees that such Water REU Charge is due to the Township and that the REU charge is a correct and accurate charge for the owner's proposed use of the property.

Section 3. Payment of the Owner's Water REU Charge. Instead of paying the Owner's Water REU Charge in a single payment, the Owner has requested to pay such charge by paying a \$3,500.00 down payment and the balance in five installment payments with interest at five (5%) percent per year on the unpaid balance to be included on the winter property tax bill for the property. The payment schedule is attached to this document as Exhibit B.

In addition to the charges set forth above, the Owner is responsible for paying the normal fees associated with MHOG water usage such as meter fees, usage fees, permit fees, and inspection fees.

Section 4. Special Assessment Lien. The Owner and the Township agree that this Agreement shall constitute a special assessment lien on the Property in the amount of the balance due on the Owner's Water REU Charge pursuant to Act 188, Michigan Public Acts of 1954, as amended, MCL 41.721 et seq. ("Act 188"). The Owner of the Property signing below specifically acknowledges that it is entitled to certain public hearings and notices pursuant to the provisions of Act 188, and Owner of the Property signing below voluntarily agrees to waive its rights to such public hearings and notices and waives its rights to protest the assessment or lien. The Owner signing below specifically agrees that the special assessment lien created by this Agreement is a valid and binding lien, enforceable in accordance with the terms of Act 188 and the laws of the State of Michigan. The Township shall have the rights to enforce this lien as provided under Act 188 and the laws of the State of Michigan, including but not limited to imposing penalties and additional interest, placing delinquent special assessments on the Township's ad valorem tax roll (which could result in the Property being sold at a tax sale if such delinquent assessments are not paid) and disconnection of the Property from the Water System. The Owner signing below agrees that this Agreement, or a memorandum of this Agreement may be recorded with the Livingston County Register of Deeds office. The Owner signing below warrants, agrees and covenants with the Township that it shall take no action to challenge the lien created hereby and the Owner signing warrants, agrees and covenants that it will not take any other steps to question the legal effect of the lien created by this Agreement. Owner signing below acknowledges that the lien created by this Agreement shall run with the land and shall be paid in accordance with this Agreement by any future owner of the Property or any other future party obtaining an interest in the property. Furthermore, the Owner's Water REU Charge shall be paid regardless of whether the Property makes full use of the number of REUs associated with the Property.

As a special assessment, the Owner signing below, along with their successors and assigns agree that this Agreement, the obligations contained therein, and the Special Assessment Lien shall survive any foreclosure action on the property.

The Township and the Owner reserves the right, but not the responsibility, to enter into a written agreement at a future date to amend the special assessment re-payment terms set forth above. In

which case, the Owner signing below specifically acknowledges that it is entitled to certain public hearings and notices pursuant to the provisions of Act 188, and Owner signing below voluntarily agrees to waive its rights to such public hearings and notices and waives its rights to protest the assessment or lien, if modified in the future. The Owner signing below specifically agrees that any future repayment modification agreement of the special assessment lien created by this Agreement is a valid and binding lien, enforceable in accordance with the terms of Act 188 and the laws of the State of Michigan. The Township shall have the rights to enforce the lien as provided under Act 188 and the laws of the State of Michigan, including but not limited to imposing penalties and additional interest, placing delinquent special assessments on the Township's ad valorem tax roll (which could result in the Property being sold at a tax sale if such delinquent assessments are not paid) and disconnection of the Property from the Water System.

Section 5. Operation and Maintenance Costs. In addition to any other special assessments levied on the Property and the Owner's Water REU Charge, the Property and the users of the Water System shall be subject to continuing operating and maintenance ("O&M") charges and capital charges in accordance with the Township's and MHOG's policies and ordinances. The Property and the users of the Water System shall also be subject to all other fees and charges for use of the Water System as set forth in any and all applicable Township and/or MHOG policies and ordinances.

Section 6. Ordinance Compliance. The Owner signing below acknowledges that they are subject to and will comply with all present and future Township and/or MHOG ordinances and/or policies pertaining to the use of the Water System.

Section 7. Easement Grants. The Owner signing below agrees to grant and convey to MHOG any easements that may be necessary on the Property in order for the Water System to serve the property. If the Owner fails to execute the Easement within thirty (30) days of its presentation to them, the Township may draft and record a notice easement against the Property for said right-of-way to provide water service to the Property, along with a copy of this Agreement and the Easement shall be considered a binding and enforceable easement, as if the Owner to the Property had signed the Easement.

Section 8. Entire Agreement, Modification, Severability. This Agreement contains the entire understanding between the parties

and any representations, inducements, promises or agreements, oral or otherwise, entered into prior to the execution of this Agreement are null and void and will not alter the conditions set forth herein. The Agreement shall not be modified in any manner, except by an instrument in writing executed by the parties. If any term or provision of this Agreement, or the application thereof to any person or circumstances shall, to any extent, be declared invalid or unenforceable by a court of competent jurisdiction, the remainder of the terms of the Agreement shall remain in full force and effect and shall not be affected by any such declaration.

Section 9. Counterparts. This Agreement may be executed in any number of counterparts, each of which when so executed and delivered shall be deemed an original, and such counterparts together shall constitute one and the same instrument.

Section 10. Governing Law. The laws of the State of Michigan shall govern the validity, performance and enforcement of this Agreement.

Section 11. Running with the Land and Assignment. This Agreement shall be binding on and inure for the benefit of the parties hereto, their heirs, representatives, successors, and assigns. The rights granted herein to the Township may be assigned by the Township in whole or in part. The obligations imposed upon the Property may not be assigned without the written permission of the Township.

Section 12. Deed Restriction. If for any reason a court of competent jurisdiction were to determine that the above agreement did not constitute a special assessment under the provisions of Act 188, Michigan Public Acts of 1954, as amended, MCL 41.721 et seq. ("Act 188"), then these parties agree that the Court shall treat this Agreement as a private deed restriction within the meaning of MCL 211.78k (5) (e). As such, in a foreclosure sale, this Agreement and the obligations contained therein and liened upon the Property shall not be extinguished.

Section 13. Attorney Fees. If the Owner or their successors, assigns, heirs, or representatives challenges this Agreement in the future and the challenge is unsuccessful, then that party shall pay the Township's actual legal fees and costs for defending said action.

Section 14. Effective Date. This Agreement shall be effective as of the date first written above.

Section 15. Recording Fee. The Owner shall pay recording fee of \$30.00 to the Township upon execution of this Agreement in addition to the \$3,500.00 Down Payment.

Section 16. Indemnification and Hold Harmless. The Owner hereby agrees to indemnify, save, and hold the Township harmless from any and all claims, debts, causes of action, or judgments with regards to the property and this Agreement by anyone.

