

MARION TOWNSHIP
BOARD OF TRUSTEES
REGULAR MEETING
Thursday, March 14, 2024
7:30 pm

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 the Agenda
- 2) Consent Agenda
 - a. February 8, 2024 Regular Meeting Minutes
 - b. February 22, 2024 Special Meeting Minutes
 - c. February 20, 2024 HAPRA Agenda/Minutes
 - d. February 21, 2024 MHOG Agenda/Minutes
 - e. February 21, 2024 HAFDA Agenda/Minutes
 - f. February 27, 2024 Primary Election Report
 - g. January 2024 Sheriff Report
 - h. DPW Report
 - i. Financial Report
 - j. Zoning Report
- 3) HAPRA Recreation Masterplan
- 4) Francis Road Paving
- 5) 2024 Marion Township Road Projects
- 6) 2024 Township Roadside Clean-up Proposal
- 7) Nuisance Ordinance
- 8) Final Review of TXT#01-23 Data Processing Facilities
- 9) Non-metered Sewer Usage Rate
- 10) Lakeside Cemetery Plot #298 W6 Repurchase (\$300)
- 11) Assistant Assessor Class Approval
- 12) Marion Township Walking Path
- 13) Marion Township Maintenance

Correspondence and Updates

- Brown Bag Lunch-MDNR Urban & Community Forestry Program

Call to the Public

Adjournment

Next Board Packet will be ready after 3 pm on Thursday, March 21, 2024.

MARION TOWNSHIP
BOARD OF TRUSTEES
REGULAR MEETING
FEBRUARY 8, 2024

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

MEMBERS ABSENT: Bob Hanvey

OTHERS PRESENT: Phil Westmoreland, Spicer

CALL TO ORDER

Tammy Beal called the meeting to order at 7:31 pm. The meeting is also available to attend online.

Les Andersen motioned to elect Tammy Beal to chair the meeting. Sandy Donovan seconded. **Motion carried.**

PLEDGE OF ALLEGIANCE

BOARD MEMBERS PRESENT

The board members introduced themselves.

CALL TO THE PUBLIC

Nancy Manson, 3346 W. Coon Lake Road, had two items to share: #1 is that the disc golf course is very nice; #2 is that she would like to see the township spend money on children's play equipment, perhaps something similar to what Pinckney has in the downtown area. Scott Lloyd also thanked Nancy and her husband, Howard, for mowing the disc golf course.

Steve Phillips, 1851 Fox Ridge Drive, was present regarding Francis Road.

APPROVAL OF AGENDA

Sandy Donovan motioned to approve the agenda. Les Andersen seconded. **Motion carried.**

CONSENT AGENDA

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

2024 MARION TOWNSHIP ROAD PROJECTS

Les Andersen reported that the Livingston County Road Commission told him that there is nothing official stating that Iosco Township takes care of Dutcher Road. Dan Lowe said it's always been that way. Any improvements would have to be shared between Iosco and Marion townships.

Tammy Beal asked Steve Phillips if he had done his survey of residents regarding Francis Road improvements. He said he has talked with Bob Hanvey who explained how the process works, so he's holding off for the moment. There is a question whether residents who don't actually live on the road, but

use the road, can be part of an SAD. Dan Lowe said Dutcher needs ditching more than gravel. No action at this time.

SEWER USAGE RATE INCREASE

Based on reports that he received, Bob Hanvey calculated that the rate per 1,000 gallons should be raised to \$6.80, which is an increase of 7.486%.

Dan Lowe motioned to approve an increase of 7%. Motion failed due to lack of support.

Scott Lloyd motioned to adopt a resolution to increase the rate per 1,000 gallons to \$6.80, an increase of 7.486%. Sandy Donovan seconded. Roll call vote: Andersen—yes; Donovan—yes; Beal—yes; Durbin—yes; Lloyd—yes; Lowe—no. **Motion carried 5-1.** Tammy Beal said this will be published in the newspaper prior to taking effect.

MARION TOWNSHIP WALKING PATH

Phil Westmoreland provided two aerial photos of a proposed walking path. Both versions will be part of the bid specifications. Scott Lloyd asked about including paving of the gravel road that leads to the gazebo. Phil said that can be part of the bid packet.

Scott Lloyd motioned to have the paving added to the bid packet. Les Andersen seconded. **Motion carried.**

MARION TOWNSHIP MAINTENANCE

Tammy Beal updated the board members on this project.

CORRESPONDENCE & UPDATES

Sandy Donovan said that there was discussion as the last meeting about complaints; she doesn't believe that anonymous complaints should be accepted. The board members discussed the zoning administrator vs. a code enforcement officer.

CALL TO THE PUBLIC

No response.

ADJOURNMENT

Scott Lloyd motioned to adjourn at 8:16 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
FEBRUARY 22, 2024

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

MEMBERS ABSENT: None

OTHERS PRESENT: Attorney Thomas Meagher

CALL TO ORDER

Bob Hanvey called the meeting to order at 10:00 am

CALL TO THE PUBLIC

None heard

APPROVAL OF AGENDA

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

Sandy Donovan made a motion at 10:02 am. to go into a closed session to discuss the matter of AJR Group, Inc. dispute and litigation with our attorney because discussion during an open meeting would have an adverse financial impact on the settlement position of the township. Supported by Les Andersen.
Roll call vote: Lowe, Lloyd, Beal, Hanvey, Durbin, Andersen, Donovan-all yes.
No-none. **Motion carried 7-0.**

Sandy Donovan made a motion at 11:05 am. to come out of closed session, seconded by Greg Durbin.
Roll call vote: Donovan, Durbin, Hanvey, Lloyd, Beal, Andersen, Lowe-all yes.
No-none. **Motion carried 7-0.**

ADJOURNMENT

Scott Lloyd motioned to adjourn at 511:10 am., Sandy Donovan seconded. **Motion carried.**

Tammy L. Beal, Township Clerk Date

Robert W. Hanvey, Township Supervisor Date

HOWELL

recreation

Howell Area Parks & Recreation Authority
Regular Meeting
Oceola Community Center
Tuesday, February 20, 2024, 6:30 p.m.

Call to order

Pledge of Allegiance (all stand)

Call to the Public (for any items not on the agenda)

Approval- Consent Agenda

1. Stakeholder Meeting Minutes dated Tuesday, January 16, 2024
2. Regular Board Meeting Minutes dated Tuesday, January 16, 2024
3. Check Register Report Ending January 31, 2024
4. Bank Statements Ending January 31, 2024
5. Financial Reports Ending January 31, 2024

Approval- Regular Agenda

6. Discussion/Approval item – Facility Closure changes
7. Discussion/Approval item- Oceola Community Center Lease Agreement 2024
8. Events and Programs Report
 - a. Upcoming events & programs
 - i. Sweetheart Dance Recap
 - ii. Summer Camp
 - iii. Spring Soccer
 - iv. GRIT- Lineman Camp
 - b. Sponsorship & marketing updates
 - i. Oceola Township Marketing Agreement
9. Preventive Maintenance Report
 - a. Potential Maintenance MOU w/ Genoa Township
10. Directors Report
 - a. Audit Update
 - b. Recreation Master Plan
 - c. Millage Update
 - d. Reading Trail

HOWELL

recreation

Howell Area Parks & Recreation Authority

Oceola Community Center

Regular Board Meeting Minutes

January 16, 2024

Call to Order

Chair Diana Lowe called the meeting to order at 7:00 pm.

Attendance

Board Members: Chair Diana Lowe, Vice Chair Terry Philibeck, Secretary Nikolas Hertrich, Treasurer Tammy Beal, Trustee Sue Daus

HAPRA Staff: Director Tim Church, Jen Savage, Kyle Tokan, Nikki Wattles, Kevin Troshak, Andrew Wittbrodt, Jordan Hillbrecht

Public: Sean Dunleavy

Call to the Public

None Present

Approval of Consent Agenda

Treasurer Tammy Beal made a motion to approve the consent agenda, supported by Vice Chair Terry Philibeck. **Motion carried 5 – 0.**

Approval of Regular Agenda

A motion to approve the regular agenda was made by Secretary Nikolas Hertrich and supported by Treasurer Tammy Beal. **Motion carried 5 – 0.**

Discussion/Approval – 2024 Blue Cross Blues Shield Renewal

Director Church provided a brief overview of the 2024 Blue Cross Blue Shield Health Care Plan Renewal. There are no changes from the plan offered in 2023 however premiums will increase by 5.23 %. A motion to approve

the 2024 Blue Cross Blue Shield Renewal was made by Vice Chair Terry Philibeck and supported by of the Treasurer Tammy Beal. **Motion carried 5 – 0.**

Discussion/Approval – ICMA 401 & ICMA 457(b) Plan Contributions for 2024

Director Church reminded the HAPRA Board that historically a ICMA 401k and ICMA 457(b) plan is offered to staff. HAPRA contributes 10% of a full time employee's base salary while the 457 is optional and funded by employee contributions. A motion to approve the 10% contribution level for the 401k program and continue to offer the employee contribution 457(b) program was made by Secretary Nikolas Hertrich and supported by Vice Chair Terry Philibeck. **Motion carried 5 – 0.**

Discussion/Approval – 2024 In-Lieu of Insurance Payment

Since 2015, for those employees who do not participate in the health care program, in-lieu of insurance payments in the amount of \$250.00 per completed quarter are made. \$1,000.00 per year is paid to each of the six (6) participating staff members. A motion to approve the 2024 in-lieu of insurance payments in the amount of \$250.00 per completed quarter was made by Vice Chair Terry Philibeck and supported by Treasurer Tammy Beal. **Motion carried 5 – 0.**

Discussion/Approval – Resolution 24-1

Resolution 24-1 which amends a 2021 resolution that allowed the hiring of Jennifer Church, wife of Director Timothy Church, to be an independent fitness instructor contractor. Revisions provided clarification on reporting requirements for Jennifer Church, monthly invoice submittal direction, and oversight obligations to be provided by the HAPRA Board Chairperson. A motion to adopt Resolution 24-1 made by Treasurer Tammy Beal and supported by Vice Chair Terry Philibeck. **Roll Call Vote: Vice Chair: Terry Philibeck – Yes, Chair: Diana Lowe – Yes, Treasurer: Tammy Beal – Yes, Trustee: Sue Daus, Secretary: Nikolas Hertrich – Yes. Motion carried 5 – 0.**

Events and Programs Report

I. Upcoming Event & Programs:

- a. Yeti Recap: Event began at the Bennett Center and ended at Chemung Hills. 19 teams originally registered with 15 teams participating. Individuals not participating in the Yeti event who were present at Chemung Hills at the conclusion of the scavenger hunt were interested in participating in next year's event.
- b. Sweetheart Dances: Both Daddy Daughter dances are sold out and the Mother Son dances are selling well and nearly sold out. Family Dance is selling better than previous years.
- c. Rec on the Go: A van has been picked out and currently waiting on a municipal plate. Staff is working on wrapping the van. One quote has been received however additional quotes are being sought from other companies within Livingston County. Following last meeting with Maxey Ford, Maxey Ford is ok with \$10,000 dollar donations for the next four years and continuing the soccer jersey agreement for two more years. Director Church confirmed

that the driver of the van only needs to be older than 18 years and does not require a special certification.

II. Sponsorship & Marketing Updates:

- a. Bank of Ann Arbor: Bank of Ann Arbor has agreed to donate \$20,000.00 to be the Main Stage Sponsor at this year's Melon Festival.
- b. Other News: Chem-Trend has agreed to donate \$10,000.00 towards this year's Melon Run and is open to having additional sponsors.
- c. Summer Camp: Camp registration opens next week with a new format. This year registration has to be done in person and similar to the past camps is expected to sellout quickly.

III. Seasonal Program Guide Distribution:

- a. January – May: The January through May season program guide will be published next week.

Preventative Maintenance Report:

Standard upkeep such as asphalt crack sealing will be needed this year. Following the replacement of the roof on the Bennett Center the UV coating still needs to be applied. There is interest in contracting with Marion Township for property management services. Agreement would be similar to those that are in place with other HAPRA participating communities that receive this service. Additionally, the Marion Township walking path has been released for bid and is expected to be completed in 2024.

Directors Report

Director Church did not have an update to provide

Board Member Reports

Secretary Nikolas Hertrich shared with the Board agenda items from the January 8, 2024, Howell City Council Meeting which included approval of various civic events and board appointments and updating of the credit card policy.

Vice Chair Terry Philibeck informed the Board that Oceola Township is looking develop a township flag for the Michigan Township Association and that the golf simulators at Chemung Hills are up and running. Sean Dunleavy shared with the Board a brief summary of the various tools that the golf simulators provide, that rates for use vary depending on the time, and that they are consistently booked.

Treasurer Chair Tammy Beal shared with the Board that construction on the meeting room is complete and it is now being used.

Chair Diana Lowe did not have an update to provide.

Howell Township Trustee Sue Daus did not have an update to provide.

Old Business

None

New Business

Chair Diana Lowe asked if fellow HAPRA Board members would object to moving the regularly scheduled board meetings to begin at 6:30 pm. No objections were made. A motion to move regularly scheduled HAPRA Board meetings was made by Treasurer Tammy Beal and supported by Vice Chair Terry Philibeck. **Motion carried 5-0**

Kevin Troshak shared with the Board that the Teen Center had received a \$15,000.00 grant from the Hanover Group to help bring down the monthly membership cost. Cost will be reduced from \$30.00/month to \$20.00/month.

Next Meeting

Regularly Scheduled HAPRA Meeting - Tuesday, February 20th, 2024, at 6:30 pm at Oceola Community Center.

Adjournment:

A motion to adjourn the meeting was made by Vice Chair Terry Philibeck and supported by Treasurer Tammy Beal at 7:42pm. **Motion carried 5-0**

Approved

Date

Respectfully Submitted by: Nikolas Hertrich, Secretary

HOWELL recreation

Howell Area Parks & Recreation Authority
Oceola Community Center

Stakeholder Meeting Minutes

January 16, 2024

Call to Order

Chair Diana Lowe called the meeting to order at 5:00 pm.

Attendance

Board Members: Chair Diana Lowe, Vice Chair Terry Philibeck, Secretary Nikolas Hertrich, Treasurer Tammy Beal, Trustee Sue Daus

HAPRA Staff: Director Tim Church, Kyle Tokan, Kevin Troshak, Jordan Hilbrecht, Andrew Wittbrodt (intern), Nikki Wattles, Renee Baumgart, Ann Marie Moran, Jen Savage

Public: Martha Haglund, Neil Glazebrook, Jake Schlittler, Erv Suida, Bob Ellis, Brigid Towe, Erin McGregor, Sean Dunleavy, Mike Coddington

Discussion – Millage 2024

Executive Director Tim Church summarized the millage ask as 0.5 mil for 5 years which will sustain the recreation facilities and offerings for the whole community. According to the state law, a recreation millage can only be taken to the voters during a presidential or gubernatorial election year. Howell Recreation will be looking at where our customers are coming from and more importantly where they are not coming from (but wanting them to also be able to enjoy our offerings)

Many people from the public asked about the teens and seniors. This millage ask will be more than just those 2 areas.

Howell Recreation conducted a survey in 2023 and the results showed that the community wants us to keep what we have and would support a .5 ask. County survey also shows neutral interest in the recreation field. In the few days of the survey, the 5 municipalities are nicely represented. It was discussed how to find the people who are neutral toward recreation and involve them in the discussions. Tim wants to look at how to get more recreational opportunities in the 5 municipalities. Tim talked to Spicers Group to help put together a “master” plan with the 5 municipalities to look at future plans.

Recreation is at an all time high in this area. The millage committee will be looking at telling the bright story and sharing the benefits that might be lost. Special Events will also be an avenue to get the word out about Howell Recreation and the millage.

The advise of the school district who just successfully passed the bond is to get a steering committee who is passionate about the message. Get those who are wanting it to be passed and get them vocal. Erin MacGregor had the "behind the scenes" people have the same message but he was the face and the key message giver, attending lots of meetings.

Next Actions:

- Get the "Friends of" committee formed, solidify the ballot language by March and then get the message out...Revive, build off of, and then hit the ground running.
- Get the word out at at spring soccer, Balloonfest...spread the word at any footprint we can. Literature at every point. Make the van(which will be wrapped) visible at many locations
- Tim will be on the agenda at each municipality to spread the message and ask for their insight and feedback.

Next Meeting

Regularly Scheduled HAPRA Meeting – Tuesday January 16th, 2024, at 7 pm at Oceola Community Center.

Adjournment:

Meeting adjourned at 6:24pm.

Approved

Date

Respectfully Submitted by: Jennifer Savage, Business Manager



AGENDA

MHOG Sewer and Water Authority Regular Meeting February 21st, 2024 5:00 PM

1. Call to Order*
2. Approval of Agenda
3. Approval of Minutes of January 17, 2024 Meeting
4. Call to the Public*
5. System Improvement, Operation, and Maintenance Report
 - a. Capital Improvement
 - Attachment 5a – Ann Arbor Spark Press Release Regarding \$6.5 Million to Fund Transmission Main Project
 - b. New Development
 - Attachment 5b - New Development Summary for February 2024
 - c. Water Affordability Legislative Communication
 - Attachment 5c – Summary of Changes Made Based on MHOG Comments to Draft Legislation
 - Attachment 5d – Additional Comments on Affordability Legislation and Responses from Senator Chang
 - d. Forestry Mulcher
 - Attachment 5e – Summary of Other Quotes Obtained
 - Attachment 5f – Example Pictures of Clean-Up Brush
 - e. Water Towers
 - Attachment 5g – Pictures of Trans West Tower after T-mobile Equipment and requested corrections to contractor
 - Attachment 5h – Proposals from Nelson Tank for ROV Inspections of Hometown Tower, Trans West Tower, and Marion II Tower totaling \$11,000
Request Approval of Nelson Proposals Not to Exceed \$11,000 for 2024 Tower Interior Inspections to be Paid from O&M Funds, Tower Line Item
 - f. Butler Road Booster
 - Attachment 5i – Emails and quotes to have Butler Road Booster Pump Seal Replaced
 - Attachment 5j - Pictures of Damaged Pump Shaft
 - g. Cross Connection Control Report
 - Attachment 5k – MHOG 2023 Cross Connection Control Report Submitted to EGLE on February 14, 2024



AGENDA

MHOG Sewer and Water Authority Regular Meeting February 21st, 2024 5:00 PM

- h. Sanitary Survey Report
 - o Attachment 5I – EGLE Correspondence Regarding Sanitary Survey Report
- i. Lime Calciner Letter of Support
 - o Attachment 5m – Copy of Letter Submitted to EGLE for support for Lime Calciner Grant Application
- j. 2024 – 2025 DPW Fund Budget
 - o Attachment 5n – Proposed Allocation Percentage Table for FY2025 Budget
Request Approval of Allocation Percentage for Coming Fiscal Year Budget
 - o Attachment 5o – DPW Fund Vehicle Maintenance and Replacement Spreadsheet
 - o Attachment 5p – Proposed Amended Budget for Year Ending March 31, 2024 and Proposed Budget for Fiscal Year 2025
Request Approval of Amended Budget for Fiscal Year 2024 and Proposed Budget for Fiscal Year 2025
- 6. Deputy Director Report**
 - a. Attachment 6a - MHOG Water Treatment Plant Monthly Production
 - b. Attachment 6b – MHOG Fall / Winter Daily Production
 - c. Attachment 6c – MHOG Monthly Production by Pressure District
 - d. Attachment 6di– Bloom Roofing Quote
 - e. Attachment 6dii – J.E. Dixon Inc. Roofing Quote
 - f. Attachment 6diii -Previous Budgeted Cost Estimate for Roof Replacement
Request approval of Quotation for Roof Replacement from Bloom Roofing for a not to exceed amount of \$410,000 to be paid from Replacement Reserve Funds
 - g. Attachment 6e – Damaged Transformer from Biotech During Lime Sludge Hauling
 - h. Attachment 6f - MISS DIG Monthly Utility Locating Report
 - i. Attachment 6g– Non-Metered Water Loss Report for January 2024
- 7. CPA Report**
 - a. Attachment 7a – MHOG FY 2024 3 Month Budget to Actual Report for Period Ending December 31, 2024 (*Distributed at Meeting*) *
- 8. Treasurer’s Report (*Distributed at Meeting*) ***
 - a. Checks for Disbursement
- 9. Correspondence ***
- 10. New Business**
- 11. Board Member Updates***
- 12. Adjournment**

*= Noting Included in Board Packet



Minutes of the Regular Meeting January 17, 2024

The M.H.O.G. Sewer and Water Authority met at 5 pm in the Board Meeting Room of the Ocala Township Hall. Members present were Hanvey, Lowe, Coddington, Counts, Dunleavy, Henshaw, Rogers and Hunt. Also present were Greg Tatara, Alex Chimpouras, Ken Palka, and Shelby Byrne.

Hunt moved to approve the minutes from December 20, 2023 as presented. Second by Rogers, motion passes.

Dunleavy moved to approve the agenda as presented. Second by Counts, motion passes.

Dunleavy moved to appropriate not more than \$10,600 for a four week rental of a skid steer with a forestry mulcher. Second by Hunt, motion passes.

Ken Palka gave a CPA report on the Audit of Financial Statement and Supplementary information along with an Audit Presentation for MHOG fiscal year ending September 30, 2023.

Counts moved to approve Operating Fund checks PR 898 through 9826 totaling \$188,199.09. Second by Dunleavy, motion passes.

Henshaw moved to approve MHOG Capital Reserve Replacement Fund checks 1029 and 1030 totaling \$42,459.25. Second by Coddington, motion passes.

Henshaw moved to adjourn. Second by Coddington, motion passes.

Robert J. Henshaw
Secretary

HOWELL AREA FIRE AUTHORITY

AGENDA

FEBRUARY 21, 2024 –6PM

BOARD MEMBERS

Mike Coddington, Howell Twp., Chairman
Sean Dunleavy, Oceola Twp., Vice Chairman
Mark Fosdick, Cohoctah Twp., Secretary
Robert Hanvey, Marion Twp., Treasurer

Bob Ellis, City of Howell, Member
Ron Hicks, Fire Chief
Barbara Souchick, Admin Asst
Kevin Gentry, Attorney

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.

Meeting called to order at 6:00 pm

Pledge of Allegiance

Approve the minutes of the regular meeting of January 17, 2024

Call to the public (items not on agenda)

Discussion/Approval: Hose and Ladder Testing Contract

Approve the payment of bills and payroll: \$465,021.47

Chief's Comments: Update on status of financial institutions

New Business

Old Business

Adjourn

HOWELL AREA FIRE AUTHORITY

January 17, 2024 – 6:00 pm

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

Board Members Present: Chairman Mike Coddington, Vice Chairman Sean Dunleavy, Treasurer Bob Hanvey, Secretary Mark Fosdick, Member Bob Ellis, Fire Chief Ron Hicks, Attorney Kevin Gentry, Admin. Asst Barbara Souchick

Chairman Coddington called the meeting to order at 6:00 pm.

Approve the minutes of the regular meeting of December 20, 2023: MOTION by Mr. Dunleavy, SUPPORT by Mr. Ellis to approve the minutes of the regular meeting of December 20, 2023. MOTION CARRIED UNANIMOUSLY.

Call to Public: No Response

Discussion/Approval to Hire 1 Fulltime Firefighter: MOTION by Mr. Ellis, SUPPORT by Mr. Fosdick to approve Chief Hicks to hire 1 fulltime Firefighter. MOTION CARRIED UNANIMOUSLY.

Discussion/Approval to Change the MERS Defined Benefit Plan for All Fulltime Employees: MOTION by Mr. Ellis, SUPPORT by Mr. Dunleavy to change the MERS Defined Benefit Plan to remove the 55 years of age requirement and retain the 25 years of service for all full-time employees. MOTION CARRIED W/ 4 Yes votes and 1 No vote.

Discussion/Approval to Amend Howell Area Fire Authority Investment Policy: MOTION by Mr. Fosdick, SUPPORT by Mr. Ellis to approve Amendment # 02-24 that removes *Chase Bank* from the list of approved financial institutions for the Fire Authority. MOTION CARRIED UNANIMOUSLY.