OWNERS:

Owner Name

Owner Name

STATE OF MICHIGAN)
) ss
COUNTY OF LIVINGSTON)

The foregoing instrument was acknowledged before me this ____ day of _____, by _____

_____, Notary Public
_____, County Michigan
Acting in _____ County
My commission expires _____

PREPARED BY:

John L. Gormley (P-53539)
Gormley Law Offices, PLC
101 East Grand River Ave.
Fowlerville, MI 48836

WHEN RECORDED RETURN TO:

Marion Township
Attn: Clerk
2877 West Coon Lake Road
Howell, MI 48843

Bob Hanvey

From: Barbara Fillinger [REDACTED]
Sent: Thursday, December 22, 2022 10:34 AM
To: supervisor@mariontownship.com
Subject: Board of Review Position

Good morning Bob,
After our conversation this morning I would be very interested in the Board of Review position. Please let me know how I would sign up for the training.

Thank you and have a very Merry Christmas!

Barb Fillinger

Livingston County Road Commission

3535 Grand Oaks Drive • Howell, Michigan 48843-8575
Telephone: (517) 546-4250 • Facsimile: (517) 546-9628
Internet Address: www.livingstonroads.org

December 9, 2022

Mr. Robert Hanvey
Marion Township
2877 W Coon Lake Road
Howell, MI 48843

Re: 2023 Road Projects

Dear Mr. Hanvey,

I have reviewed the 2023 draft asset management projects suggested for Marion Township and provide the following recommendations below:

County Farm Road – M-155 to Sexton (1.86 Miles)

The entire section of County Farm Road from M-155 to Sexton Road carries approximately 1,900 vehicles per day and has a Paser Rating of 4, which is the high end of poor. Three inches of HMA was placed on this section in 2007 with subsequent crack seals in 2012 and 2013. The roadway has some patched areas, along with fine random and wheel path cracking. The overall slope of the road is in relatively fair condition. Staff recommends placing a single chip seal application to seal and mitigate reflective cracking, then place a 2.0" structural hot mix asphalt overlay on top of the chip seal to provide structure, rideability and longevity to the roadway. The estimated cost for this work is **\$550,000**. LCRC will match 50% of the cost.

Coon Lake Road -Pinckney Road to Township Line

This section of Coon Lake Road carries approximately 5,400 vehicles per day and has a Paser Rating of 4. A hot mix asphalt wedge and overlay was placed in 2013 and crack sealed in 2019. The road has cracking and some minor patching. Staff does not recommend chip sealing due to the high traffic count. Staff recommends milling out a portion of the roadway and placing a structural lift of hot mix asphalt, this will remove surface cracking and provide structure and a smooth driving surface. The existing road elevation will be maintained to match existing driveways and maintain should widths. Since the existing pavement is just 10 years old Staff recommends this work for future years possibly 2024 or 2025. LCRC will seal cracks in 2022 at no cost to the Township.

Bentley Lake and Pinckney Road

Upon observation of these roads, staff does not feel crack sealing is warranted at this time. We will continue to monitor and place on Crack Seal list when appropriate.

Please contact me if you have any questions.

Jodie Tedesco, P.E.
County Highway Engineer

John T. Dunleavy • Chairman
Steven J. Wasylk • Managing Director

David R. Peckens • Vice Chairman
Jodie M. Tedesco • County Highway Engineer

Stephen F. Crane • Member
Trevor J. Bennett • Director of Operations



905 Penniman | P.O. Box 6161 | Plymouth, MI 48170
 T: 734-455-6700 | F: 734-455-6711
 E: sales@duboiscooper.com
 www.duboiscooper.com

INVOICE

Number: 01032023a
 Date: Jan 3, 2023
 Page: 1

Bill To:
Marion Township tammybeal@mariontownship.com 2877 West Coon Rd. Howell, MI 48843

Ship to:
Marion Township 3308 Norton Rd Howell, MI 48843

Customer ID	Customer PO	Payment Terms	
MARION	B Hanvey 10.23 email	Net 30 Days	
Sales Rep ID	Shipping Method	Ship Date	Due Date
E-One	Hand Deliver	12/19/22	2/2/23

Quantity	Item	Description	Unit Price	Amount
1.00	U200A08AAF	Two (2) EOne W-series Extreme pump cores with 1HP, 1725RPM, 240V 1-phase motors and 50' power cable	9,800.00	9,800.00
1.00	SPC0919G01	Sentry Duplex Protect Plus control/arlam panel; model T260V with 240V 1-phase power Removal, Installation and Starup Services For 3308 Norton Duplex		9,460.00

Subtotal	19,260.00
Sales Tax	
Total Invoice Amount	19,260.00
Payment/Credit Applied	
TOTAL	19,260.00

Check/Credit Memo No:

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

TRANSMITTAL

TO: Board of Trustees

DATE January 12, 2023
PROJECT **FINAL REVIEW**
New Text Amendment
TXT# 02-22 Solar Ordinance

VIA Hand Delivery

WE ARE SENDING: Herewith Under Separate Cover

THE FOLLOWING:

- Proposed NEW text amendment -- TXT# 02-22 Solar Ordinance includes Section 3 Definitions, Section 7.01 Zoning Districts, Section 12.01 Solar Farm Overlay District, Section 17.34 Utility Solar Energy Facilities Special Use, and Section 6.31 Private Solar Energy Systems.
- Livingston County Planning Commission review dated November 16, 2022
- Planning Commission minutes from December 20, 2022 meeting

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

REMARKS:

This information is for a **Review and Adoption**. This establishes a new Solar Ordinance to hand both private and Utility Solar Energy Facilities. Let me know if you have any questions.

FROM: Dave Hamann, Zoning Administrator

Copy: file

MARION TOWNSHIP SOLAR ENERGY ZONING ORDINANCE AMENDMENTS

An amendment to the Marion Township Zoning Ordinance to add definitions related to solar energy, establish a solar farm energy overlay district, establish standards for utility solar energy facilities, and establish standards for private solar energy systems.

Marion Township Ordains:

1. AMENDMENT OF ARTICLE III: DEFINITIONS

Section 3.02 Definitions of the Zoning Ordinance is hereby amended to add the following solar energy definitions which shall read, in its entirety, as follows:

Farmland Preservation Program: The Michigan Farmland Preservation Program, Part 361 of the Natural Resources and Environmental Protection Act, PA 451 of 1994, also commonly referred to as PA 116.

Solar Energy: The following definitions shall apply in the application of this Ordinance.

1. **Abandonment:** Any solar energy system or facility that is no longer producing power.
2. **Building Integrated Photovoltaics (BIPVs):** A private or utility solar energy system that is integrated into the structure of a building, such as solar roof tiles or solar shingles.
3. **Decommission:** To remove or retire a solar energy system or facility from active service.
4. **Ground-Mounted Solar Energy System:** A private or utility solar energy system that is not attached to or mounted on any roof or exterior wall of any principal or accessory building.
5. **Height:** The height of a solar energy system, measured vertically from the adjacent grade to its highest point at maximum tilt.
6. **Inhabited Structure:** Any existing structure usable for living or non-agricultural commercial purposes, including, but not limited to: working, sleeping, eating, cooking, recreation, office, office storage, or any combination thereof. An area used only for storage incidental to a residential use, including agricultural barns, is not included in this definition. If it is not clear by this definition, the Zoning Administrator shall make a determination of any structure regarding whether or not it is inhabited.
7. **Non-Participating Property:** A property that is not subject to a Utility Solar Energy Facility lease or easement agreement at the time an application is submitted for a Special Land Use for the purposes of constructing a Utility Solar Energy Facility.
8. **Participating Property:** A property that participates in a lease or easement agreement, or other contractual agreement, with or that is owned by an entity

submitting a Special Land Use Permit application for the purpose of developing a Utility Solar Energy Facility.