Discussion/Approval: Howell Area Fire Authority Resolution #01-24: MOTION by Mr. Fosdick, SUPPORT by Mr. Ellis to approve Howell Area Fire Authority Resolution #01-24 that exempts the Authority from the requirements of Public Act 152 for the next succeeding year. MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE. Mr. Coddington – yes, Mr. Dunleavy – yes, Mr. Ellis- yes, Mr. Fosdick – Yes, Mr. Hanvey – yes.

Discussion/Approval Payment of Bills and Payroll: MOTION by Mr. Ellis, SUPPORT by Mr. Dunleavy to approve the payment of bills and payroll in the amount of \$277,432.23 for period ending 1/11/2024. MOTION CARRIED UNANIMOUSLY

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

Respectfully Submitted: _____

Barbara Souchick, Admin. Assistant

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 JANUARY 2024
DATE: FEBRUARY 21, 2024

During the month of January, the HAFD responded to a total of 171 calls for service. There were 135 calls in January of 2023. The total year-to-date runs for 2024 are 171. Last year's total at the end of January was 135.

Some of the more significant events for the month included:

On January 2nd, Howell Firefighters were dispatched for a reported structure fire in the 400 block of Kellogg Rd. in Oceola Township. Upon arrival crews reported heavy smoke in the home coming from the oven, crews removed the oven to the outside and ventilated the home.

On January 8th, Howell Firefighters were dispatched for a reported structure fire in the 5000 block of Norton Rd. in Marion Township. Upon arrival crews reported a working chimney fire, the fire was contained to the chimney. The fire was extinguished, and the home was ventilated.

On January 13th, Howell Firefighters were dispatched for a reported structure fire in the 4000 block of Clyde Rd. in Oceola Township. Upon arrival crews reported a working fire in the garage and spreading into the home. After the fire was brought under control and crews were extinguishing hotspots the floor collapsed and two firefighters fell into the basement and had to be removed by fellow firefighters. One firefighter was treated at the scene, and the other firefighter was transported by LCA to UofM hospital with non-life-threatening injuries.

On January 19th, Howell Firefighters were dispatched for a personal injury accident in the 2000 block of Pinckney Rd. in Marion Township. Upon arrival crews reported a (2) vehicle head on crash with (1) subject requiring extrication.

On January 29th, Howell Firefighters were dispatched for a reported structure fire in the 1800 block of County Farm Rd. in Marion Township. Upon arrival crews reported a working fire in a 60 x 40 barn with multiple vehicles inside. The fire was extinguished by crews. (1) vehicle was a total loss and several other collector cars received smoke and water damage.

Training for the month of January consisted of a safe baby delivery program, Medical CE's and behavioral & mental health program for first responders.

Next meeting of the Howell Area Fire Authority Board is scheduled for Wednesday February 21st, 2024, at 6:00 pm.

**INCIDENT LIST
JANUARY 2024**

Response Zone	PSAP Call Date/Time	Incident Number	Address	Dispatched Incident Type	Actual Incident Type Found
MARION TWP.	1/1/2024 15:08	HAFD-24-0004	350 DINKEL DR	AAMB-F-ASSIST AMBULANCE FIRE	551 - Assist police or other governmental agency
MARION TWP.	1/7/2024 9:08	HAFD-24-0031	3745 PINCKNEY RD	UNCON- UNCONSCIOUS/FAINT/ING	551 - Assist police or other governmental agency
MARION TWP.	1/7/2024 11:28	HAFD-24-0032	835 W DAVIS RD	HEMLAC- HEMORRHAGE/LACERATION	311 - Medical assist, assist EMS crew
MARION TWP.	1/8/2024 10:32	HAFD-24-0036	3097 SESAME DR	DIFBRE-BREATHING PROBLEM	311 - Medical assist, assist EMS crew
MARION TWP.	1/8/2024 15:23	HAFD-24-0037	5364 NORTON RD	SFIRE-STRUCTURE FIRE	114 - Chimney or flue fire, confined to chimney or flue
MARION TWP.	1/10/2024 8:12	HAFD-24-0047	4004 WESTHILL DR	FULARR- CARDIAC/RESPIRATOR Y ARREST	551 - Assist police or other governmental agency
MARION TWP.	1/11/2024 8:12	HAFD-24-0052	2163 SEXTON RD	HEMLAC- HEMORRHAGE/LACERATION	551 - Assist police or other governmental agency
MARION TWP.	1/11/2024 9:14	HAFD-24-0054	4768 CEDAR LAKE RD	FULARR- CARDIAC/RESPIRATOR Y ARREST	311 - Medical assist, assist EMS crew
MARION TWP.	1/12/2024 19:13	HAFD-24-0065	3540 NORTON RD	ELHAZ-ELECTRICAL HAZARD	622 - No incident found on arrival at dispatch address
MARION TWP.	1/12/2024 19:13	HAFD-24-0067	3439 MASON RD	ELHAZ-ELECTRICAL HAZARD	445 - Arcing, shorted electrical equipment
MARION TWP.	1/12/2024 20:06	HAFD-24-0068	3162 OLD LANGE RD	ELHAZ-ELECTRICAL HAZARD	444 - Power line down
MARION TWP.	1/19/2024 7:40	HAFD-24-0107	2999 PINCKNEY RD	PIA-PERSONAL INJURY ACCIDENT	322 - Motor vehicle accident with injuries

**INCIDENT LIST
JANUARY 2024**

Response Zone	PSAP Call Date/Time	Incident Number	Address	Dispatched Incident Type	Actual Incident Type Found
MARION TWP.	1/20/2024 16:09	HAFD-24-0112	4585 W SCHAFER RD	OVDROSE- OVERDOSE/INGESTION	551 - Assist police or other governmental agency
MARION TWP.	1/23/2024 6:35	HAFD-24-0120	3038 COUNTY FARM RD	SICK-SICK PERSON	551 - Assist police or other governmental agency
MARION TWP.	1/23/2024 13:47	HAFD-24-0124	456 E Schafer Rd	ELHAZ-ELECTRICAL HAZARD	444 - Power line down
MARION TWP.	1/24/2024 9:56	HAFD-24-0129	2795 HIGH MEADOWS DR	ALARMF-ALARM CALLS FULARR-	611 - Dispatched & canceled en route
MARION TWP.	1/24/2024 12:03	HAFD-24-0131	53 OAK BARK DR	CARDIAC/RESPIRATORY ARREST	611 - Dispatched & canceled en route
MARION TWP.	1/24/2024 17:42	HAFD-24-0133	1974 SEXTON RD	WR-WATER RESCUE INCIDENTS	360 - Water & ice-related rescue, other
MARION TWP.	1/27/2024 0:51	HAFD-24-0141	294 WOOD PT	DIFBRE-BREATHING PROBLEM	311 - Medical assist, assist EMS crew
MARION TWP.	1/27/2024 9:45	HAFD-24-0142	95 NEWBERRY LN	DIFBRE-BREATHING PROBLEM	551 - Assist police or other governmental agency
MARION TWP.	1/28/2024 12:21	HAFD-24-0146	146 DARVALE DR	UNCONSCIOUS/FAINTING NG	551 - Assist police or other governmental agency
MARION TWP.	1/28/2024 16:16	HAFD-24-0149	4266 NORTON RD	ELHAZ-ELECTRICAL HAZARD	444 - Power line down
MARION TWP.	1/29/2024 17:33	HAFD-24-0153	1005 TRIANGLE LAKE RD	CFIRE-CHIMNEY FIRE SFIRE-STRUCTURE	745 - Alarm system activation, no fire - unintentional
MARION TWP.	1/29/2024 18:07	HAFD-24-0154	1880 COUNTY FARM RD	FIRE	111 - Building fire
MARION TWP.	1/30/2024 22:24	HAFD-24-0162	5594 LANGE RD	ALARMF-ALARM CALLS	746 - Carbon monoxide detector activation, no CO

**INCIDENT LIST
JANUARY 2024**

Response Zone	PSAP Call Date/Time	Incident Number	Address	Dispatched Incident Type	Actual Incident Type Found
MARION TWP.	1/31/2024 15:57	HAFD-24-0166	5140 QUEENSWAY	FULARR-CARDIAC/RESPIRATOR Y ARREST	311 - Medical assist, assist EMS crew
OCEOLA TWP.	1/1/2024 1:50	HAFD-24-0001	2011 HERON LOOP DR	OUTFIR-OUTDOOR FIRE	611 - Dispatched & canceled en route
OCEOLA TWP.	1/1/2024 5:34	HAFD-24-0002	1625 HERON LOOP DR	DIFBRE-BREATHING PROBLEM	551 - Assist police or other governmental agency
OCEOLA TWP.	1/1/2024 10:32	HAFD-24-0003	2749 BIRCHWOOD DR	FULARR-CARDIAC/RESPIRATOR Y ARREST	311 - Medical assist, assist EMS crew
OCEOLA TWP.	1/2/2024 16:40	HAFD-24-0009	463 N KELLOGG RD	SFIRE-STRUCTURE FIRE	113 - Cooking fire, confined to container
OCEOLA TWP.	1/2/2024 20:59	HAFD-24-0011	7449 CLYDE RD	PIA-PERSONAL INJURY ACCIDENT	350 - Extrication, rescue, other
OCEOLA TWP.	1/4/2024 0:45	HAFD-24-0016	5511 RADIANT AVE	OBGYN-PREGNANCY /CHILDBIRTH/MISCARR Y	551 - Assist police or other governmental agency
OCEOLA TWP.	1/4/2024 17:47	HAFD-24-0019	2699 HIGHLAND RD	GASLK-GAS LEAK OR ORDOR	324 - Motor vehicle accident with no injuries.
OCEOLA TWP.	1/8/2024 17:41	HAFD-24-0039	5642 E HIGHLAND RD	UNCON-UNCONSCIOUS/FAINTING	600 - Good intent call, other
OCEOLA TWP.	1/9/2024 0:26	HAFD-24-0040	126 CATALINA DR	UNCONSCIOUS/FAINTING	551 - Assist police or other governmental agency
OCEOLA TWP.	1/9/2024 4:40	HAFD-24-0041	2099 N HACKER RD	ALARMF-ALARM CALLS	745 - Alarm system activation, no fire - unintentional
OCEOLA TWP.	1/9/2024 8:59	HAFD-24-0042	1840 LATSON RD	ALARMF-ALARM CALLS	745 - Alarm system activation, no fire - unintentional

Marion Township Presidential Primary Report, February 27, 2024

Here are the Results from the February 27, 2024 Presidential Primary Election:

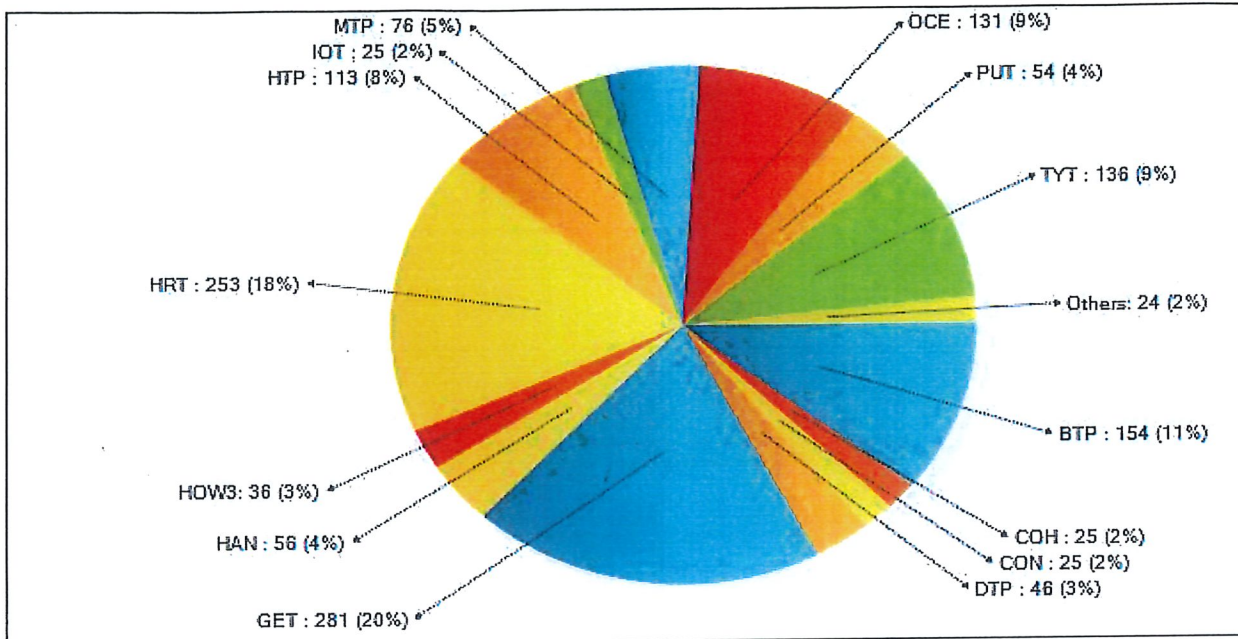
Precinct #1 (2426 registered voters) 70 people did early voting; 408 voted AV;
252 voted in person; 30.10 % turnout.