9. **Photovoltaic Array (PV Array):** A device designed to collect and transform solar energy into electricity.
10. **Private Solar Energy System:** A Solar Energy System used exclusively for private purposes and not used for commercial resale of energy, except for the sale of surplus electrical energy back to the electrical grid.
11. **Repowering:** Replacing or upgrading Solar Energy System to increase power rating of panels or Solar Energy System accessory structures within the approved project footprint. This does not apply to regular maintenance.
12. **Roof or Building-Mounted Solar Energy System:** A private or utility solar energy system that is attached to or mounted on any roof or exterior wall of any principal or accessory building but excluding BIPVs.
13. **Solar Energy System:** A device designed to collect and transform solar energy into electricity, including but not limited to, PV arrays, racks, inverters, transformers, wiring, batteries, and electrical system components.
14. **Solar Farm:** See Utility Solar Energy Facility.
15. **Utility Solar Energy System or Facility:** A Solar Energy System where the principal design, purpose, or use of such system is to provide energy to off-site uses or the wholesale or retail sale of generated electricity to any person or entity.

2. AMENDMENT OF ARTICLE VII: ZONING DISTRICTS AND MAPS

Section 7.01 Establishment of Districts of the Zoning Ordinance is hereby amended to add SFO Solar Farm Overlay District, which shall read, in its entirety, as follows:

Section 7.01 Establishment of Districts

For the purpose of this Ordinance, the Township is hereby divided into the following zoning districts, which shall be known by the following respective symbols and names.

RR: Rural Residential District

SR: Suburban Residential District

UR: Urban Residential District

ERS-1: Existing Residential Subdivision District

ERS-2: Existing Residential Subdivision District

MHP: Mobile Home Park

HS: Highway Service District

LI: Light Industrial District
PL: Public Lands District

Other Areas
PUD: Planned Unit Development Overlay District
SFO: Solar Farm Overlay District
WPA: Wellhead Protection Area

3. ADDITION OF ARTICLE XII: “SOLAR FARM OVERLAY DISTRICT”

A new Article XII entitled “SOLAR FARM OVERLAY DISTRICT” is hereby added to the Zoning Ordinance which shall read, in its entirety, as follows:

ARTICLE XII: SOLAR FARM OVERLAY DISTRICT

Section 12.01 SFO: Solar Farm Overlay District

A. Intent: It is the intent of the Solar Farm Overlay District (SFO) to provide for the location and siting of Utility Solar Energy Facilities to balance the promotion of economic development to supplement, rather than supplant, agricultural activities while also protecting the public health, safety, and welfare; mitigating adverse impacts to agricultural lands, natural and environmentally-sensitive areas, and developed residential areas; and preserving scenic views and cultural heritage. The Solar Farm Overlay District is intended to include areas with large tracts of land in proximity to electrical transmission lines to limit potential impact on other areas and uses within the Township.

B. Permitted Accessory Uses:

1. Accessory uses or structures clearly incidental to the operation of an approved Utility Solar Energy Facility.

C. Uses Permitted By Special Use Permit: (See specific Provisions in Article XVII)

1. Utility Solar Energy Facilities.

4. AMENDMENT OF ARTICLE XVII: “STANDARDS FOR SPECIFIC SPECIAL USES”

Article XVII STANDARDS FOR SPECIFIC SPECIAL LAND USES of the Zoning Ordinance is hereby amended to add Section 17.34 "Utility Solar Energy Facilities" which shall read, in its entirety, as follows:

17.34 UTILITY SOLAR ENERGY FACILITIES

- A. Intent and Purpose:** The intent and purpose of this Section is to establish standards for the siting, installation, operation, repair, decommissioning, and removal of Utility Solar Energy Facilities; establish the process for the reviewing and permitting of such facilities; protect the health, welfare, safety, and quality of life of the general public; and ensure compatibility with land uses in the vicinity of the areas affected by such facilities.
- B. Locational Requirements:** Utility Solar Energy Facilities are permitted by special land use in the SFO Solar Farm Overlay District.
- C. Site Requirements:**
1. The site shall be at least twenty (20) acres.
 2. The site may consist of a single participating property or multiple participating properties.
 3. The site and all fenced compounds shall have access described below.
 - a. There shall be direct access from a public road or an access easement with a maximum length of one thousand two hundred fifty (1,250) feet and a width of at least thirty-three (33) feet.
 - b. Access drives shall have a hard surface or material that can pack hard that is sufficient to support fire apparatus and provide access at all times of the year.
- D. Buffering Requirements:**
1. There shall be a landscape buffer at least twenty (20) feet wide along the exterior of the fenced compound, whenever existing natural vegetation does not otherwise reasonably obscure the Utility Scale Solar Energy Facility, as described below.
 - a. The buffer shall be installed to obscure Utility Scale Solar Facility and shall contain staggered evergreen trees or bushes planted not less than eight (8) feet apart linearly. The Township may consider an alternative landscape buffer as a part of the special land use approval provided the alternative provides adequate screening.
 - b. Plantings shall be least four (4) feet tall at time of planting and shall reach a height of ten (10) feet within three (3) growing seasons.
 - c. The trees may be trimmed but must maintain a height of at least ten (10) feet after the third growing season.
 2. Good husbandry techniques shall be followed with respect to vegetation, including but not limited to, proper pruning, proper fertilizing, and proper mulching, so that the vegetation will reach maturity as soon as practical and will have maximum density in foliage. Dead or diseased vegetation shall be removed and must be replanted in a manner consistent with this Section at the next appropriate planting time.

Solar Energy

Zoning Ordinance Amendment (CLEAN)

Draft January 4, 2022

3. All fences and improved areas shall comply with the applicable setback for the underlying zoning district in which it is located.
4. All structures and improved areas located within the fenced compound shall be at least thirty (30) feet from the fence line.
5. Solar energy systems and related accessory structures, such as transformers, shall be at least one hundred (100) feet from road rights-of-way and non-participating residential dwellings, churches or religious institutions, schools, family or group child day-care homes, bed and breakfast establishments, residential facilities, and any other residence or inhabited structure.