Precinct #2 (2939 registered voters) 49 people did early voting; 491 voted AV;
280 voted in person; 27.90 % turnout.

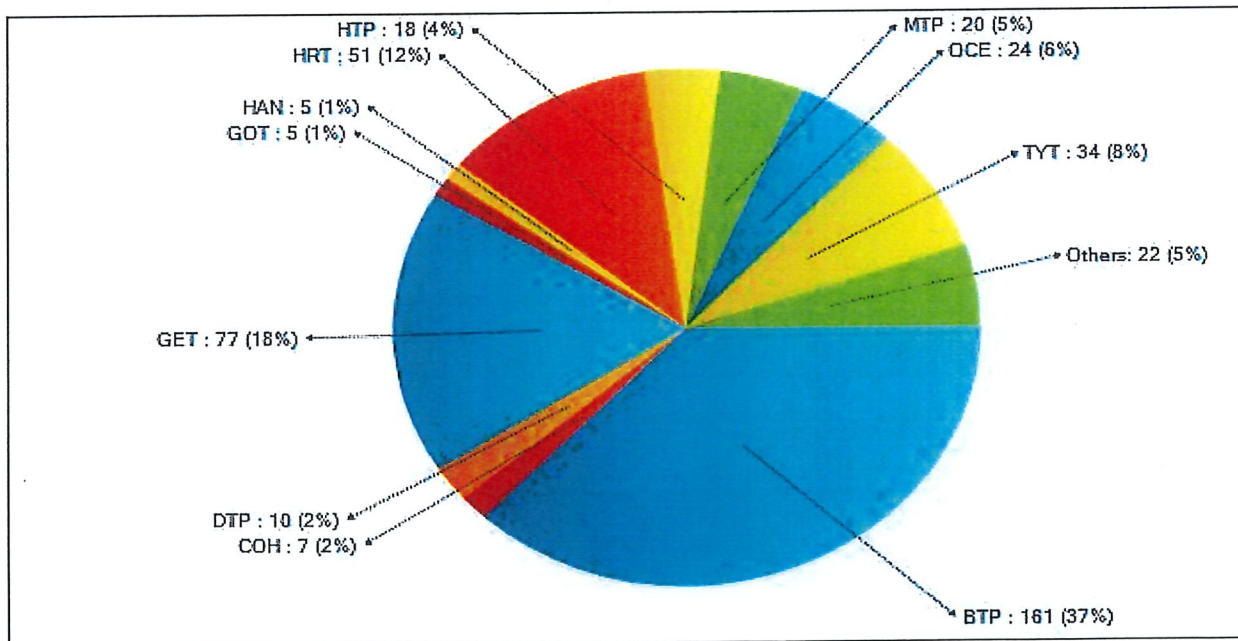
Precinct #3 (2085 registered voters) 43 people did early voting; 400 voted AV;
214 voted in person; 31.51 % turnout.

Precinct #4 (2633 registered voters) 72 people did early voting; 474 voted AV;
331 voted in person; 33.46 % turnout.

LIVINGSTON COUNTY SHERIFF'S OFFICE
 JANUARY 2024 CALLS FOR SERVICE



MICHIGAN STATE POLICE
 JANUARY 2024 CALLS FOR SERVICE



MARION TOWNSHIP

<u>MONTH</u>	<u>CALLS FOR SERVICE</u>	<u>TICKETS WRITTEN</u>	<u>ARRESTS</u>
JANUARY	76	7	2
FEBRUARY			
MARCH			
APRIL			
MAY			
JUNE			
JULY			
AUGUST			
SEPTEMBER			
OCTOBER			
NOVEMBER			
DECEMBER			
YTD TOTALS:	76	7	2

January 2024	NUMBER OF CALLS		RESPONSE TIME		NUMBER OF CALLS		RESPONSE TIME	
	<u>3:00PM - 11:00PM</u>		<u>3:00PM - 11:00PM</u>		<u>11:00PM - 3:00PM</u>		<u>11:00PM - 3:00PM</u>	
<u>TOWNSHIP</u>								<u>TOTAL</u>
BRIGHTON	63	31:11	90	43:05	153			
COHOCTAH	15	48:04	10	53:09	25			
CONWAY	14	31:34	11	25:47	25			
DEERFIELD	21	32:39	25	54:39	46			
GENOA	96	29:56	185	32:06	281			
HANDY	25	26:13	31	19:46	56			
HARTLAND	88	30:18	165	30:15	253			
HOWELL	53	20:38	60	19:32	113			
IOSCO	12	50:13	13	32:00	25			
MARION	29	25:53	47	24:05	76			
OCEOLA	50	23:53	81	33:51	131			
PUTNAM	31	17:00	23	35:30	54			
TYRONE	77	30:19	59	45:43	136			

#101 General Fund Transactions by Account

As of February 29, 2024

Date	Name	Amount
001-001 · CASH - GENERAL - FNB		
02/01/2024	SHELBY DWYER	-747.00
02/01/2024	KCI	-1,595.85
02/02/2024	DAN-O'S SERVICES	-2,850.00
02/05/2024	Culligan of Ann Arbor	-91.79
02/05/2024	PRINTING SYSTEMS INC	-256.62
02/05/2024	DAVID HAMANN	-36.18
02/05/2024	VERIZON WIRELESS	-97.11
02/05/2024	DTE ENERGY	-659.32
02/05/2024	AMAZON CAPITAL SERVICES	-301.85
02/05/2024	THE GARBAGE MAN	-60.34
02/05/2024	CITI CARDS	-914.25
02/05/2024	PNC Bank	-2,924.34
02/05/2024	MATTHEW DEDES	-40.20
02/05/2024	FOWLerville NEWS & VIEWS	-200.00
02/07/2024	SCHAFFER CONSTRUCTION INC.	-149,755.12
02/08/2024	Marion Township Flex Fund	-1,754.00
02/08/2024	ALERUS PAYMENT SOLUTIONS	-4,781.69
02/08/2024	VOYA Institutional Trust	-300.00
02/08/2024	KELLY HANSEN INTERIORS	-2,485.40
02/08/2024	LESLIE D. ANDERSEN	-343.99
02/08/2024	JAMES L. ANDERSON JR.	-152.64
02/08/2024	SCOTT R. LLOYD	-164.66
02/08/2024	BRUCE V. POWELSON	-106.67
02/08/2024	CHERYL A. RANGE	-180.55
02/08/2024	TAMMY L. BEAL	-3,789.54
02/08/2024	GAIL A. BURLINGAME	-3,525.68
02/08/2024	MATTHEW J. DEDES	-3,565.92
02/08/2024	SANDY DONOVAN	-3,681.84
02/08/2024	GREGORY L. DURBIN	-1,280.93
02/08/2024	DAVE HAMANN	-3,362.08
02/08/2024	ROBERT W. HANVEY	-4,377.71
02/08/2024	RICHARD HASLOCK	-524.51
02/08/2024	LOREEN B. JUDSON	-4,406.47
02/08/2024	SANDRA J. LONGSTREET	-3,010.67
02/08/2024	DANIEL F. LOWE	-564.48
02/08/2024	KITSEY A. RENNELLS	-3,223.68
02/08/2024	JESSICA S. TIMBERLAKE	-2,731.65
02/12/2024	LIV CO TREASURER'S ASSOCIA	-10.00
02/12/2024	Charter Communications	-172.40
02/12/2024	QUALITY ZONING / ZACHARY MI	-332.50
02/12/2024	GORMLEY LAW OFFICE PLC	-1,997.16
02/12/2024	QUADIENT FINANCE USA, INC.-	-1,117.97
02/20/2024	LIV CO TREASURER	-7.83
02/20/2024	B&L Services	-915.00

#101 General Fund
Transactions by Account

As of February 29, 2024

<u>Date</u>	<u>Name</u>	<u>Amount</u>
02/20/2024	Colonial Life	-647.56
02/20/2024	Election Source	-12.38
02/20/2024	Beal Painting	-350.00
02/29/2024	SHELBY DWYER	-614.75
02/29/2024	Applied Innovation - COPY MACHI	-691.68
02/29/2024	Applied Innovation - PRINTERS	-429.00
02/29/2024	PRINTING SYSTEMS INC	-252.89
02/29/2024	BEAR WATER TREATMENT	-133.00
02/29/2024	CONSUMERS ENERGY	-444.27
02/29/2024	Blue Cross Blue Shield of Michigan	-18,621.84
02/29/2024	VC3 Inc.	-175.00
02/29/2024	PNC Bank	-2,132.07

GENERAL FUND CHECKING

Previous Balance	\$	2,051,177.79
Receipts	\$	411,144.72
Interest	\$	-
	\$	<u>2,462,322.51</u>
Expenditures	\$	246,016.44
Balance	\$	<u>2,216,306.07</u>

CEMETERY FUND

Previous Balance	\$	73,582.75
Receipts	\$	1,000.00
Interest	\$	53.31
	\$	<u>74,636.06</u>
Expenditures	\$	-
Balance	\$	<u>74,636.06</u>

PARKS & RECREATION FUND

Previous Balance	\$	11,675.18
Receipts	\$	-
Interest	\$	7.31
	\$	<u>11,682.49</u>
Expenditures	\$	1,512.41
Balance	\$	<u>10,170.08</u>

WATER - NEW USER

Previous Balance	\$	339,707.76
Receipts	\$	19,319.00
Interest	\$	329.97
	\$	<u>359,356.73</u>
Expenditures	\$	3,500.00
Balance	\$	<u>355,856.73</u>

SEWER OPERATING & MANAGEMT

Previous Balance	\$	265,228.68
Receipts	\$	41,816.33
Interest	\$	262.95
		<hr/>
	\$	307,307.96
Expenditures	\$	9,879.23
		<hr/>
Balance	\$	297,428.73

SEWER - NEW USER

Previous Balance	\$	1,578,947.04
Receipts	\$	27,750.00
Interest	\$	2,035.12
		<hr/>
	\$	1,608,732.16
Expenditures	\$	-
		<hr/>
Balance	\$	1,608,732.16

SPEC ASSESS. FUND

Previous Balance	\$	263,995.85
Receipts	\$	43,978.51
Interest	\$	299.86
		<hr/>
	\$	308,274.22
Expenditures	\$	3,414.00
		<hr/>
Balance	\$	304,860.22

ESCROW FUND

Previous Balance	\$	84,823.17
Receipts	\$	-
Interest	\$	60.17
		<hr/>
	\$	84,883.34
Expenditures	\$	705.00
		<hr/>
Balance	\$	84,178.34

SUMMARY TOTALS

General Fund	\$	2,216,306.07
Cemetery Fund	\$	74,636.06
Parks & Rec Capital Chk	\$	10,170.08
Water - New User	\$	355,856.73
Sewer Operating & Mana	\$	297,428.73
Sewer - New User	\$	1,608,732.16
Special Assess. Fund	\$	304,860.22
Escrow Fund	\$	84,178.34
 		<hr/>
TOTAL	\$	4,952,168.39

Ref: Financial Report JULY 2020

Bob Hanvey

From: Tim Church <tchurch@howellrecreation.org>
Sent: Friday, February 23, 2024 1:35 PM
To: Bob Hanvey, Supervisor, Marion Township
Subject: Howell Recreation Master Plan

Good Afternoon Bob,

We are looking into our own Recreation Master for the Rec Authority. We are currently working with Spicer's Group to conduct the Recreation Master Plan and when doing some back ground info we noticed that Oceola and Marion both do not currently have a Recreation Master Plan. For us to conduct our rec plan we will need to complete the full scoop in both Oceola and Marion Township, where as the other 3 Spicer's group can pull from their rec plans to complete ours , what this means is once our is completed Marion Township would have the option to simple adopt our Rec Plan as your own as well as Oceola. The whole project is quoted to be around \$33,000. I am looking to split the costs 3 ways to be roughly \$11,000 per municipal unit. Do you think this is something Marion Township would be interested in and if it would be worth the time to ask for the Township board to approve the funding? The rec master plan would also allow Marion Township to apply for DNR related grants beginning in 2025.