E. Performance Standards:

1. Utility Solar Energy Facilities shall be designed, constructed, operated, and maintained in compliance with all applicable provisions of local, state, and federal laws and regulations.
 2. PV Array Components: PV array components shall be approved by the Institute of Electrical and Electronics Engineers (IEEE), Solar Rating and Certification Corporation (SRCC), Electronic Testing Laboratories (ETL), or other similar certification organization if the similar certification organization acceptable to the Township.
 3. Fencing: Utility Solar Energy Facility compounds shall be completely surrounded by a fence designed to prevent unauthorized access and screen the facility.
 - a. The fence shall be at least seven (7) feet tall, and posts shall extend at least thirty-six (36) inches into the ground.
 - b. Gate posts and corner posts shall have a concrete foundation.
 - c. The fence shall be a woven agricultural-style fence. The Township may require or allow durable green opaque material to be integrated into the fence if necessary for buffering or screening.
 - d. Gates shall be provided at all access points, unless otherwise permitted or approved. Gates for vehicular access shall be approved by the Fire Authority.
 - e. Gates shall be the same height and constructed of the same material as the fencing. Access, such as knock box, shall be provided for emergency responders.
 - f. The Township may require or allow a fence design to allow for the passage of wildlife upon a finding that adequate access control and visual screening will be preserved.
 - g. Alternate fencing may be approved by the Township upon a finding that the alternative provides adequate access control and visual screening.
 4. Safety:
 - a. All collection system wiring shall comply with all applicable safety and stray voltage standards.
 - b. All electrical connection systems and lines from the Utility Solar Energy Facility to the electrical grid connection shall be located and maintained a minimum of six (6) feet underground within and adjacent to the site.
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Solar Energy

Zoning Ordinance Amendment (CLEAN)

Draft January 4, 2022

- c. All access gates and doors to Utility Solar Energy Facility compounds and electrical equipment shall be lockable and kept secured at all times when service personnel are not present.
 - d. The applicant shall be responsible for maintenance of the access roads.
 - e. The manufacturers or installer's identification and appropriate warning signs shall be posted on or near solar panels in a clearly visible manner.
 - f. Fire suppression plans and Safety Data Sheets shall be kept on-site and be accessible for emergency responders.
5. Advertising or non-project related graphics shall be prohibited. This exclusion does not apply to signs required by this Ordinance.
 6. Signs shall be posted at entrances to Utility Solar Energy Facility compounds containing emergency contact information, operator contact information, and complaint resolution information. The Township may require additional signs with this information on the fence surrounding the compound.
 7. The Utility Solar Energy Facility owner, operator, and property owner shall be responsible, jointly and severally, for mitigating erosion or flooding resulting from the Utility Solar Energy Facility.
 8. The Utility Solar Energy Facility owner, operator, and property owner shall be responsible, jointly and severally, for making repairs to any public roads, drains, and infrastructure damaged by the construction of a Utility Solar Energy Facility.
 9. Utility Solar Energy Facilities shall not have any on-site battery storage systems for the sale of stored energy.
 10. Plants or grasses not part of the buffer area shall be maintained not to exceed a height of twelve (12) inches. The Township may approve a taller height upon a finding that it will not result in a nuisance.
 11. Wildlife Impact:
 - a. The applicant shall have a third-party qualified professional conduct an analysis to identify and assess any potential impacts on wildlife and endangered species. The applicant shall take appropriate measures to minimize, eliminate, or mitigate adverse impacts identified in the analysis. The applicant shall identify and evaluate the significance of any net effects or concerns that will remain after mitigation efforts.
 - b. Sites requiring special scrutiny include wildlife refuges, other areas where birds are highly concentrated, bat hibernacula, wooded ridge tops that attract wildlife, sites that are frequented by federally or state listed endangered species of birds and bats, significant bird migration pathways, and areas that have landscape features known to attract large numbers of raptors.
 - c. At a minimum, the analysis shall include a thorough review of existing information regarding species and potential habitats in the vicinity of the project area. Where appropriate, surveys for bats, raptors, or general avian use should be conducted. The analysis shall include the potential effects on species listed under the federal Endangered Species Act and Michigan's Endangered Species Protection Law.
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Solar Energy

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The applicant shall follow all pre-construction and post-construction recommendations of the United States Fish and Wildlife Service.

- d. The analysis shall indicate whether a post-construction wildlife mortality study will be conducted and, if not, the reasons why such a study does not need to be conducted. Power lines should be placed underground, when feasible, to prevent avian collisions and electrocutions. All above-ground lines, transformers, or conductors should follow any Avian Power Line Interaction Committee (APLIC, <http://www.aplic.org/>) guidelines to prevent avian mortality.

12. Environmental Impact:

- a. The applicant shall have a third-party qualified professional conduct an analysis to identify and assess any potential impacts on the natural environment including, but not limited to, wetlands and other fragile ecosystems, historical and cultural sites, and antiquities. The applicant shall take appropriate measures to minimize, eliminate, or mitigate adverse impacts identified in the analysis.
- b. The applicant shall identify and evaluate the significance of any net effects or concerns that will remain after mitigation efforts. The applicant shall comply with applicable parts of the Michigan Natural Resources and Environmental Protection Act (Act 451 of 1994, MCL 324.101 et seq.) including but not limited to Part 31 Water Resources Protection (MCL 324.3101 et seq.), Part 91 Soil Erosion and Sedimentation Control (MCL 324.9101 et seq.), Part 301 Inland Lakes and Streams (MCL 324.30101 et seq.), Part 303 Wetlands (MCL 324.30301 et seq.), Part 323 Shoreland Protection and Management (MCL 324.32301 et seq.), Part 325 Great Lakes Submerged Lands (MCL 324.32501 et seq.), and Part 353 Sand Dunes Protection and Management (MCL 324.35301 et seq.).

13. Spacing. Utility Solar Energy Facilities shall be at least two thousand five hundred (2,500) feet from any adjacent, existing Utility Solar Energy Facility.

14. Sound. The intensity level of sounds created by Utility Solar Energy Facilities shall be fifty-five (55) DBA or less along the exterior boundary of a fenced compound.

15. Groundcover. Utility Scale Solar Energy Facilities shall include the installation of perennial ground cover vegetation that shall be maintained for the duration of operation until the site is decommissioned.

- a. Land enrolled or bound by the Farmland Preservation Program must follow the Michigan Department of Agriculture and Rural Development's Policy for Allowing Commercial Solar Panel Development on PA 116 Lands.