Looking forward to hearing from you,

Thanks

Tim

MEMO

To: Marion Township Board
From: Bob Hanvey
Subject: Request to create a SAD for paving Francis Road
Date: March 14, 2024

At a Board meeting in January, we had two residents suggest paving Francis Road. One of the residents asked about creating a Special Assessment District (SAD).

Since Francis is a public road, we would need approval from the Livingston County Road Commission. I sent an email to Jodie Todesco (email and response attached).

Since the construction cost is greater than the Township would cover with either General Fund or Revolving Fund money, I requested cost estimates for bonding from Kari Blanchett at PFM Financial Advisors.

There are several variables involved in a project like this so the amounts below are probably at the low end of the actual cost.

To keep it simple, a bond amount of \$3,000,000, repaid over twenty (20) years, with a bond interest rate of five percent (5%), would have a total interest amount of about \$1,500,000.

The Special Assessment interest rate is one percent (1%) over the bond rate. So, the SAD interest rate would be six percent (6%) (MCL 41.727 attached). The one percent is to cover administration expense and early pay-offs of the special assessment. Early pay-offs reduce the amount of interest collected by the Township, but not the interest paid to the bond holders.

The amortization table attached is based on paying interest on the remaining balance. For this SAD, there are 136 parcels (parcel map attached). For the first year, each parcel would be billed \$2,426.47. The last year would be \$1,169.12 per parcel. Over the twenty (20) years, each parcel would be billed \$35,955.88.

It has been suggested that the pavement end at the entrances to The Forest and Copperfield. The traffic counts indicate that about two thirds (2/3) of the daily trips originate from that point west to D-19 and the other third (1/3) from that point east to Fisk.

The Township Board needs to decide if the project should continue or not. If the decision is to continue with the project, we should schedule informal meetings with residents.

Bob Hanvey

From: Jodie Tedesco <jtedesco@livingstonroads.org>
Sent: Friday, January 26, 2024 2:50 PM
To: Bob Hanvey
Cc: Sandy Donovan; Tammy Beal; Garrett Olson
Subject: RE: Francis Road Paving

Hi Bob,

The LCRC would support the paving of Francis Road. The Township would have to administer the SAD. Typically, LCRC would contribute the Inspection, Material Testing and Project Administration. LCRC would provide future maintenance such as plowing, patching, crack sealing.

The current cost to pave a gravel road is 3.5 – 4.5 million a mile depending on the geometrics, right of way and soils.

Have a good weekend.

Jodie

From: Bob Hanvey <supervisor@mariontownship.com>
Sent: Friday, January 26, 2024 2:15 PM
To: Jodie Tedesco <jtedesco@livingstonroads.org>
Cc: Sandy Donovan <treasurer@mariontownship.com>; Tammy Beal <tammybeal@mariontownship.com>
Subject: Francis Road Paving

Hi Jodie:

A township resident came to the Board meeting and asked for information about a special assessment to pave Francis Road.

I thought that before we got started on that process I should check with you to see if paving a mile of gravel road using funding from a special assessment is something that LCRC would consider/support/allow/approve/work with/throw in some money. The SAD would not cover subsequent maintenance of the road.

Thanks
Bob Hanvey

From PA 188

41.727 Payment of special assessments in installments; amount of installment; extension; due dates; interest on unpaid installments; lien; limitation; statement of amount; payment of future due installments; delinquent installment; penalty.

Sec. 7.

(1) The township board may provide that special assessments are payable in 1 or more installments, but the amount of an installment shall not be less than 1/2 of any subsequent installment. The amount of each installment, if more than 1, shall not be extended upon the special assessment roll until after confirmation of that assessment roll. Subject to the provisions of section 4(4), the amount of installments for improvements subject to periodic cost revision may be extended upon the special assessment roll by the township board without additional public hearings or public notice, provided that additional property is not added to the special assessment roll.

(2) The first installment of a special assessment is due on or before the time after confirmation of that special assessment roll as determined by the township board. Subsequent installments are due at intervals of 12 months from the due date of the first installment or from a date determined by the township board.

(3) All unpaid installments, prior to their transfer to the township tax roll as provided by this act, shall bear interest, payable annually on each installment due date, at a rate to be set by the township board, not exceeding 1% above the average rate of interest borne by special assessment bonds issued by the township in anticipation of all or part of the unpaid installments; or not exceeding 1% above the average rate of interest borne by bonds issued by a county, drainage district, or authority if the unpaid installments are to be applied to the payment of a contract obligation of the township to the county or authority or to the payment of an assessment obligation of the township to the drainage district; or, if bonds are not issued by the township, a county, a drainage district, or an authority, not exceeding 8% per annum, commencing in each case from a date fixed by the township board.

(4) Future due installments of an assessment against any parcel of property may be paid to the township treasurer at any time in full, with interest accrued through the month in which the final installment is paid.

(5) If the township board provides that a special assessment is payable in installments under subsection (1), the amount of any lien on the parcel of property assessed for that special assessment is limited to each individual installment and shall not attach to the property assessed until that individual installment is due as provided in subsection (2).

(6) Upon written request, the township treasurer shall provide a statement of the amount of any lien under subsection (1) and (2) on the property, with interest accrued through the end of the month in which the statement is provided.

(7) If an installment of a special assessment is not paid when due, then the installment shall be considered to be delinquent and there shall be collected, in addition to interest as provided by this section, a penalty at the rate of not more than 1% for each month, or fraction of a month, that the installment remains unpaid before being reported to the township board for reassessment upon the township tax roll.

Three million dollars amortized over twenty years at

Interest Rate

6.000%

\$3,000,000	\$150,000		
\$2,850,000		\$180,000	\$330,000
\$2,700,000		\$171,000	\$321,000
\$2,550,000		\$162,000	\$312,000
\$2,400,000		\$153,000	\$303,000
\$2,250,000		\$144,000	\$294,000
\$2,100,000		\$135,000	\$285,000
\$1,950,000		\$126,000	\$276,000
\$1,800,000		\$117,000	\$267,000
\$1,650,000		\$108,000	\$258,000
\$1,500,000		\$99,000	\$249,000
\$1,350,000		\$90,000	\$240,000
\$1,200,000		\$81,000	\$231,000
\$1,050,000		\$72,000	\$222,000
\$900,000		\$63,000	\$213,000
\$750,000		\$54,000	\$204,000
\$600,000		\$45,000	\$195,000
\$450,000		\$36,000	\$186,000
\$300,000		\$27,000	\$177,000
\$150,000		\$18,000	\$168,000
\$0		\$9,000	\$159,000
			\$4,890,000



MEMO

To: Marion Township Board
From: Bob Hanvey
Subject: Potential road projects for 2024
Date: March 14, 2024

Attached are the estimates requested from LCRC for projects for 2024. The paving projects will have a 50% match from the LCRC.

There will be no cost sharing on the gravel road projects.

For the gravel projects, the depth of gravel will be six inches.

Bob Hanvey

From: Jodie Tedesco <jtedesco@livingstonroads.org>
Sent: Tuesday, February 13, 2024 11:07 AM
To: Bob Hanvey; Trevor Bennett
Cc: Garrett Olson
Subject: RE: Marion Township projects for 2023
Attachments: 20240213110409.pdf

Hi Bob,

Attached are the Chip Seal Estimates you have requested.

Please let me know if you have any questions.

Thank you,

Jodie

From: Bob Hanvey <supervisor@mariontownship.com>
Sent: Monday, January 29, 2024 4:28 PM
To: Jodie Tedesco <jtedesco@livingstonroads.org>; Trevor Bennett <tbennett@livingstonroads.org>
Subject: Marion Township projects for 2023

Hi LCRC:

At the Township Board meeting on January 25, 2024 the following motion was passed:

Les Andersen motioned to have the Livingston County Road Commission provide cost estimates for:

chip seal for Peavy Road from Mason Road to the end of the pavement;

double chip seal for Norton Road from Burkhart to County Farm Road;

double chip seal for Jewell Road from Cedar Lake Road to County Farm Road;

Francis Road ditching and gravel,

and ditching for East Davis Road.

Scott Lloyd seconded. **Motion carried.**

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

February 13, 2024

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

Re: 2024 Chip Seals

Dear Mr. Hanvey,

The following are the estimates for providing a Double Chip and Fog seal application for the roads the Marion Township Board has requested:

Peavy Road – End of Pavement to M-155 to Sexton (1.52 Miles) - \$105,000

Norton Road – Burkhart Rd to County Farm Rd (1.48 Miles) - \$117,000

Jewell Road – Cedar Lake Road to County Farm Rd (1.80 Miles) - \$125,000

The Livingston County Road Commission will participate 50% on the above road estimates.

Please contact me if you have any questions.

Sincerely,



Jodie Tedesco, P.E.
County Highway Engineer

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

February 12, 2024

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

Re: Potential 2024 Gravel Road Projects

Dear Mr. Hanvey:

Per your request, we are providing you with a list of potential gravel road improvement contracts for your review. The location and estimate of each project are shown in the following table.

ROAD	LOCATION	TYPE OF WORK	AMOUNT
Francis Road	D19 to Fisk (5,280 feet)	Surface Gravel, Limited Drainage and Tree Work	\$127,000.00
Davis Road	D-19 to Fisk (5,020 feet)	Surface Gravel, and Tree Work	\$83,000.00
Davis Road	D-19 to Fisk (5,020 feet)	Berm Removal, and Limited Drainage	\$61,000.00

Please review the above list and contact me if you wish to have contracts prepared for any of the projects. For projects to be included on this year's construction schedule, all contracts must be in place by May 1, 2024.

If you have any questions, please do not hesitate to contact Vinnie Dahlberg or me.

Sincerely,



Trevor Bennett
Director of Operations

Cc: Vinnie Dahlberg, LCRC District 4 Foreman
File

Gorski Hauling
Owner: Rich Gorski
321 W Grand River
Apt. B
Williamston, MI 48895
(517) 388-2780

Township Roadside Clean-Up Proposal 2024

Proposal for 2024 Spring Clean Up:

Attn: Tammy Beal

tammybeal@mariontownship.com

Marion Township: Car and Truck Tires / \$6.50 each
 Semi Tires / \$60.00 each
 1 Full Dumpster @ \$500.00 if I need to prorate the second one I will
 Road time at \$69.00 per hour

Estimated cost:

\$3,650.00

Should you wish to contact me, please call at the number listed above.

Thank you for your consideration,

Richard T. Gorski

MEMO

To: Marion Township Board
From: Bob Hanvey
Subject: Ordinance Violation, Show Cause Hearing Procedure
Date: March 14, 2024

Both our Zoning Ordinance and our proposed Nuisance Ordinance mention a "Show Cause Hearing" as part of the enforcement process. Neither ordinance describes the process for conducting the hearing.

Below is a suggestion for conducting the hearing that was made up of articles on the internet.

At a show-cause hearing, the complaining party must **produce evidence** demonstrating "probable cause" that the defendant committed the crime.

In our case, there has been a complaint made about something happening in the township that someone thinks is a violation of an ordinance. Somebody from the township has gone to the site and has reason to believe that the complaint is valid and there has been a violation.

At this point the township becomes the complaining party and notifies the property owner of the complaint. The first notice often is informal and sometimes results in correction of the complaint.

If there is no compliance resulting from the informal notice, a formal complaint is issued. If there is still no compliance, a show cause hearing is scheduled with the appropriate notice to the property owner.

At the show cause hearing, the township presents evidence of the violation to the Township Board. The property owner will be given an opportunity to explain the situation to the Township Board.

The Township Board can:

Decide that there is no violation and the complaint is dismissed.

Decide there is a violation and prescribe a solution to allow time to correct the violation.

If the violator resists the solution, the Township Board turns the case over to the Township Attorney for action.

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

TRANSMITTAL

TO: Board of Trustees

DATE March 14, 2024
PROJECT **FINAL REVIEW**
Revised Text Amendment
TXT# 01-23 Data Processing

VIA Hand Delivery

WE ARE SENDING: Herewith Under Separate Cover

THE FOLLOWING:

- TXT# 01-23 Data Processing Facilities
- Livingston County Planning Commission review dated November 15, 2023
- Review email from Attorney dated February 1, 2024
- Planning Commission minutes from February 13, 2024 meeting

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

REMARKS:

This information is for a **Review and Adoption**. Let me know if you have any questions.

FROM: Dave Hamann, Zoning Administrator

Copy: file

MARION TOWNSHIP

DATA PROCESSING FACILITIES ZONING ORDINANCE AMENDMENT

AN AMENDMENT TO THE MARION TOWNSHIP ZONING ORDINANCE TO ADD A DEFINITION FOR DATA PROCESSING FACILITIES, ADD DATA PROCESSING FACILITIES AS A USE IN LIGHT INDUSTRIAL DISTRICTS, AND ADD SPECIFIC STANDARDS FOR DATA PROCESSING FACILITIES.

MARION TOWNSHIP ORDAINS:

SECTION 1. DEFINITIONS

SECTION 3.02 DEFINITIONS OF THE ZONING ORDINANCE IS HEREBY AMENDED TO ADD THE FOLLOWING DEFINITION FOR A "DATA PROCESSING FACILITY" WHICH SHALL READ, IN ITS ENTIRETY, AS FOLLOWS:

Data Processing Facility: A building, dedicated space within a building, or group of structures located on one or more acres of land used to house a large group of computer systems and associated components, such as telecommunications and data processing systems, to be used for the remote storage, processing, or distribution of large amounts of data. Examples of such data include, but are not limited to, computationally intensive applications such as blockchain technology, cryptocurrency mining, weather modeling, genome sequencing, etc. Such facilities may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support operations.

SECTION 2. AMENDMENT OF ARTICLE X: INDUSTRIAL

ARTICLE X INDUSTRIAL DISTRICTS OF THE ZONING ORDINANCE IS HEREBY AMENDED TO ADD "DATA PROCESSING FACILITIES" AS A USE PERMITTED BY SPECIAL USE PERMIT WHICH SHALL READ, IN ITS ENTIRETY, AS FOLLOWS:

ARTICLE X: INDUSTRIAL DISTRICTS

Section 10.01 LI: Light Industrial District

- A. Intent:** It is the intent of the Light Industrial District (LI) to provide for a variety of light industrial uses, including manufacturing, processing, assembling, packaging, or treatment of products from previously prepared materials, as well as commercial establishments not engaging primarily in retail sales. Such industrial areas should be

free of incompatible uses, and designed to avoid negatively impacting adjacent conforming uses.

B. Uses Permitted By Right:

In the Light Industrial District, no building or land shall be used and no building or structure erected except for one or more of the following specified uses, unless otherwise provided for in this Ordinance. All uses permitted in this district are subject to the requirements and standards of Article XVIII, Site Plan Requirements prior to initiation of the use or structure.

The following are uses permitted by right when conducted in a permanent fully enclosed building:

1. Light industrial establishments that perform assembly, fabrication, compounding, manufacture, or treatment of materials, goods, and products, including, but not limited to:
 - a. Jobbing and machine shops.
 - b. Fabricated metal products.
 - c. Plastic products, forming and molding.
 - d. Processing of machine parts.
 - e. Monument and art stone production.
 - f. Industrial laundry operations.
 - g. Wood products processing facility.
 - h. Printing and publishing.
2. Storage facilities for building materials, sand, gravel, stone, lumber, and contractor's equipment.
3. Grain and feed elevators, bulk blending plants and/or handling of liquid nitrogen fertilizer and anhydrous ammonia.
4. Commercial uses not primarily involved in retail sales as a primary use, including but not limited to building material suppliers (excluding concrete mixing), retail lumber yards including incidental millwork, farm implement dealers and repair.
5. The manufacturing, compounding, processing and packaging of perfumes, pharmaceuticals, toiletries, and condiments (except fish, meat, fowl, vegetables, vinegar, and yeast).
6. The manufacturing, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: bone, cellophane, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stones, zinc and aluminum pressure die casting, shell, textiles, tobacco, wood (excluding planing mill), yarns and paint not requiring a boiling process.

Data Processing Facility

Zoning Ordinance Amendment (REDLINE)

Draft December 10, 2023

7. Distribution plants, parcel delivery service, ice and cold storage plants.
8. Assembly of electrical appliances, electronic instruments and devices, radios and phonographs, including the manufacture of small parts, such as condensers, capacitors, transformers, crystal holders, transistor and computer boards, and the like.
9. Laboratories, experimental or testing.
10. Public utility service yard or electrical receiving transforming station.
11. Coal yards.
12. Freighting or trucking terminals.
13. Freight yards.
14. Painting, upholstering, rebuilding, conditioning, body and fender work, repairing, tire recapping or retreading, and battery manufacture.
15. Industrial park, subject to the following conditions:
 - a. Permitted uses shall include all uses permitted by right within this district. Special uses identified in Section 10.01 D may be permitted, subject to the special use provisions of Article XVI.
 - b. The minimum required land area for an industrial park shall be twenty (20) contiguous acres.
 - c. The development of an industrial park shall be in accordance to an overall plan for development of the park, which plan shall be approved by the Township Planning Commission.
 - d. The developer shall provide within the industrial park a sanitary sewage system that shall be of sufficient size and design to collect all sewage from structures within the industrial park.
 - e. The developer shall provide within the industrial park a storm drainage system which shall be of sufficient size and design as will, in the opinion of the Township Engineer, collect, carry off and dispose of all predictable surface water runoff within and draining into the industrial park, and shall be so constructed as to conform with the statutes, ordinances and regulations of the State of Michigan, the Livingston County Drain Commissioner and the Township.
 - f. If a public water system is not available, the developer shall provide within the industrial park a potable water system that shall be of sufficient size and design to supply potable water to each of the structures to be erected in the development.
 - i. The developer shall also provide a fire hydrant within four hundred (400) feet of each structure.

- ii. Such water system shall conform to the statutes, ordinances, and regulations of the State of Michigan, the Livingston County Health Department, the Livingston County Drain Commissioner and the Township.
- g. All industrial parks shall have direct access to a paved street or major thoroughfare.
- h. Provision shall be made for safe and efficient ingress and egress to and from public streets and highways serving the industrial park without undue congestion or interference with normal traffic flow.
 - i. All points of vehicular access to and from public streets shall be located at least seventy-five (75) feet from the intersection of any public streets.
 - ii. No part of any parking access and/or service area may be located closer than one hundred fifty (150) feet to any residential property line.
- j. Parking, loading, or service areas used by motor vehicles shall be located entirely within the boundary lines of the industrial park.
- k. Any industrial park adjoining any residential development shall be provided with a buffer zone of at least sixty (60) feet that shall be provided adjacent to the property line. Such buffer shall be planted with evergreen and other suitable plantings and used for no other purposes as provided in Section 6.13. A landscaped planting area shall also be provided along all street frontages that shall not be less than sixty (60) feet in width.
- l. Lighting facilities shall be required where deemed necessary for the safety and convenience of employees and visitors. These facilities will be arranged in such a manner so as to protect abutting streets and adjacent properties from unreasonable glare or hazardous interference of any kind.
- m. Maximum building coverage on any lot within the industrial park shall not exceed forty (40) percent.
- n. Minimum lot sizes within an industrial park shall be one (1) acre.
- o. Minimum lot width within an industrial park shall be one hundred twenty (120) feet.
- p. Minimum yard setbacks within an industrial park shall be:
 - 1) **Front yard:** Forty (40) feet.
 - 2) **Side yard:** Thirty (30) feet.
 - 3) **Rear yard:** Forty (40) feet.

Minimum yard setbacks for lots, which abut property outside an industrial park, shall be as required for other uses in the district.

16. Landscape contractor's building, offices and yards as a use permitted by right.

C. Permitted Accessory Uses:

1. Accessory uses clearly appurtenant to the main use of the lot and customary to and commonly associated with the main use, such as:
 - a. Incidental offices for management and materials control.
 - b. Restaurant or cafeteria facilities for employees working on the premises.

D. Uses Permitted By Special Use Permit:

1. Asphalt and concrete batching facilities.
2. Billboards.
3. Communication towers.
4. Junkyards/Reclamation centers.
5. Data processing facility

E. Site Development Requirements: The following minimum and maximum standards shall apply to all uses and structures in the LI: Light Industrial District unless they are specifically modified by the provisions of Article VI: General Provisions or Article XVII: Standards for Specific Special Land Uses; or as varied pursuant to Article V: Zoning Board of Appeals.

1. **Minimum Lot Area:** No building or structure shall be established on any parcel less than four (4) acres except in an approved industrial park where minimum lot sizes shall be one (1) acre.
2. **Minimum Frontage:** Each parcel of land shall have continuous frontage of not less than three hundred thirty (330) feet, except in an approved industrial park where each lot shall have continuous frontage of not less than one hundred twenty (120) feet.
3. **Yard and Setback Requirements:**
 - a. **Front yard:** One hundred (100) feet.
 - b. **Side yard:** Eighty (80) feet, except in the case where a side yard abuts a residential zoning district, in which case the minimum required side yard shall be one hundred fifty (150) feet.
 - c. **Rear yard:** Eighty (80) feet, except in the case where a rear yard abuts a residential zoning district, in which case the minimum required rear yard shall be one hundred fifty (150) feet.
 - d. See Section 10.01 B 15 o for the minimum yard and setback requirements in a planned industrial park.

4. **Maximum Lot Coverage:** Forty (40) percent.
5. **Maximum Height:** Unless otherwise provided in this Ordinance, no principal building shall exceed a height of forty (40) feet measured from the finished grade.
6. **Performance Standards:**
 - a. External areas for storage shall be screened on all sides by an opaque fence of not less than eight (8) feet in height.
 - b. When a side or rear lot line abuts or is adjacent to property located within a residential district, a berm or buffer zone shall be required in addition to the minimum yard requirements, specific driveways and plantings of which shall be determined through the site plan review process. (See Section 6.13.)
 - c. Sound:
 - i. **Non-Residential.** The intensity level of sounds shall not exceed the following decibel levels when adjacent to the following types of non-residential uses:

Decibels	Adjacent Use	Where Measured
65	Commercial	Common Lot Line
70	Industrial and Other	Common Lot Line

- ii. **Residential.** The intensity level of sounds shall not exceed the following decibel levels when directly adjacent to residential uses, measured at the common lot line:

Residential Noise Level Limits		
Daytime (7 am–7 pm)	Evening (7-11 pm)	Night (11 pm-7 am)
45 dB(A)	35 dB(A)	30 dB(A)

The sound levels shall be measured with a type of audio output meter approved by the Bureau of Standards. Objectionable noises due to intermittence, beat frequency, or shrillness shall be muffled so as not to become a nuisance to adjacent uses.

- d. **Vibration:** All machinery shall be so mounted and operated as to prevent transmission of ground vibration exceeding a displacement of .003 of one inch measured at any lot line of its source.