- b. Land not enrolled or bound by the Farmland Preservation Program must provide at least one (1) of the following types of dual use ground cover to promote ecological benefits:

- i. Pollinator habitat with a score of at least seventy-six (76) on the Michigan Pollinator Habitat Planning Scorecard for Solar Sites (www.pollinators.msu.edu);
- ii. Conservation cover focused on restoring native plants, grasses, or prairie with the aim of protecting specific species, such as bird habitat, or providing

Solar Energy

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Draft January 4, 2022

- specific ecosystem services, such as carbon sequestration or improving soil health;
 - iii. Incorporation of rotational livestock grazing and forage production as part of an overall vegetative maintenance plan; or
 - iv. Raising crops for food, fiber, or fuel and generating electricity within the site to maximize land use.
- c. The Township may approve or require alternative ground cover upon finding it is not feasible to provide groundcover as defined above.
 - d. All groundcover must be native plants with substantial root system to support soil. Turf grass is not permitted as ground cover.
 - e. Invasive species and noxious weeds are not permitted and must be removed in a timely manner.
16. Lighting. Lighting shall be limited to inverter or substation locations only and shall comply with 14.04(E) Lighting.
17. General Liability Insurance. Utility Solar Energy Facilities shall have and maintain general liability insurance of at least ten million (\$10,000,000.00) dollars. The Township may require a higher amount for larger projects and may allow for a lesser amount for smaller projects upon a finding that the alternate amount is more consistent with the likely risk.
18. Repowering or Modifications. Any modifications of an approved site plan that are made after the initial date of approval, including an expansion of project, shall be resubmitted to the Township Planning Commission for review at an additional fee based upon current fee schedule. Incidental or minor variations may be approved by the Township Zoning Administrator. Incidental changes in this context are defined as a change in location of access roads, solar panels, electrical inverters, storage buildings, and accessory structures within the approved project area. Any changes in excess of twenty (20%) percent of the approved site plan, subject to this Ordinance as it exists at time of application, will require a new site plan application and review, including reconfiguration of arrays, updating current technology, and Solar Energy Facility infrastructure.

F. Application Requirements:

An applicant proposing a Utility Solar Energy Facility must submit the following additional materials with the Special Land Use Application:

- 1. Applicant Identification: Applicant's name and address in full, a statement that the applicant is the owner involved or is acting on the owner's behalf, the address of the property involved in the application (substitution may include a legal description or parcel identifications number(s)), and any additional contact information. Each application for a Utility Solar Energy Facility shall also be dated to indicate the date the application is submitted to Marion Township.
 - 2. Project Description: A general description of the proposed project including a legal description of the property or properties on which the project would be located and an anticipated construction schedule.
-

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3. Insurance: Proof of the general liability insurance to cover the Utility Solar Energy Facility, the Township, and the Landowner.
4. Certifications: Certification that applicant will comply with all applicable state and federal laws and regulations. Land enrolled in the Michigan Farmland Preservation Program must provide confirmation of approval from the Michigan Department of Agriculture to locate a Utility Solar Energy Facility on the property before issuance of a certificate of zoning compliance.
5. Compliance with the County Building Code and the National Electric Safety Code: Construction of a Utility Solar Energy Facility shall comply with the National Electric Safety Code and the County Building Code (as shown by approval by the County) as a condition of any Special Land Use Permit under this section. In the event of a conflict between the County Building Code and National Electric Safety Code (NESC), the NESC shall prevail.
6. Environmental Impact: Copy of the Environmental Impact Analysis.
7. Wildlife Impact: Copy of the Wildlife Impact Analysis.
8. Manufacturers' Safety Data Sheet(s): Documentation shall include the type and quantity of all materials used in the operation of all equipment.
9. Decommissioning Plan: Copy of the decommissioning plans and a description of how any surety bond is applied to the decommissioning process.
10. Complaint Resolution Protocol: Copy of Complaint Resolution Protocol.
11. Fire Suppression Plan: A plan describing the fire suppression process and procedure, as well as training for emergency personnel.
12. Site Plan: The site plan prepared in accordance with Article XVIII Site Plan Requirements shall be submitted, showing the location, size, and screening of all buildings and structures. The site plan shall also include the following:
 - a. Survey of the property showing existing features such as contours, large trees, buildings, structures, roads (rights-of-way), utility easements, land use, zoning district, ownership of property, and vehicular access;
 - b. Water bodies, waterways, wetlands, and drainage channels;
 - c. Lighting plan;
 - d. Plan(s) showing the location of proposed Utility Solar Energy Facility, underground and overhead wiring (including the depth of underground wiring), new drainage facilities (if any), access drives (including width), substations and accessory structures;
 - e. A description of the routes to be used by construction and delivery vehicles and of any road improvements that will be necessary in the Township to accommodate construction vehicles, equipment or other deliveries, and an agreement or bond that guarantees the repair of damage to public roads and other areas caused by construction;
 - f. Anticipated construction schedule;

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- g. Description of operations, including anticipated regular and unscheduled maintenance;
 - h. The applicant must also obtain a permit from the Livingston County Road Commission or Michigan Department of Transportation (MDOT) for permission to connect access roads to existing County roads and from the Livingston County Drain Commission for any culverts or other drainage facilities;
 - i. Proof of approval by Livingston County, Road Commission, and Drain Commission;
 - j. Any other relevant studies, reports, certificates, or approvals as may be reasonably required by the Planning Commission;
 - k. A copy of the agreement between the applicant and the utility company that will be purchasing electricity from the proposed Utility Solar Energy Facility;
 - l. An affidavit or evidence of an agreement between the lot owner or operator confirming the owner or operator has the permission of the property owner to apply for the necessary permits for construction and operation of Utility Solar Energy Facility;
 - m. A complete description of the proposed technology to include type of solar panel and system, maximum height, fixed mounted versus tracking, number of panels and angles of orientation;
 - n. An escrow deposit shall be provided to the Township in an amount included in the Township's Annual Fee Schedule; and
 - o. A complete set of photos and video of the entire development area prior to construction.
13. Application Fee. Review fees shall be submitted for a Land Use Permit application, Special Use Permit application, site plan review, and required escrow fee to the Township in the amount specified in the fee schedule adopted by the Board of Trustees. This shall include but not be limited to independent review by experts, as deemed necessary by the Planning Commission.

G. Abandonment and Decommissioning:

Following the operational life of the project, the Applicant shall perform decommissioning and removal of the Utility Solar Energy Facility and all its components and restore the site to its original conditions.

1. The decommissioning plan shall be written to provide security to the Township for one hundred percent (100%) of the cost to remove and dispose of all panels, wiring, and restoration of the land to its original conditions. The value of decommissioning shall be determined by a third-party financial consultant or engineer selected by the Township and paid for by the developer. The decommissioning security shall be in a form acceptable to the Township and shall not include scrap value. Once value of decommissioning is determined, it shall be updated on a periodic basis of not less than every three (3) years.
 2. All abandonment and decommissioning work must be done when soil is dry or
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frozen to prevent compaction.

3. Solar energy systems that are not operated for a continuous period of twelve (12) months shall be considered abandoned and shall be subject to removal proceedings.
4. Solar energy systems that are damaged shall be replaced or removed within seven (7) days.
5. The ground must be restored to its original topography within three hundred sixty-five (365) days of abandonment or decommissioning. An extension may be granted if a good faith effort has been demonstrated and any delay is not the result of actions or inaction of the operator. An alternative topography can be approved by the Township as part of the original site plan review or later as part of decommissioning.
6. An annual report shall be provided to the Zoning Administrator showing continuity of operation and shall notify the Zoning Administrator if use is to cease, prior to decommissioning, or abandonment.
7. Continuing Obligations: Failure to keep any required financial security in full force and effect at all times while a Utility Solar Energy Facility exists or is in place shall constitute a material and significant violation of the Special Land Use, Special Use Permit, and this Ordinance, and will subject the Utility Solar Energy Facility Applicant, owner, and operator, jointly and severally, to all remedies available to the Township, including any enforcement action, civil action, request for injunctive relief, and revocation of the Special Land Use Permit.