- e. **Odor:** The emission of noxious, odorous matter in such quantities as to be readily detectable at any point along lot lines, when diluted in the ratio of one volume of odorous air to four or more volumes of clean air so as to produce a public nuisance or hazard beyond lot lines, is prohibited.
- f. **Gases:** The escape of or emission of any gas, which is injurious, destructive, or explosive, shall be unlawful and may be summarily caused to be abated.
- g. **Glare and Heat:** Any operation producing intense glare or heat shall be performed within an enclosure so as to completely obscure and shield such operation from direct view from any point along the lot line except during the period of construction of the facilities to be used and occupied.
- h. **Light:** Exterior lighting shall be so installed that the source of light shall not be visible and shall be so arranged as far as practical to reflect light away from any residential use, and in no case shall more than one (1) foot-candle power of light cross a lot line five (5) feet above the ground in a residential district.
- i. **Electromagnetic Radiation:** Applicable rules and regulations of the Federal Communications Commission, in regard to propagation of electromagnetic radiation, shall be used as standards for this Ordinance.
- j. **Smoke, Dust, Dirt and Fly Ash:** Any atmospheric discharge requiring a permit from the Michigan Department of Environmental Quality or federal government shall have said permit(s) as a condition of approval for any use in this District.
- k. **Drifted and Blown Material:** The drifting or airborne transmission beyond the lot line of dust, particles, or debris from any open stock pile shall be unlawful and may be summarily caused to be abated.
- l. **Radioactive Materials:** Radioactive materials shall not be emitted to exceed quantities established as safe by the U.S. Bureau of Standards, as amended from time to time.
- m. **Other Forms of Air Pollution:** It shall be unlawful to discharge into the atmosphere any substance not covered in parts C, D, and H and in excess of standards approved by the Michigan Department of Environmental Quality.
- n. **Liquid or Solid Wastes:** It shall be unlawful to discharge at any point any materials in such a way or of such nature or temperature as can contaminate any surface waters, land or aquifers, or otherwise cause the emission of dangerous or objectionable elements, except in accord

- with standards approved by the Michigan Department of Environmental Quality.
- o. **Hazardous Wastes:** Hazardous wastes as defined by the Michigan Department of Environmental Quality shall be disposed of by methods approved by the Michigan Department of Environmental Quality.
 - i. All storage of materials on any land shall be within the confines of the building or part thereof occupied by said establishment.
 - ii. Material which normally and reasonably is discarded from industrial uses of property may be stored outside of an enclosed building for a reasonable time provided that such storage areas are completely screened by an opaque fence of not less than eight (8) feet in height.
 - p. Any complaint alleging a violation of any of the following performance standards shall be accompanied by evidence which supports that allegation.
- 7. **Provisions of Article XIV:** Parking and Loading Requirements.
 - 8. **Provisions of Article XV:** Signs.
 - 9. **Provisions of Article XVIII:** Site Plan Review.
 - 10. **Provisions of Section 6.16:** Environmental Protection Standards.

SECTION 3. SPECIAL USE STANDARDS

A NEW SECTION ENTITLED "SECTION 17.36 DATA PROCESSING FACILITY" IS HEREBY ADDED TO THE ZONING ORDINANCE WHICH SHALL READ, IN ITS ENTIRETY, AS FOLLOWS:

The ~~primary intent and purpose of the this data mining ordinance~~ processing facility section is to establish guidelines and safeguards for the collection, storage, and use of data within our rural community. By implementing ~~this ordinance~~ these standards, we aim to protect the privacy of our residents, ensure data security, and foster trust and transparency in data-driven practices.

Data Processing Facilities are considered special uses and are therefore are subject to the provisions of Article XVI, Special Use Permits, and other applicable provisions of the Ordinance. A Special Use Permit, and any conditions attached thereto, may be approved by the Township Board if all the criteria listed hereof are met.

- A. **Locational Requirements:** Data Processing Facilities are permitted in the Light Industrial Districts with a minimum lot size of four (4) acres.
- B. **Performance Standards:**

1. Data Processing Facilities are considered a principal use and shall be the only principal use on a property at any one time.
2. Data Processing Facilities ~~Shall~~ shall not be located within an industrial park;.
3. At all times, sound levels at the property boundary may not exceed thirty (30) dB(A);.
4. A fence shall be installed around the perimeter with a minimum height of six (6) feet;.
5. Additional screening, such as a vegetative buffer, may be required at the discretion of the Planning Commission, per standards in Section 6.13.

DRAFT (December 2023) REDLINE



Livingston County Department of Planning

November 16, 2023

Marion Township Board of Trustees
c/o Tammy Beal, Township Clerk
Marion Township Hall - 2877 West Coon Lake Road
Howell, MI 48843

Scott Barb
AICP, PEM
Director

Re: County Planning Commission Review of Marion Township Zoning Ordinance Text Amendment

Robert A. Stanford
AICP
Principal Planner

Case Z-37-23: Various Sections related to Data Processing Facilities

Martha Haglund
Principal Planner

Dear Board Members:

The Livingston County Planning Commission met on Wednesday, November 15, 2023, and reviewed the Marion Township Zoning Ordinance Text Amendment request referenced above. The County Planning Commissioners made the following recommendation:

Z-37-23 – Approval.

The proposed amendments related to the regulation of data processing facilities in Marion Township appear to be suitable and reasonable. As regulating this land use activity is very much new territory for many communities, it remains to be seen if the provisions of this proposed ordinance will adequately and effectively govern the use to the complete satisfaction of the township and its residents in the future.

Copies of the staff reviews as well as draft Livingston County Planning Commission meeting minutes are enclosed. Please do not hesitate to contact our office should you have any questions regarding county actions.

Sincerely,

Robert Stanford

Robert Stanford, Principal Planner, AICP

Enclosures

c: Larry Grunn, Chair, Marion Township Planning Commission
Dave Hamann, Zoning Administrator, Marion Township

Additional minutes and agendas are available at: <https://www.livgov.com/plan/Pages/meetings.asp>

Department Information

Administration Building
304 E. Grand River Avenue
Suite 206
Howell, MI 48843-2323

•
(517) 546-7555
Fax (517) 552-2347

•
Web Site
<https://milivcounty.gov/planning/>

DRAFT
LIVINGSTON COUNTY
PLANNING COMMISSION
MEETING MINUTES

November 15, 2023
 6:30 p.m.
 Hybrid In-Person and Virtual Zoom Meeting

Zoom Virtual Meeting Room Meeting ID: 399-700-0062 / Password: LCBOC
<https://zoom.us/j/3997000062?pwd=SUdLYVFFcmozWnFxbm0vcHRjWkVIZz09>

PLANNING COMMISSION	
COMMISSIONERS PRESENT:	Bill Anderson Dennis Bowdoin Margaret Burkholder Paul Funk Bill Call
COMMISSIONERS ABSENT:	Matt Ikle Jason Schrock
STAFF PRESENT:	Scott Barb Rob Stanford Martha Haglund
OTHERS PRESENT:	Bruce Powellson (Marion Twp), Tim Boal (Howell Twp), David LeClair, Austin LeClair, Tanya LeClair, Sarah P. (Online)

1. **CALL TO ORDER:** Meeting was called to order by Planning Commissioner Anderson at 6:30 PM.
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **ROLL AND INTRODUCTION OF GUESTS:** None.
4. **APPROVAL OF AGENDA**

Commissioner Action: IT WAS MOVED BY COMMISSIONER BOWDOIN TO APPROVE THE AGENDA, DATED NOVEMBER 15, 2023, SECONDED BY COMMISSIONER CALL.
 All in favor, motion passed 5-0.

5. **APPROVAL OF PLANNING COMMISSION MEETING MINUTES**

Commissioner Action: IT WAS MOVED BY COMMISSIONER FUNK TO APPROVE THE MINUTES, DATED OCTOBER 18, 2023, SECONDED BY COMMISSIONER BURKHOLDER.
 All in favor, motion passed 5-0

D. Z-37-23 MARION TOWNSHIP TEXT AMENDMENT
SECTIONS 3.2 DEFINITIONS, ARTICLE 10 LI-LIGHT INDUSTRIAL DISTRICT AND
SECTION 17.36 SPECIAL USE SPECIFIC LAND USES-DATA PROCESSING FACILITIES

The Marion Township Planning Commission proposes amendments to the Marion Township Zoning Ordinance to amend and add definitions related to data processing facilities.

Township Planning Commission Recommendation: Approval. The Marion Township Planning Commission recommended Approval of this zoning amendment at its August 22, 2023, public hearing. There were no public comments noted in the minutes.

Staff Recommendation: Approval. The proposed amendments related to the regulation of data processing facilities in Marion Township appear to be suitable and reasonable. As regulating this land use activity is very much new territory for many communities, it remains to be seen if the provisions of this proposed ordinance will adequately and effectively govern the use to the complete satisfaction of the township and its residents in the future.

Commission Discussion: Commissioner Funk explained to the commission what 'data mining' is in the data processing industry.

Public Comment: Bruce Powellson, Marion Township, spoke about the amendments to the Ordinance. He would have liked to have had an eight (8) foot fence required, rather than the six (6) foot fence as proposed.

Commission Action:

Commissioner Action: IT WAS MOVED BY COMMISSIONER BOWDOIN TO RECOMMEND APPROVAL, SECONDED BY COMMISSIONER CALL

Motion passed: 5-0

8. **OLD BUSINESS:** None.

9. **NEW BUSINESS:**

10. **REPORTS:**

- A. **2025 Livingston County Master Plan update:** Director Barb gave the Commissioners a brief update on the on-going Master Plan Update process. The Intent to Plan letter will be going out by the end of November to all statutorily required parties.
- B. **MSU Extension/County Planning Roles & Responsibilities Training:** Director Barb spoke about the information flyer (handout) and advertising for this upcoming 3-session training opportunity that we are partnering with Michigan State University Extension in the coming weeks.
- C. **Local City, Village and Township Planning Commission Meeting Schedule:** Local City, village and Township meeting schedule handed out to all Commissioners.
- D. **Annual Meeting to Follow Regular County Planning Commission Adjournment:** The Annual Meeting of the County Planning Commission will take place immediately following adjournment of this regular meeting of the County Planning Commission.

11. **CALL TO THE PUBLIC:** None.

12. **ADJOURNMENT:**

Commissioner Action: IT WAS MOVED BY COMMISSIONER CALL TO ADJOURN THE MEETING AT 7:52 P.M., SECONDED BY COMMISSIONER FUNK.



Livingston County Department of Planning

MEMORANDUM

Scott Barb
AICP, PEM
Director

TO: Livingston County Planning Commissioners and the
Marion Township Board of Trustees

FROM: Robert Stanford, Principal Planner

DATE: November 6, 2023

SUBJECT: Z-37-23 Amendments to Zoning Ordinance Articles -
Various Sections: Data Processing Facility

Robert A. Stanford
AICP
Principal Planner

Martha Haglund
Principal Planner

The Marion Township Planning Commission proposes amendments to the Marion Township Zoning Ordinance to amend and add definitions related to data processing facilities.

Proposed additions to existing text are noted in red underline, deletions in ~~strikethrough~~.

The Marion Township Planning Commission proposes amendments to the Marion Township Zoning Ordinance to amend and add definitions related to data processing facilities, in the following manner:

ITEM 1. AMENDMENT OF ARTICLE III: DEFINITIONS

Section 3.02 Definitions of the Zoning Ordinance is amended by adding the following definition to read in its entirety, as follows:

Data Processing Facility: A building, dedicated space within a building, or group of structures located on one or more acres of land used to house a large group of computer systems and associated components, such as telecommunications and data processing systems, to be used for the remote storage, processing, or distribution of large amounts of data. Examples of such data include, but are not limited to, computationally intensive applications such as blockchain technology, cryptocurrency mining, weather modeling, genome sequencing, etc. Such facilities may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support operations.

Department Information

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Web Site
milivcounty.gov/planning/



ITEM 2. AMENDMENT OF ARTICLE X: INDUSTRIAL

A new item, (D)(5), is added to Section 10.01 LI: Light Industrial District to read, in its entirety, as follows:

**ARTICLE X: INDUSTRIAL DISTRICTS
 Section 10.01 LI: Light Industrial District**

(D) Uses Permitted By Special Use Permit:

1. Asphalt and concrete batching facilities.
2. Billboards.
3. Communication towers.
4. Junkyards/Reclamation centers.

(5) Data processing facility

ITEM 3. AMENDMENT OF ARTICLE X: INDUSTRIAL

Section 10.01 LI: Light Industrial District, Item E (1)(c) is revised in its entirety, to read as follows:

E. Site Development Requirements: The following minimum and maximum standards shall apply to all uses and structures in the LI: Light Industrial District unless they are specifically modified by the provisions of Article VI: General Provisions or Article XVII: Standards for Specific Special Land Uses; or as varied pursuant to Article V: Zoning Board of Appeals.