H. Complaint Resolution:

Utility Solar Energy Facilities shall provide a complaint resolution process, as described below.

1. The site shall have signs posted with contact information to collect complaints related to the Utility Solar Energy Facility.
2. A log shall be kept by the owner or operator of all complaints received and shall be available to Township officials for review, per Township request.
3. The operator or its agent shall respond to complainants within ten (10) business days and shall provide notification to the Zoning Administrator.
4. Any resolution shall include lawful and reasonable solutions consistent with the Zoning Ordinance, which shall also be provided to the Zoning Administrator.
5. The operator or its assigns reserve the right to adjudicate any claims, including residential claims, in a court of competent jurisdiction.
6. An annual report shall be submitted to the Zoning Administrator and the Township Board that details all complaints received, the status of complaint resolution, and actions taken to mitigate complaints.

5. ADDITION OF SECTION 6.31 “PRIVATE SOLAR ENERGY SYSTEMS”

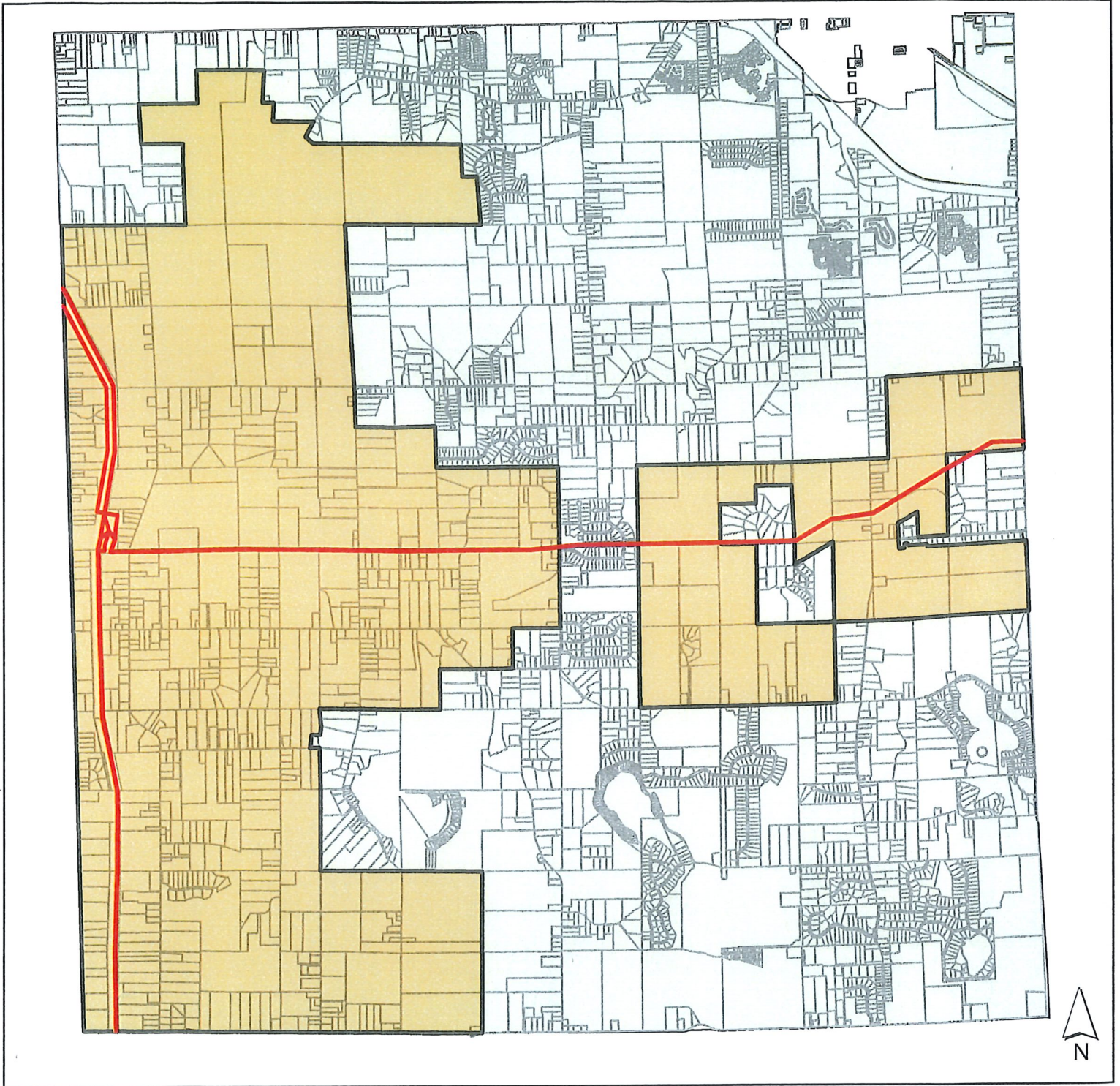
Article VI GENERAL PROVISIONS of the Zoning Ordinance entitled is hereby amended to add a Section 6.31 entitled “Private Solar Energy Systems” which shall read, in its entirety, as follows:

Section 6.31 Private Solar Energy Systems

Private Solar Energy Systems shall be permitted as an accessory use in all zoning districts, subject to the following:

- A. A land use permit and applicable building permits shall be required for the installation of any Private Solar Energy System. The application shall include a scaled plot plan shown the property lines, setbacks, existing and proposed buildings and structures, road rights-of-way, wiring location, and panel information.
- B. Ground-mounted Private Solar Energy System shall be located in the rear yard or side yard and shall meet the rear and side yard setbacks for accessory structures in the zoning district in which it is located.
- C. Roof-mounted Private Solar Energy Systems erected on a roof shall not extend beyond the peak of the roof. If the Private Solar Energy System is mounted on a building in an area other than the roof, it shall not extend vertically beyond the wall on which it is mounted and shall not extend more than twelve (12) inches beyond the wall on which it is mounted.
- D. Ground-mounted Private Solar Energy Systems shall have a maximum height of twenty-five (25) feet above the ground when oriented to maximum tilt.
- E. All power transmission lines, wires, or conduits from a ground-mounted Private Solar Energy System to any building or other structure shall be located underground.
- F. Batteries associated with Private Solar Energy Systems must be located within a secured container or enclosure.
- G. Solar energy systems that are damaged shall be replaced or removed in a timely manner.
- H. Signage shall be provided in a visible location with disconnection procedures for emergency first responders.
- I. All Private Solar Energy Systems, including BIPVs, ground-mounted, and structure mounted, shall conform to applicable County, State, and Federal laws and regulations and safety requirements including Michigan Building codes.
- J. Private Solar Energy Systems that have been abandoned for a period of one (1) year shall be removed by the property owner within six (6) months of the date of abandonment.

SOLAR FARM OVERLAY DISTRICT DRAFT




Legend

-  Solar Farm Overlay
-  Transmission Line

Marion Township
Livingston County, Mi

0 0.28 0.55 1.1 Miles



Carlisle | Wortman, Assoc.
October 17, 2022



In addition, during Commission discussion, the following specific items were also identified by the Planning Commission as needing further review:

- Section 13.27 (A). Re-assess allowing USSES in the following districts as they appear to be incompatible with regards to their district intent statements: RD, WRD, RR, and NSC.
- Section 13.27 (B). The amendments do not speak anywhere about the consideration of energy storage.
- Section 13.27 (D.4). Isn't the normal distance for public notices 300'-0", not 150'-0"?
- Section 13.27 (D.14). Consider access maintenance for Emergency Service vehicles.
- Section 13.27 (D.16). Consider maintenance for access during winter months.
- Section 13.27 (H). Abbreviation for Electronic Testing Laboratories should be changed to "ETL" in the paragraph.
- Section 13.27 (N.2.c.). Consider utilizing an "open bond" to make sure everything is properly and adequately covered/insured.
- Section 13.27 (R). Need more details. Is there an existing lighting ordinance that could define conformance with this provision better (i.e. how many lumens, etc.)?
- Section 13.27 (Z). Does this mean the entire complex or just the section that is affected?
- Section 13.27 (BB). Please reevaluate the density/location ratio determination factor. It's very difficult to understand. Perhaps include a small diagram with the explanation.
- Once the value of the decommissioning is determined, it should be updated on a periodic basis of not less than three (3) years.

Public Comment: The following individuals provided comments in disagreement of allowing utility solar scale energy systems in Cohoctah Township: Drew Beach, 11388 Owosso Rd., Cohoctah Twp.; Kelly Ralko, 11935 Daisey Lane, - provided photos to Commissioners; Conway Township; Cynthia Malmquist, 10618 Owosso Rd.; Joann Haas, 10785 Fleming Rd., Fowlerville; Steve Barron, Fleming Rd, Fowlerville; Jim Dannemiller, 6425 Chase Lake Rd, Conway Twp.; Ellie Steyskal 8875 Owosso Rd., Conway Twp; Roy Steyskal 8875 Owosso Rd., Conway Twp; Andrea Bedwell, 11109 Owosso Rd., Fowlerville; Drew Beach, 11388 Owosso Rd. – submitted documents for the record; Cohoctah Twp.; Jennifer Davis, 8058 Fleming Rd., Fowlerville.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER BOWDOIN TO RECOMMEND NO ACTION- ENCOURAGE FURTHER REVIEW, SECONDED BY COMMISSIONER ANDERSON.

Motion passed: 7-0

Chairman Prokuda recessed the meeting at 8:05 p.m. for a five-minute break.
The meeting was reconvened by Chairman Prokuda at 8:14 p.m.

- B. Z-38-22 AMENDMENTS TO ZONING ORDINANCE ARTICLES -**
ARTICLE III: DEFINITIONS, ARTICLE VI: GENERAL PROVISIONS: SECTION 6.31
PRIVATE SOLAR ENERGY SYSTEMS, ARTICLE VII: ZONING DISTRICTS AND MAPS;
SECTION 7.01 ESTABLISHMENT OF DISTRICTS, ARTICLE XII: SOLAR FARM
OVERLAY DISTRICT; SECTION 12.01 SFO SOLAR FARM OVERLAY DISTRICT,
ARTICLE XVII: STANDARDS FOR SPECIFIC SPECIAL USES; SECTION 17.34: UTILITY
SOLAR ENERGY FACILITIES

The Marion Township Planning Commission proposes a completely new set of standards and regulations and associated ordinance amendments for the Township Zoning Ordinance, as referenced above, to regulate utility scale solar systems and private solar energy systems.

Township Planning Commission Recommendation: Approval. The Marion Township Planning Commission recommended Approval of this zoning amendment at its October 25, 2022. There were few public comments regarding this amendment.

Staff Recommendation: The proposed amendments appear to be reasonable and appropriate. The township has done a very admirable job of attempting to address all facets of this land use activity to ensure the desired form of development takes place and to preserve the community's rural character to the best extent possible in the process. To County Planning Staff's knowledge, Marion Township leadership utilized an educated and reasoned approach to the best of its abilities throughout this process. The proposed ordinance should serve Marion Township and its residents well as the demand for utility scale solar energy systems begins in the very near-future.

Township Representative Comments: Marion Township Supervisor Hanvey provided additional explanation regarding the Overlay District map, and how the district was determined.

Commission Discussion: Commissioner Bowdoin had concerns regarding the opaque material used for the wildlife crossings, and the use of cement because of the difficulty of reclaiming the land. He also stated the Township should be named as an additional insurer. Commissioner Ikle stated he doesn't believe that the landscaping should be spaced with wide distances between plants, bonding should not be up to the operator in case the operator changes, he likes the 3-year review, and the timing for repair of solar panels is 7 days for commercial systems and just in a 'timely manner' for private systems which he believes is unfair. Commissioner Funk questioned the overlay districts and wondered if property owners had a say in whether their property should be included in the overlay district. Commissioner Prokuda asked about lighting standards and fire suppression plans for emergency personnel. He also stated that decommissioning would require storage to disassemble the panels quickly.

In addition, during Commission discussion the following specific items were identified by the Planning Commission as needing further review:

- Section 17.34 (F.3). Consider utilizing the Township as "Additional Named Insured".
- Section 17.34 (F.11). Who is the responsible party required to pay for the fire training?
- Section 17.34 (F.12.c). Refer to a lighting standard and provide more requirement details.
- Section 6.31 (G). This provision should be exactly the same as Utility Scale. "Timely manner" is too ambiguous.

Public Comment: Joanne Haas, 10785 Fleming Rd., Cohoctah Twp.; questioned if property owners were asked if they wanted to be included in the overlay district.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER IKLE TO RECOMMEND NO ACTION- ENCOURAGE FURTHER REVIEW, SECONDED BY COMMISSIONER FUNK.

Motion passed: 7-0

- C. Z-39-22. AMENDMENTS TO THE ZONING ORDINANCE: CHAPTER 1 DEFINITIONS; CHAPTER 9 NEIGHBORHOOD SERVICE COMMERCIAL DISTRICTS; CHAPTER 10 ANCILLARY COMMERCIAL DISTRICTS; CHAPTER 16.6 SPECIAL USE SPECIFIC DESIGN STANDARDS.**

DRAFT

BOT: See PAGE 3 & 4 highlighted in **YELLOW.**

*Approved by: _____

Larry Grunn, *Chairperson*

Date: _____

**MARION TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING
DECEMBER 20, 2022 - 7:30PM**

PC MEMBERS PRESENT: LARRY GRUNN - *CHAIRPERSON*
JIM ANDERSON - *VICE CHAIRPERSON*
CHERYL RANGE - *SECRETARY*
BOB HANVEY
BRUCE POWELSON

MEMBERS ABSENT: NONE

OTHERS PRESENT: DAVID HAMANN - *MARION TWP. ZONING ADMINISTRATOR*
ZACK MICHELS - *PLANNER W/ CARLISLE WORTMAN*
ALISSA STARLING - *PLANNER W/ CARLISLE WORTMAN*

CALL TO ORDER

Larry Grunn called the meeting to order at 7:30 pm.