1. Performance Standards:

c. Sound:

i. Non-Residential. The intensity level of sounds shall not exceed the following decibel levels when adjacent to the following types of **non-residential** uses:

Decibels	Adjacent Use	Where Measured
55	Residential Dwellings	Common Lot Line
65	Commercial	Common Lot Line
70	Industrial and Other	Common Lot Line

<u>Decibels</u>	<u>Adjacent Use</u>	<u>Where Measured</u>
<u>65</u>	<u>Commercial</u>	<u>Common Lot Line</u>
<u>70</u>	<u>Industrial and Other</u>	<u>Common Lot Line</u>



- ii. Residential. The intensity level of sounds shall not exceed the following decibel levels when directly adjacent to residential uses, measured at the common lot line:

<u>Residential Noise Level Limits</u>		
<u>Daytime</u> <u>(7 am-7 pm)</u> <u>45 dB(A)</u>	<u>Evening</u> <u>(7-11 pm)</u> <u>35 dB(A)</u>	<u>Night</u> <u>(11 pm-7 am)</u> <u>30 dB(A)</u>

The sound levels shall be measured with a type of audio output meter approved by the Bureau of Standards. Objectionable noises due to intermittence, beat frequency, or shrillness shall be muffled so as not to become a nuisance to adjacent uses.

STAFF COMMENT: Examples of different decibel levels

(Source: <https://www.iacacoustics.com/blog-full/comparative-examples-of-noise-levels>)

Passenger car at 65 mph at 25 ft (77 dB); freeway at 50 ft from pavement edge 10 a.m. (76 dB). Living room music (76 dB); radio or TV-audio, vacuum cleaner (70 dB).	70 dB	Arbitrary base of comparison. Upper 70s are annoyingly loud to some people.
Conversation in restaurant, office, background music, Air conditioning unit at 100 feet.	60 dB	Half as loud as 70 dB. Fairly quiet.
Quiet suburb, conversation at home. Large electrical transformers at 100 feet.	50 dB	One-fourth as loud as 70 dB.
Library, bird calls (44 dB); lowest limit of urban ambient sound	40 dB	One-eighth as loud as 70 dB.
Quiet rural area.	30 dB	One-sixteenth as loud as 70 dB. Very Quiet.



ITEM 4. AMENDMENT OF ARTICLE XVII: SPECIAL USE SPECIFIC LAND USES

A new section entitled "Section 17.36 Data Processing Facility" is hereby added to the Zoning Ordinance which shall read, in its entirety, as follows:

ARTICLE XVII: STANDARDS FOR SPECIFIC SPECIAL LAND USES

The following standards apply to the uses of land permitted by special use permit. The regulations contained in this Article shall be applied in addition to any other applicable, standard or regulation contained elsewhere in this Ordinance unless specifically noted.

Section 17.36 Data Processing Facility

The primary intent of the data mining ordinance is to establish guidelines and safeguards for the collection, storage, and use of data within our rural community. By implementing this ordinance, we aim to protect the privacy of our residents, ensure data security, and foster trust and transparency in data-driven practices.

STAFF COMMENT: The definition for the intended use as provided in this amendment uses the term "Data Processing Facility", as does the title of this Intent section. However, the first sentence uses the term "data mining ordinance", which is inconsistent. This should be corrected prior to any formal approval.

Data Processing Facilities are considered special uses and are therefore subject to the provisions of Article XVI, Special Use Permits, and other applicable provisions of the Ordinance. A Special Use Permit, and any conditions attached thereto, may be approved by the Township Board if all the criteria listed hereof are met.

Locational Requirements: Data Processing Facilities are permitted in the Light Industrial Districts with a minimum lot size of four (4) acres.

Performance Standards:

- a. Data Processing Facilities are considered a principal use and shall be the only principal use on a property at any one time.
- b. Shall not be located within an industrial park;
- c. At all times, sound levels at the property boundary may not exceed thirty (30) dB(A);
- d. A fence shall be installed around the perimeter with a minimum height of six (6) feet;
- e. Additional screening, such as a vegetative buffer, may be required at the discretion of the Planning Commission, per standards in Section 6.13.



STAFF COMMENTS:

Data processing facilities are the physical facilities where the internet lives. Fundamentally, they consist of networked computer systems used for data storage and processing, along with supporting equipment, such as batteries, back-up power generators, and cooling devices. And an emerging segment of the data processing facility market consists of facilities dedicated in whole or part to "mining cryptocurrency.

From the exterior, data centers and cryptocurrency mining facilities may be physically indistinguishable from many commercial or light industrial uses. However, the operational characteristics of these facilities are typically quite distinct from those of surrounding land uses. From a planning and zoning perspective, the most noteworthy characteristics relate to their electricity and water use, noise production, enhanced safety and security needs, and low employment densities.

Marion Township has decided to allow this land use as a permitted special land use in the LI-Light Industrial zoning district. The map below identifies the location of the Township's LI-Light Industrial zoning district.



Marion Township Zoning Map (2008)





Z-37-23: Marion Township
Various Sections of the Township Zoning Ordinance related to Data Processing Facilities
Page 6



An example of a new cryptocurrency data mining facility in Cherokee County, North Carolina

Source: <https://www.citizen-times.com/story/news/madison/2023/06/16/madison-county-imposes-1-year-moratorium-on-data-processing-facilities/70318736007/>

Township Recommendation: Approval. The Marion Township Planning Commission recommended Approval of this zoning amendment at its August 22, 2023 public hearing. There were no public comments noted in the minutes.

Staff Recommendation: Approval. The proposed amendments related to the regulation of data processing facilities in Marion Township appear to be suitable and reasonable. As regulating this land use activity is very much new territory for many communities, it remains to be seen if the provisions of this proposed ordinance will adequately and effectively govern the use to the complete satisfaction of the township and its residents in the future.

**PARTIAL MINUTES FOR BOT
SEE HIGHLIGHTED SECTION**

**MARION TOWNSHIP
PLANNING COMMISSION
REGULAR MEETING
FEBRUARY 13, 2024 / 7:30PM**

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

PC MEMBERS ABSENT: LARRY GRUNN

OTHERS PRESENT: DAVID HAMANN - *MARION TWP. ZONING ADMINISTRATOR*
ZACH MICHELS – *TOWNSHIP PLANNER*
JOHN GORMLEY – *TOWNSHIP ATTORNEY*

CALL TO ORDER

Jim Anderson called the meeting to order at 7:30 pm.

APPROVAL OF AGENDA

Cheryl Range made a motion to approve the February 13, 2024 agenda as amended. Bruce Powelson seconded. **4-0 MOTION CARRIED**

APPROVAL OF MINUTES

Cheryl Range made a motion to approve the January 23, 2024 Planning Commission minutes as amended. Bruce Powelson seconded. **4-0 MOTION CARRIED**

ANNOUNCEMENTS

Dave Hamann told the Commissioners that TXT# 01-23 DATA PROCESSING was ready to go to the Board of Trustees with a recommendation.

Bruce Powelson made a motion to recommend approval of TXT# 01-23 DATA PROCESSING to the Board of Trustees. Cheryl Range seconded. **4-0 MOTION CARRIED**

(PARTIAL) MINUTES TAKEN BY: Jessica S. Timberlake

Dave Hamann

From: John Gormley <john@gormleylaw.onmicrosoft.com>
Sent: Thursday, February 1, 2024 7:08 PM
To: Dave Hamann
Subject: RE: Review of DP ordinance

Dave,

I do not have any issues with the proposed Ordinance. I do question why in the design standards we are not allowing such a facility in an industrial park. With all the fencing and everything, I would think it would be an appropriate location.

John L. Gormley (P-53539)
Gormley Law Offices, PLC
101 East Grand River Ave.
Fowlerville, MI 48836
(517) 223-3758 (office)
(517) 223-8233 (fax)
(517) 719-7391 (cell)
e-mail: john@gormleylaw.net
web page: <http://www.gormleylawoffices.com>

ONLINE BILL PAYMENT INSTRUCTIONS!!

PLEASE READ BEFORE POSTING A PAYMENT!!!

Clients Making Payments On Existing Accounts Please Use The Link In Purple

New Clients & New Retainer Payments Please Use The Link In Green

EXISTING ACCOUNT PAYMENT LINK

<https://gormleylawoffice.securepayments.cardpointe.com/pay>

NEW CLIENT/NEW RETAINER LINK

<https://gormleylaw.securepayments.cardpointe.com/pay?>

Notices to Recipients:

1. Among the many other legal services we provide clients of the firm, we are a debt relief agency, helping people file bankruptcy under the United States Bankruptcy Code.

MEMO

To: Marion Township Board
From: Bob Hanvey
Subject: Sewer usage rates
Date: February 8, 2024

Attached is a report showing the historic comparison of the Peavy Road meter readings with the MHOG billing amounts.

Also attached is a worksheet showing the calculations I used to determine proposed usage rates to start on April 1, 2024.

These calculations are based on annual amounts. The first step is a calculation of the estimated cost for operating the system not counting the treatment cost we pay to Howell City, \$168,000.

Then an estimate of the cost for treatment at the new City rate of \$4.47 per thousand gallons. I used an estimated annual flow of 75 million gallons resulting in a cost of \$335,250.

The total of treatment + non-treatment cost is \$503,250.

I subtracted the ready-to-serve (RTS) amount from the total since that amount is not based on usage, resulting in \$442,250 that needs to be recovered based on usage.

We know that there is a gap between the Peavy Road meter reading and the total of the individual bills that is the basis of our revenue. I estimated that we would bill for about 65 million gallons.

So, if we divide the amount we need to recover by the gallons to be billed ($\$442,250 / 65,000$) we get a rate per thousand of \$6.80.

This is an increase of 7.486%, the City increase was 6.9%.

An estimate for the flat rate based on 160 gallons per day plus the quarterly ready-to-serve amount results in a flat rate of \$108.80 per quarter.

Cemetery Lot Certificate

Permit No. 582

KNOW ALL MEN BY THESE PRESENTS That in consideration of the sum of \$ 300.00, receipt of which is hereby acknowledged, the Township of Marion, hereby issues and grants to [REDACTED], whose present post office address is [REDACTED] Howell, MI 48843, his, her, or their heirs, representatives and assigns, the right of interment and burial in and to burial spaces Grave 6 W, in Lot 298, Section _____, in the Lakeside

Cemetery of the Township of Marion, according to the Plat thereof on file with the Clerk of the above Governmental Unit; subject, however, to all rules and regulations now existing or which might hereafter be adopted by the Board of Health, or its successors or assigns, concerning the same.

This Burial Permit and the rights herein granted shall only be transferred by completion and endorsement of the Assignment on the reverse side hereof and the acceptance and approval of the same for recording by the Clerk of Marion Township

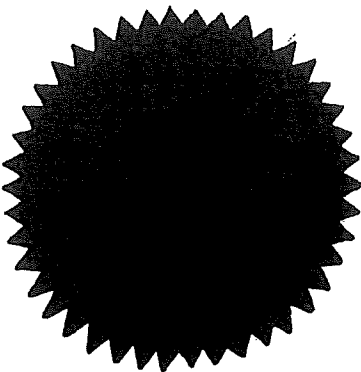
In Witness Whereof, the said Marion Township

Board has set its hand and seal on June 25 2002

Marion Township BOARD

BY: Robert W. Hanvey
Robert W. Hanvey, Supervisor

ATTEST: Mryna Schlittler
Mryna Schlittler Clerk



MARION TOWNSHIP MAINTAINANCE

- Locksmith came and adjusted locks and made key duplicates.
- Video cabinet doors were installed and painted. Shelf was built and installed. 2 Trainings were conducted, demonstrating the equipment.
- Bump out lights were changed to brighter lights.
- Teller line drawers were fixed.
- One camera was replaced and the others were adjusted.
- Walk through was completed and adjustments were made.
- Schafer's will come through and take pictures of the finished product on March 13th.
- Landscaping was completed.
- Large Blue Spruce tree in front of building needs help.

LIVINGSTON COUNTY BROWN BAG LUNCH SERIES PRESENTS:

BACK TO BASICS: URBAN FORESTRY

WHEN: MONDAY, MARCH 18TH
12:00-1:00 PM

WHERE: GENOA TOWNSHIP HALL
2911 DORR RD. BRIGHTON

WHO: LAWRENCE SOBSON



Bring your lunch and listen to Lawrence Sobson, the Partnership Coordinator for the MDNR Urban and Community Forestry Program. He will present the basics of urban and community forestry best practices and what resources are available for you to use.

Species dynamics, economics, ordinances, and standards will all be touched on to help build a rudimentary understanding of a communities trees and their usually unseen and unrecognized benefits.

**This is a great opportunity for Planners, Public Works
Departments, Elected and Appointed Officials.**

This event is open to the public, all are welcome!

Please RSVP by March 14th :

Mhaglund@livgov.com

RStanford@livgov.com

sbarb@livgov.com

Thank you to our partners!