APPROVAL OF AGENDA

Bruce Powelson made a motion to approve the December 20, 2022 agenda as presented. Jim Andersen seconded. **MOTION CARRIED**

APPROVAL OF MINUTES

Cheryl Range made a motion to approve the November 22, 2022 Planning Commission minutes. Jim Anderson seconded. **MOTION CARRIED**

CALL TO THE PUBLIC

None.

PUBLIC HEARING:

TXT #01-21 KENNELS SECTION 17.19, 3.02, 6.02, SECTION 8 DISTRICTS

No comment made.

DRAFT

PUBLIC HEARING:

TXT #03-22 SECTION 14 CORRECT LANGUAGE RELATING TO RESIDENTIAL

No comment made.

NEW BUSINESS:

MITCH HARRIS BUILDING PRE-APPLICATION REZONING DISCUSSION

Pat Keough stated that he would like to discuss the 90-acre property west of D19, north of The Meadows and east of Peavy Estates. Currently this property is zoned as Highway Service and he would like to request that this property be rezoned as Urban Residential. Pat is looking for feedback regarding the rezoning.

Larry Grunn expressed his concerns about the increased traffic.

Bob Hanvey asked if they had a timeline. Pat stated that they would like to start building Spring 2024.

Jim Anderson is concerned about the traffic going onto D19, because it is already a very busy area, so after adding these apartments, it is only going to increase the traffic in this area.

Zach Michels stated that the Master Plan that was just adopted

Here are some things to think about when you are looking to make a recommendation for rezoning:

Has anything changed in the area since the previous rezoning was adopted?

What impact will this have on the public services in the area, such as the capacity in the public schools nearby, are there adequate streets to accommodate the increased traffic, are the emergency services able to handle the increased population, etc.?

Does the rezoning adversely affect the environmental conditions or the value of the surrounding property?

Does the rezoning comply with the Townships most recently adopted Master Plan?

Can the property in question be put to reasonable economic use in the zoning district in which it is presently located?

Bob asked if there are plans for a clubhouse or any other recreational things on this site? Pat Keough stated, not at this time.

Bob asked if the space behind the hotel would remain open space. Pat stated that this area is mostly wetlands, so it would remain open space.

Bob asked how many units will they be building? Larry Grunn stated that they are proposing 120 condos and 140 apartments.

DRAFT

UNFINISHED BUSINESS:

REVIEW TXT #02-22 SOLAR FEEDBACK FROM LCPD & ATTORNEY AND FORWARD TO BOT WITH RECOMMENDATION

Zach reviewed the comments from the County and the Attorney. The Farmland Preservation Program is referred to Public Act 116 and the State says that there are certain things that you have to do in order to preserve your tax deduction status. So we wanted to reference that in the language.

The County stated that we did not have a definition for a Photovoltaic Array, so that was added into the language. We also added some language defining what a solar energy system is.

On page 3 under solar farm overlay district, we tried to state that this is designed keep the farmland and that this is to supplement farmland and not overpower it.

A small change was made to the type of access drive allowed to give us some flexibility. There were some minor changes made to page 4, that were recommended by the attorney.

Larry Grunn stated that under the Buffering section on page 5, numbers 5 & 6 seem repetitive. Alyssa said they would take out number 5.

Performance Standards, some changes were made about fencing, buffering and screening, concrete foundations, flexibility on the access points gates.

Bob Hanvey asked if we could add language requiring approval from the Fire Authority in relation to access point gates. Zach said that he would add language for this.

There are some big changes made to page 7 regarding ground cover. Part of Public Act 116, the State has requirements such as healthy vegetation surrounding the solar panels, general liability insurance, application requirements and certification.

On page 10, we added language that gives more authority to the Township regarding decommissioning.

Cheryl Range made motion to recommend approval for TXT #02-22 Solar Energy Zoning Ordinance with the recommendations from the Livingston County Planning Department, to the Board of Trustees. Jim Anderson seconded. **MOTION CARRIED**

REVIEW TXT #01-21 KENNELS AND FORWARD TO LCPD FOR REVIEW AND COMMENT

Jim Anderson made a motion to send TXT #01-21 Kennels to the Livingston County Planning Department for review and comment. Bruce Powelson seconded. **MOTION CARRIED**

REVIEW TXT #03-22 SECTION 14 EXCLUDE RESIDENTIAL AND FORWARD TO LCPD FOR REVIEW AND COMMENT

Jim Anderson made a motion to send TXT #03-22 Section 14 Exclude Residential to the Livingston County Planning Department for review and comment. Larry Grunn seconded. **MOTION CARRIED**

BUDGET REVIEW

Commissioners agreed to postpone the budget review until the next Planning Commission meeting, so they have a full six months of expenses to review.

DRAFT

TXT #04-22 CONTINUE PDR ORDINANCE DISCUSSION

Zach collected some language from other Townships. Zach likes to involve the citizens and create a separate entity/committee that helps regulate this ordinance. Jim Anderson likes the "point system" process, based on each piece of property. Jim thinks we should have 3-4 applicants to help with the deciding process.

Zach recommended having five members along with a couple of alternates.

Zach said that he will put together some language to review at the next meeting

Dave asked if this was going to be a General Ordinance? Zach said that this would be a General Ordinance.

CALL TO THE PUBLIC

Catherine Dyer resides at 2715 High Meadows and commented on the Solar Farm ordinance that the Township has been working on.

Les Andersen expressed some concerns and made some suggestions about change of ownership and/or a change of lease, involving solar farms.

Dave explained that Solar Farms will be treated as a Special-Use which means any time there is a change of ownership, or change in performance, a review will come back to the Board of Trustees for review and approval.

ADJOURNMENT

Bruce Powelson made a motion to adjourn the meeting at 9:20pm. Cheryl Range seconded. **MOTION CARRIED**



MTA's signature event returns to the Grand Traverse Resort on April 17-20—connecting YOU with municipal experts, inspiring speakers and nearly 1,000 of your fellow officials. Premier education includes 50 timely township topics targeting the changes, requirements and expectations of today's local leaders. Our expo features more than 100 municipal vendors offering services that can help you improve your community.

Registration opens Jan. 4. MTA staff has been as busy as Santa's elves preparing the registration brochure. You'll find all the details—from classes to highlights and hotel options to registration forms—all nicely wrapped in the January issue of your *Township Focus* magazine. Looking for a sneak peek? [Download the full brochure here](#) or [visit MTA's Conference webpage now.](#)

Conference housing opens Jan. 25. Remember, you must first register for the Conference to receive your personalized housing code (provided in your confirmation), which is required to reserve your room. [Click here for housing details.](#)

Thank you, 2023 Conference Sponsors, for your support!

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